## THE NEWS AND OBSERVER RALBIGH, A. C. 5. A. ASHE, ---- - - - - EPITOR WEDNESDAY ...... APRIL 12, 1882 THE WESTERN NORTH CAROLINA RAILROAD.

The report of the Commissioners of the Western North Carolina Railroad, pub lished yesterday, which was unanimously approved by all the members, is a paper of interest. It is the first official declaration of the completion of the road to Paint Rock and Pigeon River, under the extension of time granted by a majority of the commissioners. It marks the completion of the first part of the contract entered into for the construction of the road. It remains for the assignees to continue the work to Murphy by 1885, and afterwards on to Ducktown. The report shows no abatement in the prosecution of the work and a large force, both of convicts and other laborers, are actively engaged on the grading between Pigeon River and the Balsam Mountains. beyond Waynesville. Well may the commissioners say, "The continuance of such energy will continue to receive our approval and support." It is significant that the railroad has

been built from Asheville to Paint Rock, some forty-four miles, before the management of the connecting road has built the short link of some two or three miles between Wolf Creek and the State line at Paint Rock. We congratulate the people of the State, and more especially our friends of the extreme west, upon the progress of this great work, and we heartily join in the language of the commissioners in "expressing our gratification at the energy now being displayed by the present owners and builders of this road." It must be a source of especial gratification to Governor Jarvis that his administration is coincident with an era of such great and material improvement in the good old State. We have recently taken occasion to recapitulate the various rail roads in process of construction within our borders, and the total number of miles was surprisingly large.

We are assured by those engaged in the construction of the Western North Carolina Railroad that it is their intention to continue to prosecute the building of the railroad to Murphy with all reasonable diligence and energy. We know and appreciate the difficulties which they are obliged to overcome. The Balsam, the Cowee and the Nantahala ranges are in their path, and must be sur-mounted. We shall not expect impossibilities, and the people of Jackson, Macon, Swain, Graham and Cherokee will doubtless not be impatient.

We cannot but believe that they will

officers at the polls; to be sure he had tract the balls, etc., and the next day got officers like deputy marshals to browbeat an ambulance and had them removed to a the people, and to be sure he had his inhospital. The Federal soldiers have just spectors of election to do the counting and learned that their benefactor was Hugh make the returns. How the people would Barr, of Moorhead, West Virginia, and have voted, if permitted to cast their have had this minute made as an expressaffrages freely, no one knows. What the sion of their gratitude for what the New popular will was nobody knows. How the York World speaks of as "the noble acts" vote really stood nobody knows. We only of their Confederate enemy. Such acts know that Napoleon's officers surrounded were not uncommon. the polls and browbeat the people and that

A GENTLEMAN residing in Maryland his myrmidons said that they counted the writes us, making inquiry about a Lieu votes and that they made returns taking away the rights of the people, destroying tenant Mettee, who served in the war and their liberties and setting up an Emperor was wounded at Gettysburg. He says: to lord it over them.

I to-day met a gentlemen named Dr. That might be human nature in France Thomas Reeves, who, upon finding that I but it is not human nature with us was a "tar-heel," at once asked me if I We believe it was fraud in France knew a family in the State named Mettee. and that a similar fraud may come to be I told him that I did not. He then told practised in these United States if ever me that his reason for asking was this: the people consent to centralization. I A day or so after the battle of Gettysburg is the first step that costs, and the safe he went on there to assist in attending to way to avoid possible dangers of this kind the wounded. There he came across a s to preserve the local rights of the young lieutenant from North Car-States, and while maintaining the consti olina, who had been shot through the tution and the Union, prevent the Federal lungs. This lieutenant had his sword government from using powers not dele-gated to it. Right here is the great differwhich he knew would be taken from him, so he requested Dr. Reeves to take care of ence between this new party, the Repub-lican party, and the old national Demoit. He did so with some risk and has it still. He says that the lieutenant got well, eratic party. The acts, purposes, policy but he never heard of him afterwards. If and principles of the Republican party the lieutenant or any of his family should tend toward centralization, while the apply for it, they would get it without any Democratic party desires to maintain the trouble. Yours, constitution and the Union strictly as it is, and seeks to perpetuate the local govern-

Washington News.

