

Carolina Watchman.

NOVEMBER, 9, 1876.

\$2.10 Persons making remittances for the Watchman should send \$2.10 to pay for a year—10 cts. to pay postage.

We have not been able to give a tabular statement of the vote in Rowan in this paper. Will give the official vote in our next.

Bonfires—Huzzas and Speeches.—There was a large gathering of citizens on the streets last night engaged in promiscuous rejoicings. Judge Fowle brought the news from Raleigh that Tilden had 209 electoral votes, and that Vance would carry the State by from fifteen to eighteen thousand. The boys thought it was time to throw up their hats and shout and they went at it with a will.

The County Candidates of the Republican party for Rowan took no part in the canvass, and were not generally known until a few hours before the election. They made no public speeches, and did not even announce themselves. On the day of election the party had a man standing near the polls with tickets, and as the colored men came forward he presented them, saying "these are our tickets," and without the trouble of an inspection "our tickets" went into the box.

THE ELECTION.

Glorious Democratic Conservative Victory.

Yesterday was a most delightful day for an election, and it was passed here without disturbance of any kind. There was lively animation and a vigorous contest between parties all day long, but nothing approximating bitterness or anger. In the evening when returns began to come in the joy of the Conservatives would burst out now and then with a hearty huzza for Vance—huzza for Tilden, &c. And now, this morning, we are gathering the returns from the county, State and Country. They indicate a glorious victory over Grant radicalism from one end of the country to the other. We condense from the telegraphic columns of the Charlotte Observer of the 8th, the following items, viz:

New York—Reported majority for Tilden 45,000. Massachusetts—It is thought Butler is elected to Congress. Also, Claflin, Robinson, Rice, Narcross, Harris, and Lowing. Republicans gain 4 Congressmen, and the State goes for Hayes by about 50,000. New Hampshire—Republicans losing ground as compared with former elections, though the loss is very small. The State has no doubt gone for Hayes as it was expected to do.

Missouri—Election passed quietly—heavy vote polled, but no results yet reported. South Carolina—Large democratic gains on the election of two years ago. No republican gains reported. Aggregate democratic gains reported at 12,000. Hampton is sanguine of his election by a small majority. The polls were in possession of the U. S. troops. No disturbance. Wisconsin—Returns from this State indicate 7,000 democratic majority, Doubtful. Kentucky—Tilden's majority estimated at over 60,000. Mississippi—Reported thoroughly democratic with five or nine Congressmen elected. New Orleans—10,000 democratic majority and the State for Tilden. Alabama and Georgia, about as at their last elections. Probably an unbroken delegation from Ga. to Congress. Ohio—Democrats making small gains on the October election, but the State has probably gone for Hayes by a small majority. Indiana—Tilden's majority estimated from returns in, at from 7,000 to 10,000. Tennessee—Heavy vote cast. Democratic Independent candidate for Governor probably elected and 8 out of 10 Congressmen. Pennsylvania—Republican. Rhode Island—10,70, for Hayes, as far as heard from. Constitutional Amendments lost. Louisiana—Heavy Democratic gains reported from various counties. Illinois—Nothing reliable. Maine—Hayes leading Tilden 6,000. Connecticut—Indications it has gone for Tilden. Legislature largely republican. Delegation in Congress unchanged, politically. Virginia—Gone democratic by a small increase vote. Probably a sleek delegation to Congress. The National Democratic Committee claim New York, New Jersey, Connecticut, Indiana and the entire South, 203 Electoral votes. North Carolina—Gains reported from every county yet heard from, and Vance and Tilden's majority variously estimated at from 10,000 to 15,000. In Lincoln county, 250 gain; Lenoir, 125; Wake, 500; Rockingham 500; Guilford 250; Cabarrus, 351; Wayne gives Vance from 50 to 100. Lot Humphrey is beaten. Mecklenburg, large gain; Majority in Rowan about 1000—a gain

of about 450. Small gain in Davidson as far as heard from. Davie—Robbins 1,018, Dale 697. Ratification 1,040, Rejection 696. For the Senate—Crawford 976, McCorkle 698. For the Commons—Price 999. Peoples 713. Tilden 1,076; Hayes 702; Vance 1,011, Settle 708. Davidson—Boon Township in Davidson county, gave Tilden 127; Hayes 115. Vance 123; Settle 121; and an average majority of 12 for all the conservative candidates and for the constitutional amendments. Settle carried the county against Vance, but Tilden and Hendricks and all the conservative county candidates are elected by a small majority. Cleveland—1,200 majority for Vance. Anson—Democratic gains in all parts of the county, Tilden and Ratification leading. Gaston—Democratic from 200 to 400 majority. Wilson, N. C.—Vance's majority will be nearly 700. Catawba—Vance's majority 1,421. Burke—do do 600. McDowell—do do 420. Caldwell—do do 800. Buncombe—do do 700 to 800. Alexander Co., do do 400. Iredell—Tilden's do do 1,157. do—Vance's do do 1,119. Rockingham—do do 500.

