THE NEWS AND OBSERVER.

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FRIDAY, FEBRUARY 19, 1886.

WE would direct attention to the important decisions of the attorney general on the school tax law elsewhere printed this morning.

THERE are still debating the question of home rule in England, and Gladstone's cabinet is preparing the way for an Irish Parliament.

TUESDAY there were town and borough elections throughout Pennsylvania, and the returns seem to indicate that both parties about retain their old positions.

RUSSIA responds to Prussia's severity toward the Poles by preparing a series of stringent measures against the German residents of Russian Poland. It is a case of tit for tat on a large scale, and may result in war very easily.

STRANGE rumors come from Spain. Now that Alfonso is dead Isabella has recalled her husband, and it is said the Austrian princess who now holds the regency will be "frozen out." The report is by no means incredible, since intrigue is now as it has ever been the basis of Spanish politics.

HERE is another warning for those colored people in North Carolina who have been led by emigration agents to believe that they can do better elsewhere. One hundred and fifty negroes, beguiled from their homes in South Carolina, have been stranded upon the streets of Jackson, Mississippi, penniless, with all their baggage held by the railroad companies in pawn for their fare.

THERE are rumors of more trouble in the Balkan peninsula. There is said to be a conspiracy now aimed at King Milan and in the interest of Prince Alexander Karageorgevitch, the pretender to the Servian throne. For the sake of newspaper and telegraph people we hope the young prince mentioned will gain no more prominence than he holds at present. Much repetition of his name would render necessary an enlargement of the asylums.

THE House has adopted Gen. Cox's resolution for an investigation regarding the number, work and pay of its employees, and in view of the fact that the General is chairman of the committee on civil service reform, to which the resolution was referred, there can be little doubt that the resulting report will fully and faithfully set forth the facts. Then there will be a reform and a consequent economy that will place Gen. Cox more clearly than ever in the light of a faithful public servant and a vigilant corrector of abuses. No man stands higher in Congress today for conscientious devotion to duty than does he.

THE Blair educational bill, it should be understood, appropriates in its present form seven millions of dollars the first year, ten millions the second, fifteen millions the third, thirteen millions the fourth, eleven millions the fifth, nine millions the sixth, seven millions the seventh and five millions the eighth. The money is to be distributed among the States and Territories on the basis of illiteracy, and no State or Territory is to participate in the benfits contemplated by the bill that does not provide a system of free schools. This, it is understood, does not operate against separate schools for white and colored children. The bill will probably become a law.

THE tariff bill Mr. Morrison has introduced will, it is estimated, cut off $20,000,000 of revenue. The principal reductions it makes are on sugar, hemp, rice and cotton, and it thus appears decidedly discriminative against the South. Its extension of the free list will repeal five millions and a half in duties. The reduction in the duties on rice is from 2½ to 1¾ cents a pound, and from 2 cents to 1 cent. The reductions in the cotton schedule are on cotton, yarns and coarse sheetings; in the wool schedule, on the higher grades. On these cotton and woolen duties, however, chairman Morrison is still working. The bill will in the usual order of business be referred to his committee, discussed, perfected and reported to the House, and will probably reach the latter body by the middle or latter part of March. In its present form there is no hope of its passage.

THE New York Evening Post, referring to our argument that the situation of the South is abnormal by reason of its large negro population, and that Federal aid is justifiable on that ground as well as on others, says: "The News's own State increased the number of pupils in its schools from 174,083 in 1874 to 278,298 in 1884, and in the brief space between 1880 and 1884 increased its appropriations for educational purposes by more than 50 per cent. A State which can make such a showing has no excuse for asking outside assistance, since everbody knows that it is much better able to go on increasing its expenditures for schools now than it was a few years ago." It seems to us that a State which is making such noble efforts to sustain creditably a burden placed upon it by the action of the whole country should be encouraged and aided by the whole country in every way possible and not left alone to do better simply because it is with difficulty doing well.

THE DORTCH BILL.

Elsewhere will be found the opinion of Chief Justice Smith, filed in the case wherein judgment was rendered that the "Dortch bill" is unconstitutional.

That there were shoals and quicksands in the way of the law was patent from the outset, and although the NEWS AND OBSERVER urged its adoption and urged that it should be put in oporation, yet we were never inadvertent to the possibility of the act's being declared unconstitutional.