S. K.

ment of the people in their State affairs: [Special Dispatches to the Baltimore Sun.] According to the principles of the Democratic party, it is dangerous to have Federal troops at the polls; dangerous to have deputy marshals and revenue officers WASHINGTON, D. C., April 10 .- The House committee on commerce has had a long siege with the inter-State commerce at the polls, and dangerous to have Federal bill of Mr. Reagan, and has about concluded its deliberations on the subjects ininspectors of elections to count the ballots. volved therein. The impression is that a And yet some of the leading Republimajority of the committee will determine cans of North Carolina are now crying to report in favor of a measure for the out for the government to do these things. creation of a board of commissioners of

THE Charleston News and Courier tells five persons, two or may be three to be selected from the officials of the Interior of an incident of cruelty that a colored man Department, and the remainder from in that city thought he had a right to civilian experts; the commission to have a practice on his child. It says that on general supervision of all land and water Saturday afternoon, about one o'clock, the routes of transportation extending to or cries of a little colored child, in the yard through one State or Territory to another, or to or from any foreign country, but to the north of the United States court such supervision to be limited to the house, attracted to the windows of the court rooms a large number of persons charges made by common carriers, and the safety of travel and movement as affecting who were listening to the proceedings in inter State commerce. All railroads and the election cases. The sight that met common carriers to be required to report their eves was enough to arouse the their operations annually to the commissympathy even of a professional Govern ment witness. A colored man named sion. George Emly had his little daughter, a The executive committee of the Senate and House of the Democratic Congreschild about 7 years old, tied around the

neck with a rope, and was proceeding to sional Campaign Committee met at the residence of Gen. Rosecrans to-night. hoist her up on a large fig tree in the Gen. Rosecrans was elected permanent yard. Several persons who saw the outchairman of the joint committee, and rage called out from the sourt room to the Gen. Lefevre secretary of the same body. man to stop, and seeing that he was being observed the brute untied the rope and A board of control to consist of nine members was provided for. The board of tried to make his escape. A policeman control, with Hon. R. P. Flower, of New had been notified, however, and arrested York, as its chairman, is constituted as him before he could get into the street.

## Digest of Supreme Court Decisions

From Advance Sheets of the £6th North Carolina Reports ]

Allen vs. Jackson.

1. To give a justice of the peaco juris li i n of civil actions under section 27. er rice 4, of the constitution, the summons. as a substitute for a complaint in such case, must show upon its face that the cause of action is within his legal cognizance: if the action be founded on contract, it must contain the amount of the sum demanded, not exceeding \$200; if not a contrrct, it must specify the value of the property in controversy, not exceeding \$50.

2. An amendment of summons in the Superior Court that would, if made in the justice's court, have given the justice jurisdiction of the action, was properly refused.

Holmes vs. Holmes. 1. An equitable estate in fee may be declared without the use of the word theirs," if an intention to pass such estate can be guaranteed from the instrument. 2. A parol contract of sale of an equitable (as well as a legal) estate in land is void under the statute.

3. The decision in Scott vs. Battle, 85 N. C., 184, that a married woman's contract affecting her estate in land is void unless made in strict compliance with the statute in reference to taking her privy examination, is approved. 4. One who uses a deed in the neces

sary deduction of his title, which discloses an equitable title in another, is affected with notice of the trust. Johnston vs. Bernheim.

Where the managing partner of a firm buys goods on time when he ought to have bought for cash according to the terms of their agreement, the firm and each member thereof (out of his individual estate) is liable for the debt, even though the seller had knowledge of the stipulation against credit ; and this, whether the partner sought to be charged derived any individual advantage from the enterprise, or not.

Kendall vs. Briley.

When leave to sue on a judgment under section 14 of the Code is refused by the judge below, his decision upon the question, whether "good cause" is shown, is conclusive. (Mr. Justice Ruffin dissenting.)

State v. Locke.

1. An appeal does not lie from the refusal to discharge a prisoner when a mis-trial is ordered. The mode of procedure

to have such a case reviewed is by a petition in due form for a writ of certiorari. setting forth the grounds of the application.