LATER. We make up the following items from the telegraphic columns of the Observer of the 9th, and from other sources, viz: Guilford County—Gives Tilden 2,334; Hayes, 1,968. Vance 2,264, Settle 1,977, Jarvis 2,300. Scales, for Congress, 2,352, Boyd 1,864. Conservatives all elected. Ohio Republican by probably 8,000. Returns meagre. Wisconsin is republican by about 3,000. Arkansas elects the entire democratic Congressional delegation. The latest advices from Florida give assurance that that State has certainly gone Democratic by 2,500 majority. This secures a majority of the electoral votes for Tilden with South Carolina and Louisiana to hear from. The last telegrams indicate that South Carolina has gone Democratic. The unfavorable returns received aroused the hostility of the blacks who provoked a riot on the streets of Charleston which was quelled by the United States troops, but not until one negro, one white and about a dozen of each race were wounded. The white killed was a son of Geo. R. Water, a prominent cotton merchant of Charleston. [Dispatches to the News Club state that the Republicans concede Tilden 184 votes with Louisiana, Florida and South Carolina a doubtful—Ed.] The very latest telegrams leave little doubt of Hampton's election in South Carolina.

"THE OBSERVER." The readers will find in this paper the Prospects of a new journal to be started at Raleigh, about the 15th of the present month, by PETER M. HALE, Esq., and WM. L. SAUNDERS, Esq. We have once before referred to this enterprise, but would mention again that Mr. HALE will be remembered as having been associated with his father, E. J. HALE, Esq., before and during the war, in the publication of that sterling newspaper the Fayetteville Observer. Mr. SAUNDERS commenced his editorial career in this place a little while before the war, and subsequently made an enviable fame as editor of the Wilmington Journal. They are both men of experience and approved judgment in the editorial business, and there is no doubt will offer to the public a newspaper eminently worthy of public patronage.

Another New York party has opened the manganese mines near Lenoir. In the South mountains there is a good deal of gold getting just now in the old Bridle Town mines. All the people at work through that range of mines are getting in the aggregate upwards of one hundred dollars a day. At the time of the discovery of the California mines there were a thousand hands working in those mines and got out several millions of dollars. Over on Black Mountain in the mica mines, the other day, Professor Kerr found some very remarkable crystals of feldspar. One weighed not less than six hundred pounds, the largest crystal on record. They are now on the way to the State museum. On Ivy, in Madison county, the Professor found a bed of iron one of very fine quality.

IT IS NOT SAFE. All men ought to have found out by this time that it is never safe, either for a public functionary or a private individual, to do wrong. It is never safe to indulge in swindling, cheating, or bribe-taking. It is never safe to practice corruption—any kind or degree of it. It is never safe to indulge in falsehood—any sort of it. It is never safe to do anything which would bring shame to the doer by being revealed. One may fancy his misdeeds can't be found out, or have been covered up, or can be so covered; or they can be denied or explained away so the people will be deceived about them; but yet it remains true that there can be no safety for the wrong-doers, and no security against his exposure. Though this looks hard to some people, it is, nevertheless, in accordance with the fixed and unchangeable moral law of things and of being. The only safety for a man, or for a woman, is in refraining from wrong and doing right.—American Manufacturer.

It is better to eat moderately without regard to quality than to overeat of the best food.

BUSINESS LAW.