We hoped that astute counsel might be able to find a solid basis for it to rest on. The majority of the court, however, regard that the money raised under it is raised by taxation, and that is the main point in the case. But the opinion will be read by all who feel interested in the subject.

THE National Agricultural and Dairy Convention has been in session at New York the past three days, and has given its attention particularly to the discussion of measures for the relief of the dairy industry from the loss and injury it is suffering through the manufacture and sale of bogus butter. This damage, it is estimated, amounts to $100,000,000 annually, and it is evident that unless relief is obtained "this most important of industries will be" seriously injured, if not, as the dairymen fear, "destroyed." As a result of the agitation of this question the following is being subscribed to by the leading produce dealers: "We, the undersigned, dealers in dairy products, hereby state that we do not sell oleomargarine, butterine or any imitations of butter. Buyers from us can rely upon getting pure and unadulterated goods." We hope it will have the effect desired.

WE knew that young Mr. Walter Page, who is a sprightly writer—just as many a young man has "the gift of the gab"—is but poorly informed touching North Carolina matters and has but little of what is commonly called "general information," but we did not think he had such slight regard for North Carolina as not to charge his memory with the names of her greatest men. In his last effusion, contributed to the columns of our esteemed neighbor, the Chronicle, not the letter in which apparently realizing that "it is an ill bird that befouls its own nest" he seeks to abandon his merited position as champion slanderer of North Carolina, he talks about "William A. Graham and Edward I. Hale, and Thomas Badger and Western R. Gales." Thomas Badger! He doubtless meant Mr. George E. Badger. But what kind of a young man is this who writes for North Carolina readers about Mr. George E. Badger and calls him Tom!

THE Brooklyn Union is pleased to say: "The NEWS AND OBSERVER, of Raleigh, which has not hitherto spoken favorably of the [civil service] reform, says: 'The civil service reform law is a democratic measure and in its principle is right, beyond a doubt.' The long argument which follows to show that the law has been grossly abused and needs radical changes, and all the customary reservations of the new convert from opposition to approval are easily forgiven in the evidence that the reform is making its way so rapidly towards toleration at least." Had the Union paid earlier attention to our position on the question to which he refers he would know that we have always favored reform in the civil service of the country. Our idea of reform, however, is the democratic idea, and not that of the republican, so-called, or the mugwump either.

TO ILLUSTRATE how the time of Congress may be taken up by fools and frauds, there is just now reported the case of a Chicago crank who has recast and enlarged the alphabet so as to make it phonetic and universal and who wants an appropriation of $50,000 to enable him to give to the world the benefit of his science of spelling, so-called. He has forty-seven letters in his new system, and these, he says, will represent every articulate sound of which the human voice is capable. So natural is the science that a child will adopt it by instinct and almost without education every person may be an unerring orthographer. The author of this invention, or the discoverer of this science of spelling, as he prefers to call himself, actually occupied the attention of the House committee on education all day Monday with a harangue which was expressly meant to prove that the steam engine, electricity, the sewing machine, printing itself, and all the inventions and discoveries of centuries were but trifles compared with the benefits to be conferred on universal man by this science of spelling. Even as the hart panteth after the water brooks, so does the Chicago man's soul pant to give the world the benefits of his science of spelling. His philanthropic scheme will fail, however, and properly, but that the time of Congress should be thrown away upon such nonsense! In the language of Finerty, what are Congressmen there for?

THE tariff bill Mr. Morrison has introduced will, it is estimated, cut off $20,000,000 of revenue. The principal reductions it makes are on sugar, hemp, rice and cottons. Its extension of the free list will repeal five millions in duties. The reductions in the cotton schedule are on cotton, yarns and coarse sheetings; in the wool schedule, on the higher grades. On these cotton and woolen duties, however, chairman Morrison is still working. The bill will in the usual order of business be referred to his committee, discussed, perfected and reported to the House, and will probably reach the latter body by the middle or latter part of March.

THE DORTCH LAW.

Chief Justice Smith's Opinion upon its Constitutionality.

The following is the opinion of the chief justice in Pasour vs. Commissioners, from Gaston, involving the constitutionality of the "Dortch law:"

Pasour vs. Commissioners.