2. A jury were discharged before verdict, in the t-ial of a rape case, upon the following facts found by the Court : cause committed to jury on Monday of second week of term; jury kept together until half-past ten o'clock Saturday night, when came into court and were polled. each juror stating that it was impossible for the jury ever to agree; the court, finding they could not agree, held it unnecessary to prolong the term of the court for the purpose of the trial, ordered a juror to be withdrawn and a mistrial en tered, and the prisoner to be remanded to jail; Held, no error. Cain vs. Commissioners of Davie. 1. Under the provisions of the "fence law," act of 1881, ohapter 172, the commissioners were proceeding to collect the tax assessed upon land to defray the expenses of building the fence, and the court refused to grant an injunction to restrain them ; Held, no error. 2. Held further : The provision in said act that it should take effect upon the happening of a contingent event, to-wit, upon its being approved by the necessary number of qualified voters, is not a transfer of legislative power to the voters. smiled at this point.) 3. The ruling in Simpson vs Commissiopers. 84 North Carolina, 158, that the decision of the commissioners, to the effect that a majority of the voters favored the enaotment, is final, is approved. 4. The constitutional provision that taxation shall be equal, uniform, and within certain limits, does not apply to local assessments imposed upon owners of property, who in respect to such ownership are to derive a special benefit in the local improvements for which the tax is expepded. Commissioners of Davie vs. Cook. 1. No appeal lies from an interlocutory order appointing commissioners to assess damages for condemnation of land for a fence-way, under the act of 1881, chapter 172. 2. Where a court of record of common law jurisdiction in the county in which the land is situate, is authorized to appoint commissioners to condemn the land for certain purposes, it seems that the judge riding the district in which said county is embraced, though not in the county, may exercise the jurisdiction. State vs. Edwards. A and B, owners of a mill, employed C as a miller, giving him one-third of the toll received, as compensation for keeping the mill, and the flour alleged to have been stolen was made of undivided toll wheat; Held, that in the indictment the ownership of the flour was not properly laid in the miller, but it should have been charged to be the property of A and others.

## Judge Wylie's Decision in the Star Route

Judge Wylie, in denying the motion to REPORTED BY W quash, said: If the statute of Maryland of 1722 is the law of this District, the Bulk Meats, clear objections raised by the defence are fatal. The Maryland act of 1722, at the time Hams, sugar-cured Strips " Lard, best refined. of cession, was one of the laws of that State, but it did not follow that it was in force in the District. The act of 1722 was not repealed, it was simply not adopted in the new system, but adopted by the United States when it provided a criminal system for the District. It appeared to him that the act of 1722 disappeared from our laws along with the judicial system to which it belonged. The next subject of consideration was

the indictment itself. It was an elaborate and carefully prepared instrument. The offence charged was that of a conspiracy to defraud the United States. It was as charged a conspiracy executed or carried out to a successful result. Judge Wylie here quoted from section 5,440 R. S., setting forth the penalty for conspiracy. This act, he said, changed the common law in two respects : 1st, that a conspiracy in itself without an overt act was not an indictable offence; 2d, in the degree of punishment, which under the common law was left to the discretion of the judge. It was clear that the conspiracy was suf-

ficiently set out, and the purpose to defraud was sufficiently charged. The only question was as to whether the acts charged were sufficient to make out a case of crime. - It was a crime to steal goods and chattels, but an indictment would be bad if it did not set forth the articles stolen. So, too, it was a crime for two persons to agree together to defraud or cheat another.

but the indictment must set forth the means proposed, in order that the court may see that the means are illegal. It must be made to appear that the acts charged will, if proved, support a conviction of the defendants. The question was whether the independent acts formed an indictable offence.

Judge Wylie then entered into an analysis of the indictment. If the alleged overt acts were indictable offences, the indictment was good. The first charge was that extension of routes and increase of service on route 38,113 were obtained by false oaths, petitions, &c., with the connivance of Brady ; and, further, that subsequently Stephen W. Dorsey became the sub-contractor, after which another order to increase the service was made, and allowances were made both to the contractor and sub contractor.

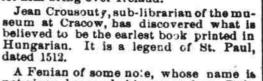
He quoted from section 5,498 R. S., setting forth that an; officer of the United States who acted as agent in prosecution of any claim against the United States. assisted in such prosecution, or received any compensation, or shared the profits of such prosecution, &c . "should be liable to a penalty of not more than \$5,000 or imprisonment for one year, or both." He quoted also the law making it a penal offence for a man to receive bribes, &c. also statute providing a penalty for any person who falsely makes, alters, forges, counterfeits, &c., or aids in such altering, or forging, any bond, bid, proposal, public record, &c , for the purpose of defrauding the United States, or willfully causes such falsification to be published as true, or shall transmit the same to any officer of the United States for the purpose of de frauding the United States. There were thirty-six alleged overt acts set out in the indictment, the major number of them charging the employment of fictitious signatures, &c., in pursuance of a common purpose-to defraud the government. In the first charge, allowances of the same character appear to have been made to both the contractor and sub-contractor. and upon the face of the paper it seemed that double allo wances wer : made. (Messrs. Brady, Ingersoll, Chandler and others