From the Baltimore Traders' Gazette. The following compilation of business Law is worth a careful preservation, as it contains the essence of a large amount of legal verbiage. A note made on Sunday is void. Contracts made on Sunday cannot be enforced. A contract made with a minor is void. A contract with a lunatic is void. A note obtained by fraud, or from a person in a state of intoxication, cannot be collected. It is a fraud to conceal a fraud. If a note is lost or stolen, it does not release the maker; he must pay it, if the consideration for which it was given and the amount can be proven. Notes bear interest only when so stated. Principals are responsible for the acts of their agents. Each individual in a partnership is responsible for the whole amount of the debts of the firm, except in case of special partnership. Ignorance of the law excuses no one. The law compels no one to do impossibilities. An agreement without consideration is void. Signatures made with lead pencils are good in law. A receipt for money is not always conclusive. The acts of one partner bind all the rest. "Value received" is usually written in a note, and should be, but is not necessary. If not written, it is presumed by the law, or may be supplied by proof. The maker of an "accommodation" bill or note (one for which he has received no consideration having lent his name or credit for the accommodation of the holder) is not bound to the person accommodated, but is bound to all other parties, precisely as if there was a good consideration. No consideration is sufficient in law if it is illegal in its nature. Checks or drafts must be presented for payment without unreasonable delay. Checks or drafts should be presented during business hours; but in this country, except in the case of banks, the time extends through the day and evening. If the drawer of a draft or check has changed his residence, the holder must use due or reasonable diligence to find him. If one who holds a check as payee or otherwise, transfers it to another, he has a right to insist that the check be presented that day, or at the farthest, on the day following. A note endorsed in blank (the name of the endorser only written), is transferable by delivery, the same as if made payable to bearer. If the time of payment of a note is not inserted, it is held payable on demand. The time of payment of a note must not depend upon a contingency. The promise must be absolute. A bill may be written upon any paper, or substitute for it, either with ink or pencil. The payee should be distinctly named in the note, unless it is payable to bearer. An endorsee has a right of action against all whose names were on the bill when he received it. If the letter containing the protest of the non payment be put into the post-office, any miscarriage does not affect the party giving notice. Notice of protest may be sent either to the place of business or residence of the party notified. The loss of a bill or note is not sufficient excuse for not giving notice of protest. The holder of a note may give notice of protest either to all the previous endorser or only to one of them; in case of the latter he must elect the last endorser, and the last must give notice to the last before him, and so on. Each endorser must send notice the same day or the following. Neither Sunday nor legal holiday is to be counted in reckoning time in which notice is to be given. If two or more persons as partners are jointly liable on a note or bill, due notice to one of them is sufficient. If a note or bill is transferred as security, or even as a payment of a pre-existing debt, the debt revives if the bill or note be dishonored. An endorsement may be written on the face or back. An endorser may prevent his own liability to be sued by writing "without recourse," or similar words. All claims which do not rest upon a seal or judgment must be sued within three years from the time when they arise. [In North Carolina suit must be brought within two years.] Part payment of a debt which has passed the time of statutory limitation revives the whole debt, and the claim holds good for another period of years from the date of such partial payment. A verbal promise to pay, made without conditions, is generally held as sufficient to revive a claim, otherwise shut out by the law of limitation. If a debtor owe several debts, and pay a sum of money to the creditor, he has the right to designate the particular debt to which the payment shall apply, and the creditor must so appropriate it. If, when the debt is due, the debtor is out of the State, the "three years" do not begin to run until he returns. If he afterward leave the State, the time forward counts the same as if he remained in the State. Except in the case of absence from the State, the "three years" begin when the bill or account is due. In case of a note on demand, they count from the time of the demand. The statute of limitation does not avoid or cancel the debt, but only provides that no action in law may be maintained after a given time. The statute does not affect collateral security. An oral agreement must be proved by evidence. A written agreement proves itself. The laws prefer written to oral evidence, because of its precision. No evidence may be introduced to contradict or vary a written contract; but it may be received in order to explain it when such contract is in need of explanation. Written instruments are to be construed and interpreted by the law according to

DAVIDSON COUNTY SUPERIOR COURT.