While in this action for a perpetual injunction against the collection of a certain tax levied by the commissioners in further support of free education of children of the white race alone, which, under our former system of judicial administration would be exclusively cognizable in a court of equity, we would be required to look into the evidence, if properly taken and sent up, and ascertain what facts are proved, the parties are content to abide by the findings of the court, as the facts upon which we are to declare the law. They are as follows:

The defendants, the board of commissioners of Gaston county, under the provisions of the act of March 8, 1883, Code, sections 2,594, 2,595, caused an election to be held in school district No. 21 for white children and to be submitted to the white voters therein for approval or rejection a proposition for an additional tax of twenty cents on the one hundred dollars worth of property therein belonging to white owners and sixty cents upon each taxable white poll for furnishing increased free educational advantages to the white children of the district. At the election held accordingly on December 6, following, at which, while there were colored electors, none but white electors were allowed to vote, twenty-five votes were cast for, and twenty against the proposition, whereupon the commissioners declared it to have been carried by a majority of five votes and directed their clerk to make out a tax list and place the same in the hands of the sheriff, which has been done and the sheriff is proceeding to collect said assessment.

By the act to incorporate the town of Dallas (private laws, 1871–'72, chapter 46), it is provided that the town of Dallas shall constitute a school district.

The boundaries of school district No. 21 were established in 1868, and embrace a larger territory, including more persons, voters and property than are comprised in the corporate limits of the town of Dallas, and the boundaries of said school district have been retained as in 1868 up to the present time, and no action has ever been taken under the charter of the town of Dallas to conform the limits of the school district to the limits of said town.

If the colored voters had been allowed to vote, twenty-five would not have been a majority of the qualified voters therein, either as the district is recognized or as it would be if confined to the limits of Dallas.

That there were sixty-three qualified white voters residing within the limits of school district number 21 at the time of said election.

The said tax list containing a tax or assessment of twenty cents on the $100 worth of property in said district belonging to white persons, and sixty cents on the poll of the white persons residing therein, and none on the property or polls of colored persons resident therein, though there are several who reside and own property, subject to taxation therein.

A large amount of said tax or assessment is upon property and polls of persons situate and resident outside of the corporate limits of the town of Dallas.

That the collection of said assessment will not have the effect to produce a depreciation in the value of the property subject to such assessment.

AS A MATTER OF LAW.

That the levy and collection of said assessment is not in violation of the constitution or the laws of the State.

It is, therefore, ordered that the restraining order heretofore granted be dissolved and that the plaintiffs pay the costs of this application to be taxed by the clerk.

From which order the plaintiffs appeal to the supreme court. Notice waived. Bond in the sum of fifty dollars adjudged sufficient. Case stated as upon disagreement of counsel.

JAS. C. MCRAE, J. S. C.

May 21, 1884.

The first section of the act prescribes the manner, such as was pursued in the present case, of ascertaining the will of the white voters on the proposed assessment in aid of schools in the district, and upon an approval directs the further action mentioned in the next three sections, which are as follows:

Sec. 2. In case a majority of the votes cast at said election shall be in favor of such assessment, the board of commissioners shall direct their clerk to make out from the tax list of the township, in which such district is situate, a list of all the taxable property and polls of the white or colored tax-payers, as the case may be, in such district, and it shall be the duty of the school committee of such district to aid the clerk in making out said list; and said clerk shall deliver said list to the sheriff of the county, with an order signed by him, commanding the sheriff to collect said assessment in like manner as provided for the collection of State and county taxes; and said sheriff shall collect and pay over the same to the county treasurer. And said sheriff's bond shall be liable therefor, as provided in case of county school tax.

Sec. 3 No election, under the two preceding sections, shall be held ——— more than one in any one year.

Sec. 4 The assessment thus levied and collected from the taxable property and polls of white persons, shall be expended in aiding to keep up the public school in said district for white children of both sexes between the ages of six and twenty-one years; and the assessment thus levied and collected from the taxable property and polls of colored persons shall be expended in aiding to keep up the public school in said district for colored children of both sexes between the ages of six and twenty-one years.

The act granting a charter to the town of Dallas, ratified and taking effect on January 23d, 1872, contains the following section:

That the corporate limits of the town of Dallas shall constitute a school district, and that all taxes levied upon the same by the State for school purposes shall be expended in conformity with the State regulations in establishing graded schools within the town; and for the advancement of this purpose the commissioners may appropriate a sufficient sum belonging to the corporation to supply the deficiency, and the board of commissioners shall select a school committee for the purpose of supervising said schools and to perform the duties now prescribed by law. Private acts 1871–72, chapter 46, section 45.