Baleigh Grocery Market.	NEW ADVERTISEMENTS.
WHOLESALE PRICES. REPORTED BY W. C. & A. B. STRONACH. (Corrected Daily.) BALEIGE, April 10, 1882 Bulk Meats, clear rib sides	A. R. LEDOUX & CO., 17 Cedar St., New York City, Chemists and Assayers, Make ANALYSES OF FERTILIZERS, Chemicals, Minerals, Ores, &c., &c. FAR- MERS wishing to PURCHASE FERTI- LIZERS or AGRICULTURAL CHEMI- CALS, and AGENTS desiring our ANALYSES or our INSPECTION OF JOODS in Balti- more, New York or New Fryland are invited to correspond. Swithial = 3 & and trustworthy reports guaranteed.
	EDWARD J. HARDIN, GROCER,
Dried peaches, peeled	RALEIGH, N. C.

Dried damsons ... Old Government Java coffee ..... 16 . 15 Laguayra coffee..... 13 Rio coffee. Cut loaf sugar..... Granulated sugar..... Standard A sugar..... Extra C sugar..... Ye'.ow sugar Fines t Goshen butter..... Choice Goshen butter..... Country butter ..... 8 . 

An Indian chief while in Washington was taken to see a burlesque show. After the performance he remarked, through an

very kind to send the poor Indians blankets when they were so much needed at home. Barnum having secured "Jumbo," Forepaugh is now looking about for an at-traction that will excel it. If he wants a bigger English "elephant" than Jumbo. let him bring over Ireland.





Drips.

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(Anolise )

How London, Ct. A.

our very low prices for such superior mac

Price with Self-Feeder or Condenser.

elsewhere.



keep faith with the State and their contract, and we shall hope that the great work accomplished by them will be no less remunerative to themselves than beneficial to the State.

IN A RECENT editorial we remarked on the difference in principle between the two great parties of the country. The ten dency of the tenets held by the Republican party is to centralization, while the principles of the Democratic party do not lead to such calamitous results. The Republican party its of recent origin ; the Democratic party is a grand old organization whose origin was contemporaneous with the adoption of the constitution and the formation of the Union. Its carly leaders were old revolutionary patriots; associates of Washington. his competers, his friends, members of his Cabinet and co-laborers with him for the establishment of the liberties of the papple upon an enduring basis.

Their guiding principle was while main taining the constitution of the Union, to preserve for the people the highest freedom of action in regard to local matters. Our system of government is complex. The Colonial governments were distinct and entirely separate from each other. When Great Britain made her treaty of peace with the successful colonies that had rebelled against her authori'y, she declared and admitted the independence of each of them by name, naming each of them separately. She thus declared the independence of Massachusetts, of Rhode Island, of North Carolina, &c., &c., severally and as distinct and separate States. A confederacy of States was first adopted ; and the Union thus formed was declared by the States " to be perpetual." But alter a few years some of the States. broke up that union and formed a new one. All of the States did not consent to this new union immediately. Its adoption by nine of the thirteen sufficed to make it binding upon the States adopting it, and those that did not come in remained unconnected with it. This was the case with North Carolina. Washington was elected the first President of the United States. but North Carolina took no part in his election. It was just as if Mexico should now apply for admission into the Union. and we should agree to the proposition ; Arthur would be President as to Mexico, just as Washington became President as to North Carolina. He was President of the Union before North Carolina became a part of the Union. When North Carolina and the other States became members of the Union they did not relinquish their right of local self government. They merely said that Federal government shall have the powers invested in it by the constitution, and no more. They even, for greater certainty, put in a special elause, that " the powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the