Special Proceedings. P. S. Benbow, Adm'r of T. C. Wallace, dec'd. Robert Wallace and others Defendants. In this case it appearing that some of the Defendants are non residents and that the summons has not been served or published. It is therefore ordered that the original summons be published, and that the said defendants have time allowed by law to answer, plaintiffs complaint after said publication expires. Done at office Nov. 1st 1876. C. F. LOWE, Clerk Superior Court Davidson County and Probate Judge. To Mary F. Wallace and others—non-residents—you will take notice that the following summons has been issued against you: P. S. Benbow Administrator of T. C. Wallace, dec'd. Plaintiff. Robert Wallace and others Heirs at law of T. C. Wallace, dec'd. Defendants. Summons. STATE OF NORTH CAROLINA. To the Sheriff of Davidson County, Greeting: You are hereby commanded to summon James M. Wallace, Mary F. Wallace, Olivia B. Wallace, James M. Williams and others, the defendants above named, if to be found in your county, to be and appear before the Clerk of our Superior Court, for Davidson County, at the Court House in Lexington, within twenty days from the date of this summons, exclusive of the day of service, and answer the complaint which will be deposited in the office of the Clerk of the Superior Court of said County, within ten days, and let the said Defendants take notice that if they fail to answer the said complaint within the time prescribed by law, the Plaintiff will apply to the Court for the relief demanded in the complaint. Hereof fail not and of this Summons make due return. Given under my hand and seal this 21st day of May, 1874. L. E. JOHNSON, Clerk of the Superior Court of Davidson County and Judge Probate. JOHN H. WELBORN, Attorney.

ANNOUNCEMENT. On the 16th day of November, and in the City of Raleigh, the undersigned will commence the publication of THE OBSERVER, a Daily and Weekly Democratic newspaper. Of long experience in their profession as editors, respectively of the Fayetteville Observer and the Wilmington Journal, they do not affect to doubt the soundness of the general judgment which assigns them ability to furnish a newspaper suited to the needs and adapted to the tastes of the people of North Carolina. Differing in politics in the olden time, there was never a difference between the Observer and the Journal in zeal for the interest of North Carolina. To promote the one, and to uphold and add to the other, will be the object of The Observer now. Of very decided opinions on questions of public interest, and apt to give those opinions plain expression, they deem it the first duty of a newspaper to furnish its readers with the information necessary to the formation of their opinions—to publish all "the news," and their purpose is to make THE OBSERVER now, as of old, a truthful, accurate, condensed history of the times in which we live. It was thus that "the old Observer" won its hold upon the people of North Carolina, enjoying the affection of its party friends, receiving the respect and confidence of its bitterest political foes, and commanding the attention of the whole Union. A circulation larger than has ever been attained by any other North Carolina newspaper, and it is thus, by like dignity, and fairness that the editors of THE OBSERVER, transfer to the State Capital, hope it will deserve, and soon equal, and then surpass, its former circulation and prosperity. It will be their high aim to deserve the public confidence by earnest efforts to promote the public welfare, first and foremost of North Carolina, next of all the Southern States and Country, and through these of the whole Union. They think that this can only be effected by the prevalence of Democratic principles, and the dismissal of the Radical party from the places and power which they have so greatly abused and under whose baleful rule the South has been outraged and the whole country has been impoverished and disgraced. PETER M. HALE, WILLIAM L. SAUNDERS.

CONFLICT OF JURISDICTION. We are informed that Judge Schenk has directed the Clerk of the Superior Court of Polk county to dissolve a writ of certiorari, issuing from the Circuit Court of the United States at Asheville, and directed to the Clerk of the Superior Court of Polk county, directing him to certify to the Circuit Court for trial, the record in an indictment in Polk county against one Lynch Young for assault and battery. Young, who is a U. S. Marshal, made a violent assault on one Foster, and after being indicted in Polk, filed a petition in the Circuit Court for removal of his case to that Court, under the 6th section of the Internal Revenue Act of 1866. Judge Schenk refuses to allow the case to be removed, relying on the cases of the United States vs. Hudson T. Crane, Rep. page 32, and the recent cases of U. S. vs. Reese and U. S. vs. Crankshaw, decided at the October term of the U. S. Supreme Court. The Judge holds that the Circuit Court has no jurisdiction of any crime "unless made a crime by U. S. statute, and the punishment affixed to it." It is likely that the defendant will carry the case up to the Supreme Court. It is under this section of the Revenue laws that U. S. Marshals have been taking every case, where they were indicted, to the Federal Courts. We will now see whether they can violate the peace of a State and not be amenable to its Court for punishment—Observer.

MEETING OF THE DIRECTORS OF THE N. C. INSANE ASYLUM.—The annual meeting of the Directors of the Insane Asylum was held at the Asylum yesterday. All the members of the board, 14 in number, were present, with one exception. The present officers of the institution were all re-elected, including the Superintendent, whose election takes place once in every eight years. Dr. Eugene Grissom was unanimously re-elected to this position. The salaries of all the officers were allowed to remain at the present figures, except that of the engineer, whose pay was reduced from \$1,750 per annum to \$1,500. No other business of importance was transacted. Last night the lunatics gave a dance, which was attended by the Directors, and which afforded them a great deal of interest. The Directors met in the morning and again in the afternoon, when they adjourned to meet again next year.—Raleigh News.