The appellant's claim to be relieved of the tax by a restraining order to be made permanent on the final hearing rests upon several grounds and these are:

I. The school district, as comprised within the corporate limits of the town of Dallas under the act is that wherein the will of the electors regarding the proposed tax should have been collected by a vote; and none of the electors outside though within the boundaries of school district No. 21 should have been permitted to vote. If this be the result of the legislation and the area covered by the town be withdrawn from the territory originally formed into a school district, the election was not held in conformity with the law and is void, under the rulings in McCormac vs. Commissioners, 90 N. C. 441 and Caldwell vs. Commissioners, Ibid, 453 But we do not dispose of the case upon this point, since the statute creates this district to bring it under the operation of the law in reference to graded schools, removing the disability of a want of sufficient population to come under the general law, and may admit of a construction that leaves the former district undiminished in territory for ordinary purposes.

II. The appellant's principal objection, and this is the essential point decided in the court below and brought up for review, is based upon an alleged repugnancy of this legislation to the constitutions of both the State and Federal governments.

They insist that it is not uniform in its operation upon taxable property and persons, as is required by the State constitution, art. 5, secs. 3 and 6, and art. 7, sec. 9.

The counties are directed to be divided into school districts by the constitution, and each becomes with the consent of the general assembly a taxing territory, and, remarks Bynum, J., delivering the opinion in Kyle vs. Fayetteville, 75 N. C., 445, "whenever the power (of imposing taxes) is exercised, all taxes, whether State, county or town, by force of the constitution, must be imposed upon all the real and personal property, money, credits, investments in bonds, stocks, joint stock companies, or otherwise, situate in the State, county or town, except property exempted by the constitution."

And again:

"It is the provision and was the purpose of the constitution that thereafter there should be no discrimination in taxation in favor of any class, person or interest, and that everything, real and personal, possessing value as property, and the subject of ownership should be taxed equally and by a uniform rule."

The principle of uniformity pervades the fundamental law, and while not in the constitution applied in express terms to the tax on trades, professions, &c., necessarily underlies the power of imposing such tax, and a tax not uniform, says Rodman, J., "would be so inconsistent with national justice, &c., that it may be admitted that the collection of such a tax would be restricted (restrained) as unconstitutional." Gatlin vs. Tarboro, 78 N. C. 119.

So Mr. Justice Miller, defining the term as used in the constitution of Illinois, says that while one tax may be imposed upon inn-keepers, another upon ferries and a still different tax on railroads, the taxation must be the same of each class; that is, the same tax upon all inn-keepers, upon all ferries and upon all railroads, in their respective classes as taxable subjects. Railroad Tax Cases, 92 U. S. 575.

To the same effect is Worth vs. Railroad, 89 N. C., 301, wherein is quoted with approval this language, used by the supreme court of Ohio: "Taxing by a uniform rule requires uniformity not only in the rules of taxation, but also uniformity in the mode of assessment upon the taxable valuation."

The proceeding conducted under the statute in the present case widely departs from the uniformity, the fundamental condition of all just authorized taxation under the constitution. It marks a color line among the qualified voters of the same territorial district, admitting only of the votes of white men in the white district, and colored men in the colored district, in determining in their respective districts the question of an increased assessment for the schools. The discrimination rests wholly upon race in this as in the other provision, which confines the taxation to the property and persons of the one or other of the classes thus divided, as the case may be. The same difference runs into the application of the funds. Those derived from one class are devoted to the education of the children of that class only, and denied to the children of the other, a distinction which finds no countenance in the constitution, but is alike opposed to it in its general structure and in its details.

Suppose the principle was carried out and made applicable to the entire county, and the school districts are but divisional parts of the county; is it not obvious it would be subversive of the equality and uniformity recognized in the system of public schools which looks to a fair participation of all its citizens in the advantages of free education?

If the separating line can be thus run why may it not be between children of different sexes, or between natives and naturalized persons of foreign birth, or even between the former and citizens of other States removing and settling in this State?

These considerations clearly indicate the incompatibility of such legislation, partial in its operation, with the equality established in the constitution and to which all legislation must conform in order to its being valid.

The special race distinction, moreover, is in conflict with the concluding clause of article 9, section 2, which, after directing that instruction shall be given to children of the two races in separate public schools, declares that "there shall be no discrimination in favor of or to the prejudice of either race."

Now it is obvious there would be no occasion for such a discriminating enactment if the results would be the same as to a tax imposed upon all taxable subjects within the district and fairly distributed so as to secure similar advantages in obtaining an education to all the school children of either race.

