Weekly, one year, "
six months No name entered without payment, and no paper sent after the expiration of time paid for.

TUESDAY, JANUARY 19, 1886.

NINE thousand dollars N. C. 6s 1919 were sold in New York last week at 1151-61, and \$1,000 consol 4s at 884.

We note with regret the loss by fire of the office, type and press of the Panilico Enterprise, but hope the paper will rise phoenix-like from its ashes.

Texas has such a composite population that its governor's message is printed in four languages. Thirty thousand copies are printed in English, 10,000 in German and 5,000 in Spanish and Bohemian. Four tongues are thus officially recognized, not counting those of the women.

DR. CHARLES W. DABNEY is one of the best of men, and a most accomplished chemist. His work as State chemist is as well done as the State Chronicle says it is, and we take pleasure in endorsing what our contemporary says of him. The pleasure is not lessened very much the reverse—by knowledge of the fact that Dr. Dabney is newspaper mus as well as chemist. He is a director of the Chronicle publishing company, as well as director of the State experiment sta-

THE award to a Virginia car company of a contract for building 500 freight cars to be used on a New England road shows the tendency of things nowadays in matters industrial. The contract to waich we refer was obtained over the competition of twenty Eastern firms. Perhaps the day may arrive after all when the South will not have to go North to buy everything from a hoe to a yard of calico.

THE Samoan islands, on which Ger many has laid hands, consist of eight small specks of land away off in the Pacific. Were they not in the direct route to Australia and therefore of use as coaling stations or half-way havens, they any power, They are occupied by about thirty-five thousand people, who are Christians, and their products are coffee, cocoanuts and a small quantity of cotton. The United States made a weak attempt to extend a sort of protectorate over the islands in 1875, but this was of brief duration and has never been re-newed. A native king has held sway since that time as before and Germany is not likely to be seriously interferred with in her project of 'annexing' the new territory to her own greedy self.

A waw fertilizer is reported from Alabama, an account of which may be interesting to the farmers. It is the auggestion apparently of Mr. Reese, the owner of the basic steel making patent, of which we have hitherto spoken. The iron ores of the South are highly phosphoritic and by the basic process the phosphorus is eliminated and comes out in the shape of phosphate of lime. Where the ore is highly phosphatic the phosphate of lime contains twenty per cent of pure phosphoric acid. This phosphate, according to Mr. Reese, is worth \$21 per ton as a fertilizer. As one-third of a son of the phosphate is produced for every ton of steel made, the sale of the fertilizer at \$21 per ton would reduce the per cost of would reduce the net cost of a ton of steel by \$7. Thus a double advantage is gained, the agricultural districts get ting a valuable fertilizer and the cost of basic irow and steel being cheapened to the extent of the fertilizer's market value. We do not know that there is really anything in this new idea. We give the news simply for what it is

THE sad death of Miss Bayard, which came with such appalling suddenness will be deeply regretted throughout the country. The young lady by reason of her prominence in the society of the capital had become generally well known and was universally admired. The Washington Post says that it is the uttterance of no mere common-place, but of the simple truth, to say that she was esteem ed and beloved by all who knew her. Possessed of rare intellectual endowments, these natural powers had been developed to the utmost by a very high order of culture. All who came it contact with her were at once impressed by the brilliancy of her mind and the vari ed range of her accomplishments. In now desolate and within the small family circle which a great grief make sacred she filled a place which she line made for herself. Friend and compan ion to a loving mother and sisters, pridi of a fond father's heart, drawn to dayl and drawing all with the loving attributes of tender consideration and self-forgetness, it is little wonder if they mouri as those who cannot be comforted."

In speaking of the mysterious murthat the author of them all is a lunatic and one lunatic only: 'Do same men calmly plot and curry the moon, as some assert, affect certain dozen. Delicious frozen Bananas 25 tion. 2d. That the words of the act do had and every pair and of "y maniacs and intensify their disease? are cents per dozen. Mountain apples 75 not make it obligatory on the justices tool. 26. Everywhere. questions left for the Statesman renders | gents per bushel,

