

Carolina Watchman.

THURSDAY, MARCH 4, 1880.

By a vote in the House on the 2d inst. it is indicated that the present session of Congress will not undertake a revision of the tariff.

The Bell Punch law of Virginia has been repealed with the general approbation of the people. It failed to answer the purpose intended.

Mr. E. J. Hale in a letter to Hale's Weekly says, Dr. Phillips, whom he visited at the "Presbyterian Hospital," in that city, is improving in health.

WESTERN N. C. R. R.—We conclude the publication in this paper of all we designed to say on this subject. The decision of the General Assembly is next in order.

A well-to-do farmer in Newberry county, S. C., under some momentary aberration of mind, as it is supposed, cut the throat of his brother, then of his wife, and last, his own.

The parties concerned in the injunction case appointed to be decided at Newton, last week, met there and the case up; but owing to a disturbance between the lawyers the trial of the case failed, and was continued to the next term of McDowell Court.

Mr. Bayard's Dover speech, in 1861, in which he took ground against the war on the Southern States and denounced the Northern army as "a hireling army," will probably settle the question of his candidacy for President. It was an excellent speech—too good to make him a popular candidate.

The newspapers of Wilmington and Charlotte report more burglaries than the papers of all other towns in the State. The negroes break into and rob each other's houses. But for this, one might suppose the distinction was due to the fact that the rich are richer and the poor poorer, in these two towns than anywhere else.

The Supreme Court of the United States has just rendered a decision which settles the vexed question of the right of a revenue officer charged with a violation of the laws of the State, while in the discharge of his official duties, to remove his case from the State to a Federal Court for trial. The Court decides the question in favor of the revenue officer who petitions for such removal of his case.

Pennsylvania, New York and Illinois Republicans have declared in favor of Grant as their candidate for President. We suppose the question is therefore settled that the third-term will be the man for the Republican party. Do they propose if he is elected, to re-establish the era of thievery, corruption and high-handed oppression which prevailed during his former administration! To what a deplorable depth have we fallen if the American people have so far departed from political virtue as to be willing to confer on such a man as Grant higher honors than were ever bestowed on any citizen since the foundation of the Republic.

Col. James R. Dodge died at the residence of his daughter, Mrs. Chalmers Glenn, Rockingham county, on the 24th February, ultimo. He was in his 86th year, and was a cheerful, happy man to the day of his death. He is well remembered by the older people of Rowan as a practicing lawyer at the Rowan Courts 25 or 30 years ago, in the days of the late David P. Caldwell, Hamilton C. Jones, J. W. Osborne, Samuel Silliman, John M. Morehead, James Gilmer, Ralph Correl, Nathaniel Boyden, and others. Mr. Dodge was a native of New York State, but spent his active life in North Carolina, where he had numerous friends who esteemed him highly for his personal merits. We copy from Hale's Weekly the following sketch, part of it written by himself:

Mr. Dodge was a member of the Episcopal church, and as a delegate to the Episcopal Convention that elected him, voted for Bishop Ravenscroft. During his life he filled many places of honor and trust, as Solicitor of the Superior Court for the Lincoln district; for twelve or fourteen years Clerk of the Legislature; and also for many years Clerk of the Supreme Court in Morganton. He was married to Miss Susan Williams on the 24th May, 1826, and resided in Wilkesboro for eight years. After he was elected Solicitor he removed to Lincolnton, where he resided four years. He was succeeded by his old friend Hamilton C. Jones, as Solicitor; and then, upon consultation with my sympathizing and truly pious wife, we retired to the banks of the Yadkin, our cottage and farm. She managed at home, and I labored night and day at Court, at Raleigh and at Morganton. At home we were always happy; care or trouble never entered our door, and these years were far the happiest of my life. After many years of toil had passed, I well remember the look of my old friend Rufin, then Chief Justice, when I handed to my old friend Jacob Ramsour \$700.00, which was the last debt I owed on earth. He was paid, and it is still the last.

General Vance, of North Carolina, has introduced a bill in the House to amend the internal revenue laws and prevent abusive distillations. The bill provides that no conviction of any person for the illicit sale or manufacture of liquor to the District Judge shall have the power to punish at his discretion by fine or imprisonment, or both; that no single violation of the law shall be an indictable offence, but only when the accused is guilty of repeated offences; that no marshal or deputy shall have power to bring the defendant before any other United States Commissioner where the offence was committed; that no marshal or deputy shall have the power to arrest any offender without a warrant supported by the affidavit of a creditable witness, stating that he knows or has reason to believe that the law has been violated.