Nor can we shut our eyes to the fact that the vast bulk of property, yielding the fruits of taxation, belongs to the white people of the State and very little is held by the emancipated race; and yet the needs of the latter for free tuition, in proportion to numbers, are as great or greater than the needs of the former. The act, then, in directing an appropriation of what taxes are collected from each class to the improved education of the children of that class, does necessarily discriminate "in favor of the one and to the prejudice" of the other race.

In can make no difference that the property of the white people raises the means which are expended in the education of white children since the fund is raised by the exercise of legislative coercion and becomes common to all and to be used for the general benefit. It is in no sense a voluntary contribution, for with such the law does not interfere, but the results are reached by legislative action, contingent upon an approval by partial voting, but not the less legislative action for that reason, and therefore this suit is instituted by unwilling tax-payers to arrest the collection.

The general views we have expressed have not been seriously controverted in the argument here in support of the ruling below, but it is sought to defend the legislation as belonging to the class of local assessments, such as have been upheld in cases where a large boundary fence, dispensing with a necessity for interior individual fences, is built and to be maintained at the expense of the lands thus enclosed and benefited. It is unnecessary to refer to these adjudications, as they have been considered and the principle governing extracted and declared in Busbee vs. Commissioners, 93 N. C., 143.

These local assessments are not made under the restraints applicable to the exercise of the general taxing power for the public good. They are put alone upon the property assumed to be benefited by the proposed improvement, and not upon other which derives no special advantage from the expenditure. "The principle underlying local assessments conferring special advantages upon land," in the words used in the opinion in this case, "is but an application of the maxim illustrated and applied in Norfleet vs. Cromwell, 64, N. C, 16; qui sentit commodum, debet sentire et onus."

The doctrine finds legislative recognition and support in the Code, section 2,824, which imposes upon the lands enclosed by a common fence the expense of its construction and maintenance.

The statute does not provide for cases of a local assessment, but is general in its terms and applicable to every school district in the State and thus partaking of the character of general legislation, the tax is put upon every species of taxable property therein, except in the distinction of race ownership.

Nor do we question the right of local taxation to special local interests, not dependent upon the benefits thence accruing to property. The difference in these cases is pointed out in the work of Mr. Burroughs on taxation, 406, whose words referring to the establishment of a school as a source of advantage to local residents, we have quoted in Busbee vs. Commissioners, supra.

"Whenever a system of public instruction is established by law" (we quote from Judge Cooley's work on Taxation, page 478) to be administered by local boards, who levy taxes, build school-houses and employ teachers for the purpose, it can hardly be questioned that the State in establishing the system reserves to itself the means of giving it complete effect and full efficiency in every township and district of the State, even though a majority of the people of such township or district, in a want of proper appreciation of its advantages, should refuse to take upon themselves the expense necessary to give them a participation in its benefits."

"The legislature may authorize or make local public improvements by local taxation." 2 Desty, Taxation, 1,117.

"The imposition of taxes for educational purposes or for maintaining the common school system is for a public purpose." Ibid, 1,118.

The principles of equality and uniformity are indispensable to taxation, whether general or local. Local taxation must be uniform upon the same class of subjects within the territorial limits of the authority levying the tax; and must be assessed upon all the property according to its just valuation.

"Whatever may be the basis of the taxation," and the words of Judge Cooley in his other work on Const. Law, 499, 622, "the requirement that it shall be uniform is universal. It applies as much to these local assessments as to any other species of taxes."

These references suffice to show that in authorized local taxation for the general good of the residents within the tax district, as distinguished from those within the principle which includes large territorial boundary enclosures, it must be levied in accordance with constitutional requirements, and the property of a class cannot be singled out to bear the burden of which the property of another class is relieved. These universal conditions are disregarded in the present enactment, and the distinction can no more be drawn between different owners than it can be between different kinds of taxable property of the same owner alike subject to an ad valorem tax.