to pender over this morning. One thing is certain: All the terrible and eruel assassinations which occurred in this city during last year, with but one exception, were committed in the light of the moon, and below will be found the time which elapsed after the ful when the horrible crimes were perpetrated. The first victim to fall in the series of bloody mysteries was Mollie Smith, on the night of Dec. 30th, 1884, on the night of the full moon. Just four months and seven days after, or on May 7, or exactly seven days after the full of the moon, Eliza Shelly was backed to pieces. On May 23, nine days after the full moon, and sixteen days after Eliza Shelly met her death, Irene Cross was assassinated. About three mouths atter, and five days past full moon, ou Aug. 30, the insutiable fiend cru liv murdered and outraged little Mary Ramey. On Sept. 28, nearly one mouth after Mary's death, Gracie Vance and Orange Washington were killed, just four days after the full of the moon. On Dec. 24 Mrs. Phillips and Mrs. Hancock met their horrible fate, and it was exactly three days past the full of the moon The moon will soon be full again and then will wane. Will it lie on a scene of blood and cruel and ghastly

Ir appears probable that the matter of civil service reform will receive a good deal of attention from Congress during the winter, and Gen. Cox as chairman of the new civil service committee will therefore doubtless have his hands full. He has been industriously seeking light among members of Congress for his guidance in formulating legislation for the action of the House. and thus far, it is reported, has found a considerable scritiment in favor of providing for the examination under civil service rules of all persous who were in the government service before the Pendleton bill went into effect, in order to ascertain their fitness for the places they hold. The impression is indemnity is executed the equitable vacating a large number of clerkships in Washington and throughout the country, and thus open a channel through which deserving Democrats might find places in the government service. There is no doubt about the fact that the departments at Washington contain many old clerks who were so placed purely be-cause they had "influence," and who could not pass even a moderate test by the present civil service examiners. These barnacles, it is suggested, should be required to give way to bright and vantages as those they possess over ap-Gen. Cox may be trusted to go to the bottom of the matter and adjust it to the satisfaction of all patriotic citizens.

THE Railway Age makes an interesting comparison of the railway wrecks of last year with those of previous years. It appears that in 1885 twenty-two rail ways, having 3,156 miles of main line, and having a total capitalization of hands of other owners. During the previous pear, 1884, there were fifteen foreclosures, involving only 710 miles and afterwards the land was sold under execution issued on a judgment rendered against the principal debtor and one of the suretes, but the executor of the suretes, but the executor of the suretes, but the executor of the suretes. railway stocks and bonds only to the one of the sureties was not served with amount of \$47,000,000, and in 1882 to process in such action, and he afterthe amount of \$65,000,000. Only twice wards bonveyed his testator's interest in the railway foreclosures been larger, so far as the amount of bonds ferred on him by the will, in which and stocks were concerned, than last deed the other surety (mo tgages) year. In 1875 the amount of these se-curities involved was \$310,000,000, and such deed had the legal title to at least in 1875 \$311,000,000. Last year doesn't a morety of the land, and it is intimaseem to have been a good one for the ted that the sale under the execution railways

THERE is a conspicuous warning in the death of Miss Bayard which it would be being in pari materia, are to be construed well to enforce. Friday evening the together, and make it the duty of the young lady in question looked unusu- register of deeds before issuing a marally well, and in reply to a friend who riage license to make reasonable inquiry remarked upon the fact, said that she had to the margiage of the parties, or whethnever felt in better health. Through- er either of them is under the age of out the evening she was the gayest of a eighteen years and resides with her happy assemblage of distinguished people at her father's house, and her conversation; always interesting, "seemed peculiarly so to those who had the privilege of listening as some favorite topic aroused her attention and enlisted in its reliable applied; for the license, and favor a ready stream of comment and produced to the register a written statequick repartee." Saturday at noon ment purporting to give the age of the she was a corpse, and a Wash- female as over eighteen years, and also ington paper says; there can be no the name and residence of her parents, doubt that her death was hastened if and the person producing the statement not wholly produced by her exposure the said it was true, though no name was chilled the lower halls every time the made such inquiry as was required of street door was opened, as she stood in him, and was not liable for the penalty. the direct current just within the library door to welcome each arrival, c'al in the combe county. evening dress which left her shoulders to shield her mother, whose delicate brought for the p rpose of obtaining an health has always been the of jet of her lipjunction, into one for a mandamus. deepest concern, from any danger that might come to her through an expos- combe. ure to the draught but her laudato the decrees of fashion. Young wo- of the registered voters of certain town-men, whether leaders of society or not. shirs, presented to the commissioners

costive after operations, but, on the con- meeting, but on account of some disoryear, the Statesman, of that city, hints action. Being entirely vegetable, no acting on them and the commissioners strongly, as follows, at the probability particular care is required white using proceeded to build a common fence them. By druggista.