LIGHT TURNED ON.

Gov. Jarvis' Manifesto to the People.

The Proposal to Sell the Western North Carolina Railroad Considered, and What the Governor Thinks of It.

To the People of North Carolina:

I have to-day exercised the very responsible power vested in me by the Constitution and Laws of North Carolina, in convening the General Assembly in extra session. The purpose for which the extra session is called is to consider a proposition made by W. J. Best, J. N. Tappan, W. R. Grace and J. D. Fish for the purchase of the State's interest in, and the speedy completion of the Western North Carolina Railroad. That road, as will be seen by a glance at the map, begins at Salisbury and runs west to Asheville, a distance of 148 miles, to which point it is now practically finished. At Asheville the road forks, one branch running off to the Northwest with the French Broad River to a place called Paint Rock, very close to the Tennessee line, and distant from Asheville 45 miles. The other, or main line, the one commonly known as the Ducktown line, runs from Asheville southwesterly for 135 miles through the counties of Buncombe, Haywood, Jackson, Macon, Swain, Graham and Cherokee to Murphy, the county seat of Cherokee, the extreme western county in the State. Beyond the North Carolina line, and some eighteen or twenty miles from Murphy, in the direct line to Chattanooga, the great railroad centre of the South and West, is Ducktown. It will be seen, therefore, that of this road which private individuals propose to buy and complete, there are now 148 miles completed and 200 miles uncompleted.

It was not proper to do so in my proclamation, but I deem it due to myself now and to you, that I should detail to you my connection with the proposition for the sale of your property, the proposition itself, and the character and standing of the parties making it and my reasons for my course.

My connection with the matter in brief, is as follows:

On the eighth day of January last, Mr. W. J. Best, of the city of New York, came to Raleigh and submitted to the board of directors of the Western North Carolina Railroad, then in session, a proposition to purchase the State's interest in said road, and to complete the same. I was not present at any of the sessions of the board, but was informed by a copy of a resolution sent to me immediately after their adjournment that they had declined to entertain the proposition. On Saturday evening, January the 10th, Mr. Best submitted to me for my consideration, in the presence of the State Treasurer and Secretary of State, a proposition of the same general import as the one previously submitted to the board of directors, but differing from the former, as he stated, in that he then proposed to give the State \$450,000 of the first mortgage bonds of the new corporation, instead of the \$850,000 of stock offered to the board of directors. I stated to him that the \$450,000 would not cover the expenditures made by the State on the road since its purchase, and suggested several other changes, all of which I regarded to the advantage of the State. The proposition, with these changes inserted, was re-written and, together with Mr. Best's letter, placed on file in the executive office. Believing the matter to be of such importance as to require my immediate, patient and earnest investigation, I at once addressed myself to its consideration.

At the same time that the proposition was filed, Mr. Best placed with me also letters from the Senators and members of Congress of North Carolina, approving in general terms his offer. On the 13th day of January after, I wrote Mr. Best a letter, saying that the amount of first mortgage bonds must be \$550,000, and suggesting certain other important amendments, looking to a better protection of the State's interest and better guarantees for the certain completion of the road.

To this letter Mr. Best replied on the 19th day of January, assenting to all the proposed changes except one. On the 29th of January he returned to the city of Raleigh, and on the next day in the presence of Dr. J. M. Worth, State Treasurer, Col. Wm. L. Saunders, Secretary of State, R. H. Battle, Jr., Esq., and Col. Junius I. Seales, of the board of directors, and C. M. Cooke, Esq., of the board of internal improvements, he went over his whole proposition with me. Several additional amendments were then insisted upon and were accepted by him. He then left the city to visit the line of the railroad, and while at Salisbury had a corrected copy of the proposition sent to me by mail. As our members of Congress had written to me in general terms approving the sale of the road, I thought it but courteous and fair to them, and due to myself, that before taking any decisive action I should submit to them the proposition as amended, and to take their opinion as to whether it was such an one as to authorize me to call a special session of the Legislature for its consideration. It was for this purpose and no other that I went to Washington.