In the opinion we have expressed of the operation of our own constitution upon such discriminating legislation it is unnecessary to inquire into its consistency with the recent amendments made to the constitution of the United States. The essence of these provisions is to secure equal civil rights to all the citizens of a State and especially to protect the newly enfranchised colored people, added to the body politic, in their possession and use. But they did not annul the statute long in force, which from considerations of public policy forbids a marriage between a white person and a negro, as expressly held in State vs. Hairston, 63 N C., 451, and recognized in State vs. Kennedy, 76 N. C., 251. Nor are they repugnant to the clause in the State constitution, which provides for the instruction of the different races in separate schools. This is so decided in State vs. McCann, 21 Ohio, 208; opinion of Baxter, C. J., in United States vs. Buntin, 7 Fed. Rep., page 730, April 4, 1882, and in the concurring opinion of Clayton, J., in Hall vs. DeCuir, 95 U. S., 485–504.

In the latter opinion is reproduced the ruling in the case in Ohio in these general terms: That court held that it worked no substantial inequality of school privileges between the children of the two classes in the locality of the parties; that equality of rights does not involve the necessity of educating white and colored persons in the same school any more than it does that of educating children of both sexes in the same school, or that different grades of scholars must be kept in the same school; and that any classification which preserves substantially equal school advantages is not prohibited by either the State or Federal constitution, nor would it contravene the provisions of either.

To the same effect are Roberts vs. Boston, 5 Cush., 198; State vs. Duffy, 7 Nev., 342; Clerk vs. Board of Directors, 24 Iowa, 266; Dallas vs. Fosdick, 40 How., Pr. 249; People vs. Gaston, 13 Abb., Pr. N. S., 100.

It is not therefore every distinction dependent upon race or color that comes in conflict with the Federal constitution, but only when it produces inequality in rights or interests; and when this is the result the State legislation from which the result flows is rendered inoperative. When the same essential privileges are secured to all, such legislation is valid and rests in the sound discretion and views of public policy of those who make the law.

We think there is error in the ruling of the court and that the restraining order should have been continued. Let this be certified to the superior court of Cleveland that further proceedings be therein had according to law.

SMITH, C. J.

—An Augusta lady has ordered a set of false teeth for her old pony.

A SPLENDID MERCHANT MILL FOR SALE.

I hereby offer for sale my Wheat and Corn Mill on Walnut creek and Fayetteville road, one mile from Raleigh. This is the best equipped mill in this section and the best water power near here. It contains one set rollers and two sets buhrs for wheat, one set rollers and two sets stones for corn, with other necessary machinery for both wheat, corn and feed. It has capacity for grinding two hundred bushels of grain per day in the year with the present power and appliances, earning 24 bushels toll every day. It is splendid property, but I have matters to attend to which will require my absence from here a good deal of the time and will sell the property at a bargain Any one wishing to purchase the property as an investment can rent it at a good interest on their money. There are 36 acres of land attached, a part of it set in grape vines ready for bearing this year. The title is good and easy terms can be had if desired. For further particulars address

J. A. JONES,
Raleigh, N. C.

HOUSE AND LOT FOR SALE.

A 4-room house on lot 40x165 feet, on West street, adjoining the Raleigh Oil Mills lot, for sale low by

JONES & POWELL,

SOMETHING FOR DYSPEPTICS.

A Deluded People.

(From the Phila. Medical Record.)

We do not mean to intimate that all the so-called remedies for dyspepsia are valueless, but human credulity is so strong, that some unscrupulous persons trade upon the fears of the weak and debilitated. Among the things which appeal so strongly to this weakness are Bitters. The very name is in their favor. The mode of life of the average American is of such a character, that he is constantly in need of a tonic. He is rushed at his business, swallows his meals hastily and without any thought as to the capacity of his stomach for digestion, takes little rest, and necessarily feels hipped; is subject to headache, and takes often a gloomy view of things generally. In such cases he resorts to bitters, under the delusion that they will act on the secretions of the stomach and give the system new strength and energy. The writer recently purchased samples of four of the most widely-advertised bitters in the market, and the simple chemical analysis to which they were subjected showed that they contained about 30 per cent. (the amount the Government allows) of the most poisonous and adulterated alcohol, and that the residuum consisted of various foreign substances, which were simply added as flavoring extracts, to disguise the taste of the original compound. The poorer the grade of the alcohol the more vicious is the compound. The value which so-called bitters are supposed to have is of a purely fictitious character. In fact, in time they irritate and injure the delicate membrane of the stomach and so vitiate the taste that the palate soon cannot distinguish between good and bad. These decoctions are consumed principally by the debilitated, the convalescent, the depressed and particularly by aged people and weak women and others to whom a stimulant is indispensable. Now, while alcohol, especially in the form of whiskey, is acknowledged to be the best known stimulant, and is prescribed and used by physicians for this purpose everywhere, we can't conceive why people will insist upon taking the alcohol in the form of a decoction, the compounding of which they know nothing and which, as shown by analysis, contains fusel oil, vitriol, catechu and poisons of the most deadly kind. It would be far better for them to come out boldly and use the pure article, something made from malt in which there is no fusel oil. There may be a little difficulty in obtaining an article of this kind, as there is only one firm in the country (i.e., the discoverers of Duffy's pure malt whiskey, which distils it and which combines food and stimulating qualities.