At W. C. & A. B. Stronneli's.

Signed at Chamber of the baprone Court ships on the filing of the petitions, but OCTOBER TERM, 1895. From Advance Sheets of Attorney General F. Davidson's 93d N. C. Reports.

Turner vs. Powell. 1 Ignorance of legal requirements in executing and filing the undertaking unou appeal will not entitle an appellant to a writ of certiorari in lieu of an

2. The ignorance or carelessness of the appellant's counsel in preparing the appeal bond will not cutitle the appellant to a writ of certiorari in lieu of an appeal, where the appeal is lost because the bond is imperfect.

Ijames vs. Gaither. to another than the judgment debtor, Where a mortgage or deed of trust s registered upon a proper probate, it is notice to all the world of the existence of the mortgage, of its contents, and of the nature and extent of the charge created by it.

2. When a party is put upon inquiry, he is presumed to have notice of every fact and circumstance which a proper examination would enable him to find

3. Where a mortgage was executed who had not paid the debt; Held, to be notice to a purchaser after its registration, of the right in equity of the cred-

4. When a debtor executes a mort gage to his surety to indemnify him, the creditor has an equitable claim to the injunction should have been refused. security, and upon the insolvency of both principal and surety he may sub- Charlotte. ject the mortgaged land to the payment of his debt, and this is so not only when the mortgage stipulates that the the mortgagor shall pay the debt, also when it merely provides that the surety shali be saved harmless.

5 This right of the creditor is not, lost although the personal remedy against the surety is barred by the statute; or if brought to enforce a right arising under the surety has never been damnified an act of Congress, and this may be and is insolvent.

6. The debt due the creditor supplies press provision. consideration to support 7. In such case as soon as the deed of

general that this course would result in right of the creditor attaches, and it is not in the power of the surety to put it beyond his reach, Spicer vs. Gambill.

1 Where an execution is levied on land before the expiration of the judgment lien, but the sale does not take place until after the expiration of such lien, the levy does not extend the lien to the sale, so as to defeat a purchaser or prior encumbrancer whose right attached during the existence of the lien. but before the levy

2. If an execution issue more than ten capable material. They should cers years after the docketing of the judgtainly not be permitted to remain longer ment a sale of both real and personal in the enjoyment of such decided adcase it is only a lieu on both real and plicants who now present themselves, personal property from the levy, and not from the teste, of the execution Simpson vs. Simpson.

1. Where the maker and both subscribing witnesses to a deed are dead. proof of the handwriting of one of the witnesses thereto is sufficient to authorize its probate and registration.

2. An equity of redemption cannot be sold under execution on a judgment rendered for the mortgage debt.

2. Where a power of sale in a will is \$278,500,000 - \$141,590,000 in bonds conferred on two executors, one of whom and \$135,900,000 in stock were sold dies, the power can be executed by the

was inoperative, and the entire legal estate passed.

Bowles vs. Cochran. 1. The Code, sections 1814 and 1916. whether there is any legal impediment father, &c.

2. By such reasonable inquiry meant such inquiry as renders it probable that no impediment to the marriage

3. When a man of good character and evening before to the frosty air which signed to it; Held, that the register had McNair vs. Commissioners of Bun-

The court has no power, with or withbare. Her kindly purpose in this was out amendment, to convert an action

McNair vs. Commissioners of Bun-An act of the legislature providing ble consideration did not serve to temper stock law for a county enacted that the elements and she fell another victim apon the written petition of a majority shou'd endeavor to make bealth the and justices at their regular joint meetfirst consideration in dress under all cir- ing in June, 1885, they might, by resolution, suspend the operation of the act in such townships. The registered voters Unlike other catharties, Dr. Pierce's of some of these townships prepared the "Pellets" do not render the bowels petitions and sent them to the joint trary, establish a permanently healthy der in the meeting it adjourned without around the entire county. Held, 1st. That the petitioners had a right to be heard, and as this had been denied, au-DELICIOUS FRUIT.—Ten box s Fancy other meeting should be called for that to to the familished of old is a Cuttorida Oranges. Frozen, but deligatful; purpose, although the peritioners had our anti-paid plaster to the aching to box, \$3.00 per box: 25 cents per unnecessarily delayed bringing their acinto effect horrible murders under the Florida Oranges, Frozen, but deligatful; purpose, although the petitioners had glare of the light of the moon? Does 185 in box, \$3.00 per box: 25 nents per unnecessarily delayed bringing their acthe moon, as some assert, affect certain dozen. Delicious frozen Bananas 25 tion 2d. That the words of the act do

and commissioners to exclude the town-

SOLD STONE OF STREET

mending Parker's Tonic because they have I srued from experience that it speedily over comes despendency, indirection or weakness in the back or kilneys, and other troubles eculiar to the sex.