Before leaving Raleigh I carefully read the proposition sent me by Mr. Best from Salisbury, and I saw two other changes that could be made therein to the further advantage of the State. I thereupon at once telegraphed Maj. Wilson, the President of the Western North Carolina Railroad, at Morganton, to turn Mr. Best back from Asheville, and requested them both to meet me at Greensboro, prepared to go on with me to Washington. They met me as requested, and on the way I called Mr. Best's attention to the amendments I desired. One of those amendments requires him to commence

paying interest on the \$850,000 first mortgage bonds on the day that the General Assembly shall adopt his offer, instead of on the first day of May, as set forth in his proposition. If the contract should be agreed upon the middle of March, this amendment would make a difference of over \$7,000 in favor of the State. The other change required an additional guarantee for the completion of the main line to Ducktown. After some hesitation Mr. Best yielded his assent to these changes.

I arrived in Washington on Thursday, and on that night the North Carolina delegation in Congress, accompanied by Gen. James Madison Leach and Col. F. E. Shoher (one of the board of directors) had a consultation with me at the Metropolitan Hotel, at which Mr. Best and President Wilson were present. The proposition was read over and discussed, and two changes were suggested, making more explicit a portion that some of the delegation thought indefinite. The conference ended at a late hour, with the understanding that I was to have these changes properly made and inserted, and that another session would be held on the next night. I was engaged during the greater part of the next day (Friday) in drawing out with great care these proposed changes and in transposing some of the sections so as to make the proposition as explicit as possible.

On Friday night these gentlemen again met me in conference, read over the proposition carefully, and addressed me letters approving it and recommending the convening of the Legislature in extra session to pass upon it.

Before I left Washington, I had requested Maj. Wilson to call together the board of directors of the W. N. C. Railroad to meet in the city of Raleigh on the 10th of February, and I had called a meeting of the board of internal improvements at the same time and place.

On the assembling of the board of directors, all being present except Col. Shoher, I submitted to them for their consideration the proposition as now perfected. On the next day I was informed by a letter from the secretary of the board that six of its members were opposed to calling an extra session of the Legislature to consider and pass upon the proposition, and that five members favored such a call. On the same afternoon I submitted the proposition to the board of internal improvements, which body was equally divided upon the subject. Among those on both boards opposing the assembling of the Legislature are some of the best men of the State, for whose opinions upon that or any other subject I have the very highest regard. But my duty was to me so plain that I could not let this vital matter rest there. On the 12th day of February I addressed a communication to Dr. J. M. Worth, the State treasurer, giving him the names of all the gentlemen who were parties to the proposition (which names Mr. Best had furnished me), and requested him to go to New York at once to investigate their financial and moral standing, and to report the same to me by letter as early a day as possible. At Dr. Worth's request I telegraphed to the Hon. Jos. J. Davis to accompany him to New York and assist him in the investigations. I also requested Col. W. E. Anderson, president of the Citizens' National Bank of this place, to make similar inquiries for me, which he did through his correspondents of New York.

Dr. Worth reports that he is "perfectly satisfied that Mr. Best and his associates [W. R. Grace, J. N. Tappan and J. D. Fish], possess the financial ability to fulfill the contract submitted to you by them and their personal character and standing is such as to give positive assurance that they honestly intend to carry out any contract they may enter into."

Mr. Davis reports that Messrs. James D. Fish, W. R. Grace and J. N. Tappan "are gentlemen of large means and all of them gentlemen of high character, commanding the confidence of business men."

Col. Anderson reports that the sources from which he derived his "information are varied and of the very highest respectability in New York City, and they all agree that these are men who would not intentionally enter upon any undertaking which would involve their good names, or which they might not be able to carry out."

I thereupon at once submitted the proposition, my letter books, and the report made to me by the gentlemen above named, to the Council of State, and asked their advice as to whether the General Assembly ought to be convened in extra session. I am informed by the Council of State that they are unanimous in advising an extra session of the General Assembly to consider the proposition for the purchase of the railroad, and in accordance with this advice I have issued my proclamation as the law directs. I have exercised all the intelligence, and care I possess, in conducting the negotiations, and in throwing all possible safeguards around the interests of the State. I felt obliged, in justice to the parties contemplating the purchase, while the negotiation was in progress, not to make it public; but now that I have reached the conclusion, so far as I am concerned, I desire that the speediest, greatest and most detailed publicity be given to it. For this purpose I have caused a thousand copies of the proposition to be printed and sent out—one to each member of the General Assembly, sheriff, register of deeds and clerk of the Superior Court, and to every newspaper in the State. Any information that I have on this important subject will be freely given to any citizen of North Carolina who shall desire it, and my letter-books are open for inspection. The proposition of Mr. Best and his associates as perfected, briefly stated, is

this: The State, through its proper commissioners, is to make a deed, without any warranty of title, to Mr. Best and his associates for the State's interest in the Western North Carolina Railroad. This deed is not to be delivered to the purchasers until the railroad is completed both to Ducktown and to Paint Rock, nor until all the stipulations of their contract are performed; but until then it is held in trust by the United States Trust Company, of New York, upon the following conditions:

If the road is completed as agreed upon in the contract and all the other conditions therein stipulated are faithfully performed, the deed is to be delivered to the purchasers; but if they fail in any one the grant becomes void, the property reverts to the State, the United States Trust Company is to re-deliver to the State, the deed and all papers pertaining thereto, and the State re-enters at once into the possession, control and ownership of the entire property.