DEATH OF A FAMOUS BALLIST.—Tom Glenn, a son of the late Tyre Glenn, and brother-in-law of Judge Settle, recently died at his home in Yadkin county. He was a noble young man, high spirited and generous to a fault, and not many men in Yadkin county but were friends to Tom Glenn. He was a graduate of Princeton and at the time of his graduation was said to be the second best base ball pitcher in the United States. Tom was in the picked nine that played against the famous R-D Stockings in Chicago sometime ago. The pitcher of the R-D Stockings was considered the best in the United States and Tom was ranked as second best man. They offered him \$1,500 a year just to travel with the club and fill professional engagements. In physique Tom Glenn was model. His muscular development was faultless. Four years ago he stood in the pride of his strength, and to-day lies buried a victim to consumption.—Raleigh Sentinel.

FAITH AND WORKS. Dr. Aeton relates the following anecdote:—"The inhabitants of provincial city demanded of Lord Palmerston that the angel of national prayer and fasting, 'I will fast with you and pray with you,' was the statesman's answer, 'but let us also drain, scrub, wash, and be clean.'" Every day we meet people who are wondering why Providence allows them to suffer so much, and complain bitterly of their afflictions, never once thinking that their own voluntary acts are the chief causes of their maladies. Still another important fact which is overlooked is forcibly suggested by the response of Lord Palmerston. People forget that they have the most important part to act in securing their own recovery from the painful consequences of transgression. Nothing could be more absurd than for a person to ask Providence to do for him what he can do for himself; yet there are thousands of people who daily pray for health and strength while they are continually squandering their vital forces by indiscretions in diet—overeating, eating between meals, or at improper hours,—by inattention to ventilation and cleanliness, by disregarding other of the laws of health. The same God that made man morally responsible, also made him amenable to physical laws; and having given him reason and knowledge, he leaves him to work out his own physical salvation by obedience to the laws implanted in his nature.

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THE NEW "DOMESTIC" Sewing Machine. Double-Thread Lock-Stitch Machine. It seems with great facility the lightest and finest as well as the neatest and coarsest fabrics. THE LIGHTEST-RUNNING MACHINE IN THE WORLD. With our printed directions, no instruction or mechanical skill is required to operate it. The construction of the machine is based upon a principle of unique and unequalled simplicity, comprising simple levers working upon centres. The bearings are iron, and they are hardened and polished. The machines are made at our new works in the city of Newark, N. J., with new special (patented) machinery and tools, constructed expressly to accomplish what we now offer. Every machine fully warranted. "DOMESTIC" SEWING MACHINE CO., New York and Chicago. SAVINGS.—By using the "Domestic" Paper Fashions the most stylish and perfect-fitting costume can be produced, at a large saving in MONEY to those who choose to make or supervise the making of their own garments. With the aid of the "Domestic" Sewing Machine, the most modest, both at home and abroad, we are enabled to attain results far above the reach of the average dress-maker. Our styles are always the latest and best. Our elegantly-illustrated catalogue mailed to any lady sending five cents with her address. Agents wanted everywhere. "DOMESTIC" SEWING MACHINE CO., New York and Chicago. And 907 Main Street, Richmond, Va.

THE SOUTHERN UNDERWRITER'S ASSOCIATION. ISSUES ALL KINDS OF PROPERTY AGAINST LOSS OR DAMAGE BY FIRE. AUTHORIZED CAPITAL \$1,000,000. ASSETS, MAY 1, 1876, \$1,000,000. HOME OFFICE RALEIGH, N. C. ARMISTEAD JONES, President. G. W. BLACKNALL, Treasurer. R. W. BEST, Secretary. Parties desiring to insure their property should patronize this Company, for the following reasons: 1. It is a safe company, having a capital of \$1,000,000, and assets of \$1,000,000. 2. It is a company of the highest repute, and its policy is one of the most liberal in the South. 3. Its rates are low, and its terms are fair. 4. It is a company of the highest repute, and its policy is one of the most liberal in the South. 5. Its rates are low, and its terms are fair. 6. It is a company of the highest repute, and its policy is one of the most liberal in the South. 7. Its rates are low, and its terms are fair. 8. It is a company of the highest repute, and its policy is one of the most liberal in the South. 9. 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