complaints. Have tried physicians and advertised remedies, but without any relief what-ever. With but little hopes of receiving any benefit I bought a bottle of Parker's Tonic The effect of that one bottle was so satisfactory that I kept on using it, and am today well and strong. It certainly is the remedy for suffering women and my advice to all is to use it."—Mas. N. Douglas, 504 West India street,

3. A sale under an execution issued This week begin a

upon a judgment which is a lien ou all the debtor's property vests in the purchaser only the interest of the debtor at the time the judgment lien attaches, and by a debtor to indemnify his surety, but if the debtor has no interest subject to sale under execution, the nurchaser gets 4. So, where a judgment debtor ap-

it is left to their discretion. 3rd. That

the restraining order should not put a

stop to the work on the fence altogether,

but only on such portions as would in-

terfere with the rights of the petitioning

townships, if the meeting should con-

clude to exempt them from the opera-

1. A court of equity will not interfere

v injunction to stay an execution regu-

larly issued upon a judgment at law,

because the sheriff has levied on prop-

erty not the subject or sale under exe-

cution, or because the property belongs

except where the property levied on is

personal property and the sheriff and

2. A vested remainder may be sold

under execution, but a contingent re-

ion of the act.

Bristol vs. Hallyburton.

plaintiff are both insolvent

mainder cannot.

itor to subject the land to the payment plied for an injunction to restrain the sheriff from selling a contingent interest in land, which was not liable to be sold under execution; It was held, that the Morgan vs. First National Bank of

> 1 Where an act of Congress contains no provision in reference to the exercise of jurisdiction in enforcing a penalty provided by the act, the State courts have jurisdiction of an action to enforce such penalty.

2. Congress has the power to deprive the State courts of jurisdiction of action done by implication as well as by ex-

3. Prior to the act of Congress of 1882, only the United States circuit and district courts, and the State, county or municipal courts in the county where a national bank was located, had jurisdiction of an action to recover the penalty for taking usurious interest imposed by section 5,198 of the Revised Statutes of the United States. Since the act of 1882 any State court has juris liction to which jurisdiction would have attached had the action been against a State bank.

4. Where, prior to the act of 1882. an action was brought against a national bank for charging usurious interest, in the superior court of the county in which the plaintiff resided, instead of in that in which the defendant was located. the objection to the jurisdiction must be taken before pleading to the merits, or the defect is waived

5 The objection that the averments in the complaint are so vague and uncertain that no judgment can be rendered on it, comes too late after an answer has been filed denying the allegations.

6. Where a complaint in an action for usury specified the principal sum constituting the original debt, and the dates and amounts of the usurious payments of interest, it is sufficiently definite, as it furnishes the defendant with all the information necessary to make his defende.

7. Where on the trist below, the de-

fendant's counsel alleged that there was a variance, but made no answer when asked by the court if he had been misled thereby; Held, such variance, if any, is thereby rendered immaterial.

8. In an action against a national bank for usury the complaint need not negative that there are no State banks of issue which by law are allowed to charge more than eight per cent.

Horsford's Acid Phosphate, Specific Virtues in Dyspepsia.

Dr. J. A. Jenkins, Great Falls N. H., says "I can testify to its seemingly almost specific virtues in cases of dyspepsia, nervousness and moroid vigilance or wakefulness."

Dull red cloth suits are in great favor for young ladies.

SKIN DISEASES INSTANTLY RELIEV. ED BY CUTICURA.

TREATMENT.—A warm bath with Cuticura Soap, and a single application of Cuticura, the great Skin Cure. This repeated daily, with two or three doses of Cuticura Resolvent, the New Blood Purifier, to keep the blood cool, the perspiration pure and unirritating, the bowels open, the liver and klüneys active, will speedily cure Eczema, Tetter, Ringworm, Psoriasis, Lichen, Pruritus, Scald Head, Dandruff and every species of Itching, Scaly and Pimply Humors of the Scalp and Skin when the best physician, and remedies fail.

Ecsema on a Child.