And so the States reserved to them-Rev. Joseph T. Inman, Station D, New Traveler : "Ain't you ashamed to begments, and to indulge in one cannot be re-EFNote the prices and improvements ; don't be selves the powers not granted in the con-York. stout fellow like you? I should think deceived or allow yourself to be talked into buying other gins. Our machines are fully guaranteed. If TWENTY years is quite a time in a man's garded as a personal joy. stitution. It is this that the Democratic Office in Bagley Building, corner of Mar-in and Fayetteville streets. mai8-d2m you might work." Picturesque beggar When Victor Hugo meets his old Frosty weather in Austria is damaging life, and yet it is not long enough for emonot astisfied with our guarantee place your order with party has always recognized, and our (drawing himself up), "Senor, I asked you the early vegetation. Guernsey cook in the hall he politely steps any responsible merchant of your acquaintance and leaders have placed great stress upon it tions of gratitude to subside. Last week get him to buy for you. Time, when desired will be for alms, not for advice." 400,000 SHINGLES aside to let her pass. He has been because it is the safety of popular liberty | there was placed in a show window in given to any responsible person. Write for descriptive circular with hundreds of testimonials from enterpris-The pleasures of the table cease, Of my own manufacture, price \$2.50 to there when she was carrying out a kettle \$4.00 per 1,000. J. D. WHITAKER, Balaigh, N. and the palladium of our free institutions. Teacher-"How does the earth absorb Brooklyn an elegantly engrossed and hand-The beauties of the mouth decrease; ing planters of hot lard after frying doughnuts. France was once a republic. Her peo-BROWN COTTON GIN CO., water ? " Pupil-"Like a dog." Teacher-The breath's no more a spicy gale; somely framed minute that records an in-West Hargett street, Baleigh, N. C. April 8-dlwawit New London, Conn. LATTA & MYATT, Agents Baleigh, N.C. A careless talking acquaintance used to And all must soon in ruin lie, Unless to SOZODONT we fly. ple were free as our people are. But an "How do you make that out?" Pupilcident of the second battle of Bull Run. ambitious President submitted the quesdefine swearing as the "unnecessary use "Don't we read of the lap of the earth?" For Rent. Among the Federal wounded left on the of profane language.' tion to the people whether he should not JOHN AMMETBONG. Hanlan has begun to train for his row-ing match with Trickett on May 1. Tcacher-"Go up another grade." GRO. NORWOOD HOUSE and lot corner of Blount and Peace Streets, contains seven rooms, be Emperor, and by the result of the field were three soldiers, who were suc-ARMSTRONG & NORWOOD, Spread of Tetotalism .- First individual counting it appeared that a majority of the Hoboken has a candidate for Mayor with kitchen and servant's room, well of good water on premises. Possession given immediately. Apply to J. B. BURWELL, ap 8-5t . Peace Institute, cored by a Confederate, who, noticing (to second ditto): "Have a drink, old The appointment of M. de Giers as min-Book Binders and Blank Book Manufacturer man?" Second ditto (hesitatingly): who weighs 440 pounds. They have got ister of foreign affairs for Russia has had people desired him to be an Emperor. And that one wore a Masonic emblem, rendered Dodd Building, RALEIGH, N. O a reassuring effect at Berlin. it was done. To be sure he had his troops | them all the assistance in his power, got a "No, thanks; but if you don't mind I'll tired of brains and will try solid fat for Lent is best remembered by the square The only Practical Binders carrying on at the polls ; to be sure he had his revenue surgeon to attend to their wounds, ex- have half a pork pie." awhile. meal that comes after it. business in the city

Upon being questioned as to the motive for his cruelty, the man said the child was his own and he would do with her as he pleased, and that he was only going to scare her for some act of disobedience she had committed. It was only the small matter of the stretching of a neck; but then it makes all the difference in the world whose neck is being stretched.

FATHER O'ROURKE, a Catholic priest, who officiates at Olyphant, a village in Pennsylvania, has a pleasant prospect before him. There is a fellow in that neighborhood who is perfectly sane on all sub jects except that he is under the hallucination that the one thing needful to make him perfectly happy and secure his safe passage to the land of milk and honey is o send Father O'Rourke along ahead of him on the road. Sometime ago he marched unbidden into the church building where the good Father was celebrating mass, and walking up to the altar railing with his repeating rifle in his hand, proceeded with great deliberation to prepare for action. Fortunately he was seized in time to prevent his contemplated murder then. When questioned in court about his performance he avowed his purpose,

saying that the priest had bewitched him, and that he could have no peace while Father O'Rourke lived. He was sent to a hospital for the insane, but has just made his escape and is again on the war path.

WE LEARN that the University Normal School will begin June 15th next and continue five weeks. The Board of Education entrusted its organization to Superin-

tendent Scarborough and President Battle. They have selected for its Superintendent Mr. M. A. Newell, Superintendent of Public Instruction of the State of Maryland, who has great experience and skill in the conduct of normal schools, and is distinguished for his vigor and tact in managing teachers' institutes.

Prof. Edward P. Moses, principal of the raded school at Goldsboro, who has so ably carried that school to success, who likewise has had large experience and skill in the management of normal schools, will be Assistant Superintendent.

The other officers will shortly be made known to the public. It is determined to make this a model school in every particular, and we shall hope that the efforts in that direction will prove eminently successful and that the normal school at Chapel Hill for 1882 will be as full of interest and as beneficent in its influences as those of the last few years.