FOR SALE OR RENT.

VALUABLE CITY PROPERTY FOR SALE

By virtue of power conferred on me by a certain deed of mortgage executed by Dal. H. Crawford and wife and recorded in register's office of Wake county, in book 78, page 564, I will sell to the highest bidder for cash at public auction, at the court-house door in the city of Raleigh, Monday, March 1st, 1886, at 12 o'clock m., the property in said mortgage described, situated in the southern portion of the city of Raleigh, near Blount street.

JOHN WATSON, Guardian.
B. F. MONTAGUE, attorney for Mortgagee.
an. 21, 1886, dtd.

SALE OF VALUABLE LAND

NEAR THE CITY OF RALEIGH.

This is to give notice that under and by virtue of an order of the Superior Court for the county of Wake, made in the civil action of R. W. Wharton, administrator of David M. Carter, deceased, and others against Moses A. Bledsoe and others, I will sell at public auction to the highest bidder, at the court house door, in the city of Raleigh, the 22d day of February, 1886, at 1 o'clock p. m., a certain tract of land containing about two hundred acres, which Wm. H. Scott conveyed to said Moses A. Bledsoe by deed dated the 15th day of November, 1866, registered in the office of the register of deeds for the county of Wake, in book 25, at page 97, the 28th day of January, 1867 This land will be sold in parcels to suit purchasers.

For plot of the same, persons who may contemplate becoming bidders are referred to Jol. A. W. Shaffer.

The terms of the sale are: One-third of the purchase money in cash, one third in twelve months and one-third in two years, with interest from the day of sale at the rate of eight per cent per annum, payable annually, and the title to said land to be retained until the full payment of the purchase money.

All persons who contemplate purchasing will please make their examinations of title before the day of sale.

SPIER WHITAKER.
Commissioner.

MORTGAGE SALE.

Pursuant to authority contained in a mortgage deed executed the 11th day of January, 1884, by R. K. Ferrell and MARY A. Ferrell and C. M. Busbee, trustee, to secure the payment of a debt to Geo. W. Norwood, deceased, I will sell, at the court-house door in the city of Raleigh, for cash, the 22nd day of February, 1886, a tract of land in Barton's Creek township, Wake county, adjoining the lands of Wm. Lassiter, J. J. Hunter, W. G. Allen and others; it being the land wherein R. K. Ferrell and wife now live, and containing 145½ acres. The deed is registered in book 79, page 82.

GEO. NORWOOD, Executor
of GEO. W. NORWOOD, dec'd
T. M. ARGO, Attorney.
jan30dtd.

SALE OF LAND.

By virtue of authority given in a mortgage from Alexander Barham and wife to W. B. Allen, recorded in the register's office of Wake county, in book 82, page 172, we will sell on Monday, the 22d day of February, 1886, at the court-house door in the city of Raleigh, the land conveyed in said mortgage, containing 25¾ acres more or less, situated in Little River township of said county and adjoining the lands of Jasper Barham, C. G. Mitchell, Sion Darral, E. B. Perry and others.

Terms of sale cash. Time of sale 12 o'clock m.

PACE & HOLDING,
Attorneys for Mortgagee.
Jan. 22d, 1886, dtd.

DIVIDEND NOTICE.

NORTH CAROLINA RAILROAD CO.
SECRETARY AND TREASURER'S OFFICE,
CO. SHOPS, N. C., Jan. 30th, 1886.

The directors of the North Carolina railroad company have declared a dividend of 6 per cent. three per cent payable March 1st to stockholders of record at 12 o'clock m. February 10th, and three per cent September 1st to stockholders of record at 12 o'clock m. August 10th next. The stock books of the company will be closed at 12 o'clock m. February 10th until March 1st and at 12 o'clock m. August 10th until September 1st, 1886.

P. B. RUFFIN,
Sec'y and Treasurer.
Jan 31.