Your most valuable Cutieura Remedies have done my child so much good that I feel like saying this for the benefit of those who are troubled with skin disease. My little girl was troubled with Eczems, and I tried several doctors and medicines, but did not do her any good until I used the Cuticura Remedies, which speedily cured her, for which I owe you many thanks and many nights of rest.

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Tetter of the Scalp.

I was almost perfectly bald, caused by Tetter of the top of the scalp. I used your Cuticura Remedies about six weeks, and they cured my scalp perfectly, and now my hair is coming back as thick as it ever was.

J. P. Choice, Whitesbore, Texas

Covered with Blotches. I want to tell you that your Cuticura Resolvent is magnificent. About three months ago my face was covered with blotches, and after using three bottles of Resolvent I was perfectly cured.

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Best For Itching Diseases. One of our customers says your Cutiours Remedies are the best be can find for itching of the skin. He tried all others and found no relief until he used yours.
F. J. Alonzon, Druggist, Rising Sun, O.

Sold everywhere. Price : Cuticurs, 50 Soap 25 cts.; Resolvent \$1.00. Prepared by the POTTER DRUG AND CHENICAL CO., Boston, Mass. Send for "How to Cure Skin Diseases.," PIMPLES, Blackheads, Skin Blemishës and Baby Humors, use Cuticura Scap.

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Preparatory to stock-taking, we wish to

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Irish and Sweet Potatoes, Eggs, Chicken-

25 Cheese, cream 500 packages Lard. 50 bhis Mackerel.

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MONTROSK FAMILY FLOUR. 100 bbls, in 1, 1, 1-16 sacks. 100 sacks fresh Haxsii Meal. 100 sacks Petersburg Meal.

TOBACCO, TOBACCO. She'l Road and Captive Tobacco. Little Beauties and Winners' Tobacco, Tobacco of all Grades and sizes plugs, 500 boxes Tobacco. Canned Goods, Canned Goods.

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With all these advantages and the attractions of the climate, the bathing, the fishing and the gunning, it is bound to become, if not al-

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And presents a better opportunity for successful and profitable management than any

tessful and profitable management than any hotel in America.

The hotel, with cottages, will accommodate 750 guests, has about 250 electing spartments, mostly an surra, and all handsomely furnished so ash or cherry, with water, gas and electric bells in each room.

The ball room, one hundred feet square, is the finest in the South, and the dining room is simply grand. R. E. Petty

is simply grand.

The average number of guests during the season is at least three thousand, from all the Southern States.

For illustrated pamphlet, "Morehead City as as Summer Resort," and other information

JAMES MOORE, of

SPIER WHITAKER

CALE OF VALUABLE LAND.

Under and by virtue of the power conferred in a certain mortgage deed executed by A. T. Sater and wife, on the 24th day of January, 1880, and recorded in book 56, page 640, register of deeds' office, Wake county, and at the request of said mortgagors, we will on Monday, the 25th day of January, 1885, at the court-house door in Raleigh, N. C., at 12 o'clook m., expose to sale to the highest bidder, the tract of land described in said mortgage deed, recorded as aforesaid, being a tract of land situated about four miles saut of Raleigh, on the Turbore road, adjoining the lands of Sidney Partin and others, containing 360 acres, more ar less. The tract will be sold as a whole or in separate parcels, at may be determined on day of sale. Terms of sale, cash; or if desired, one third cash and balince on a credit of one and two years, with interest at eight per cent. Parties desiring to to negotiate for a private sale may call on A. T. Sater on the premises, GRAY & STAMPS, Atterneys for Mortgages.

Attorneys for Mortgages. des 19 dtd.

JTICE OF SALE.

A valuable House and Lot for sale in very heart of Raleigh. N. C. Under authority invested in me by the Su-perior court of Wake county in a decree in the special proceedings entitled R C. Freeman special proceedings entitled R. C. Freeman, and other, ex parte, I will sell at public anotion, to the highest bidder, at the court-house door in the city of Raleigh; N. C., Saturday, the 6th day of February, 1886, that very desirable property, consisting of one house and lot located on the corner of Martin and Salisbury street in said city and running back 68 feet to B. M. Moore's line. Sale at 12 b'clock m. Terms one third cash and the haldner in one year, with interest at 8 per cent.

R. C. Freeman.

Pace & Holding, Attorneys. January 6th, 1886, dtd.

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100 barrels Patapeco Flour. 100 barrels Orange Grove Flour.

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Call and price our goods before you put

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