WE note with pleasure that the Wil mington Review proposes to make some changes that indicate growing prosperity. It is to have a new dress, to be a morning paper, printing the dispatches, giving the markets and in every way being a live daily. We wish Brother James much success in all his undertakings.

follows: Senator Davis, West Virginia; Senator Gorman, Maryland; Representative Cobb. Indiana; Representative Rosecrans, California; three others, whose names are withheld, and one to be selected at the next meeting of the committee. Mr. Phil. Thomson was chosen secretary. Governor Crittenden, of Missouri, is expected in this city to morrow. It is given out that he comes here to look alter certain private land claims, but the true

reason is said to be that he is driven from Missouri through fear of being assassinated by some of the James gang. It is understood that Secretary Lincoln, in his report on the proceedings of the Sergeant Mason case, does not concur with Judge Advocate-General Swaim in the opinion that the findings and sentence are llegal. He recommends a mitigation of

the sentence. The report will not be made public until the President acts upon it. The Chinese minister, accompanied by his second secretary, two attaches and an interpreter, will leave Washington to morrow for New York, and will sail thence for Spain. He expects to return to this country in a lew months.

Fun at a dinner. party : The youngest gentleman (it is his first visit) has broken he ice at last by inquiring the name of the hostess's little daughter, to which the child has replied "Ethel." "And why, Ethel, do you keep patting me on the arm ?" "Because mamma says you're a muff"-(awful pause, during which the child strokes him down) -" but you don't feel like one, you know." (Tableau: child complacent-nobody else.)

They are discussing a new play. "It is not by any means a bad play," says one of the speakers, "but it lacks something fomething that you can't exactly describe you know-the je-ne-sais quoi, as one might say." An auditor, coolly : "Be more explicit, young man, be more explicit. There is nothing in criticism like precision of statement."

Jumbo, the monster elephant whose purchase for a New York menagerie caused such a sensation in the English capital, and whose removal from the Zoological Gardens at London became almost a national question, arrived at New York Saturday night. He is the largest elephant known.

John Ruskin says that smoke "looks as if it were made of dead men's souls.' John has never seen a dead man's soul. nor smoke that came from one, and he does not know what he is talking about but he is æsthetic, and that is what he thinks.

The sale of its old building to the government will give the Freedman's bank depositors a final dividend of 20 per cent. This is the last slice the poor darkey depositors will ever get. Lent is the most appropriate time for

amateur theatrical entertainments, for they

THE case of the State vs. Roberts, an indictment for the slander of a lady of the most respectable connections, was begun at Hillsboro Wednesday morning, Judge Graves presiding. Forty-five witnesses

for the State were called, and very nearly the same number for the defense. The case is one of the most exci ing which has ever been in any court of justice in North Carolina, and has attracted a great deal of comment and interest in the county. It will be argued, probably, to morrow.

Mr. Ingersoll interrupting the court, without rising from his chair, said : "Will the court allow me to state just how it was ?"

"You will have opportunity to do that hereafter," said Judge Wylie.

"I only want the court to know," said Mr. Ingersoli.

"I do not vare to make a point of that," said the judge.

"The facts are," continued Mr. Ingersoll, "the sub contractor get his allowance out of the allowance made to the con tractor."

"That," said Judge Wylie, "don't appear on the face of the paper."

"Well," retorted Mr. Ingersoll, "that is because the indictment is not well drawn." Laughter.]

Judge Wylie then continued his analysis of the indictment. He quoted authorities, holding that it was enough therefore for the pleader to set forth the offense in such apt words as to describe it against the statutes. He held that the averments made in the indictment regarding the false affidavits, oaths, petitions, &c., were substantially in the words of section 5,479, revised statutes, and that was sufficient. He quoted from the act of 1872, setting forth that no defect in an indictment which did not tend to the prejudice of the accused should invalidate In relation to the claim in the case of Brady, that he was not amenable to courts of justice, but liable to impeachment, he said that notion was erro neous. The constitution provided judg ment in the case of impeachment should not extend further than removal from office and disgualification, but the person impeached would still be liable to indictment and conviction in due process of law. For these reasons the motions to quash were overruled.

A Card.

To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood, &c., I will send a recipe that will cure you, free of charge. This great remedy was dis-covered by a missionary in South Amer-

\$ 75 00 57 50 100 00 115 50 135 00 140 00 140 00 \$100 00 116 00 132 50 156 00 160 00 180 00 505 00 232 00 States respectively, or to the people." do not come under the head of amuseica. Send a self-addressed envelope to the