Before the delivery of this deed to the United States Trust Company, the purchasers are to enter into a contract binding themselves, their executors, administrators and assigns, to build the branch railroad to Paint Rock by July 1st, 1881, the Ducktown line as far as Pigeon river by the same time, and to complete the Ducktown line by January 1st, 1885. From the day the act authorizing the sale is ratified, the purchasers are to pay all the interest on the \$850,000 mortgage bonds which the State is now paying, and are in due time to take up and cancel the said bonds.

The purchasers are to have the right to mortgage any mile of the said Western North Carolina Railroad that has been completed and is in operation, to the extent of \$15,000 per mile, but the aggregate amount of these mortgage bonds shall include the \$850,000 heretofore issued, until these later bonds shall be cancelled. Of these bonds issued by the purchasers they are to deliver to the State treasury \$550,000 to reimburse the State for its expenditures made since the purchase of the road in 1875. The mortgage to be made by the purchasers is to contain a condition that it cannot be foreclosed until the railroad is completed both to Paint Rock and to Murphy, in Cherokee county, and this condition is to be explicitly stated in the body of all the mortgage bonds, that no defalcation in the payment of interest or anything else can work a sale of the railroad until it is completed. If the parties shall fail in their contract, the remedy is twofold. First, the State has the legal right and the ability to enforce its performance. But if from any cause it shall become impracticable or inexpedient to enforce its performance, the railroad again becomes the property of the State, which takes that part from Salisbury to Paint Rock with all the rolling-stock and equipment free and discharged of all mortgage, lien or encumbrance of any and every kind, in favor of the purchasers or any other person or corporation except the \$850,000 now on it and the actual expenditures made by the purchasers in the construction, repair and equipment of the said road, not to exceed in the aggregate \$550,000. But this lien or indebtedness shall not be due or in any way collectible until the completion of the Ducktown line to Murphy.

So that whatsoever money the purchasers shall have expended upon the work will be absolutely forfeited unless the road shall be completed both to Murphy and to Paint Rock. If, therefore, the purchasers build the Paint Rock branch and stop there, the State will take possession of the railroad, which is reasonably estimated to be worth \$3,000,000. The only encumbrance upon it will be the \$850,000 which is now a lien upon it, and which will be due in 1880, and the amount expended not to exceed \$850,000 which latter amount will not be due until the Ducktown line is completed to Murphy; and if the road shall never be completed to Murphy, this amount will never be due. It will be seen, therefore, that unless the purchasers build the road to Ducktown, the State will get a completed road, said to be worth \$3,000,000 cash, for \$850,000.

The proposition also contains a provision that the said purchasers, in the matter of transportation, shall not discriminate against any North Carolina city or town, or against any one North Carolina city or town over another. The State is to hire to the purchasers—not give them—five hundred convicts, for which they are to pay to the State \$125 each per year, amounting in the aggregate to \$62,500 annually for five years, or \$312,500 in all.

The reasons that have influenced me to convene the General Assembly in extra session, are:

First. The Western North Carolina Railroad belongs to the people of North Carolina. It has been built up to its present condition by your money. It is slowly progressing towards completion by the aid you give it, and surely have the right to say whether you will sell it to those who will complete it, or will continue to be taxed for its construction.

Second. Under existing laws, the appropriations for the building of the road, to be paid in cash out of the State treasury, annually, are: For interest on the first mortgage bonds, \$50,560; for the purchase of iron and material, \$70,000; and for the support of convicts about \$45,000—making in all \$174,500. To collect this money and place it in the treasury the sheriffs get 5 per cent. commission, amounting to \$8,725, which added to \$174,500, the amount collected, makes \$183,000 in money collected out of your property every year. Third. The taxable property of the State is \$157,967,481. To raise \$183,000, therefore, out of this property requires

a tax of 12 cents on every \$100 worth of property. It is a simple matter of calculation for each tax payer to know the exact sum to pay annually and will continue to pay if you decline to sell the road and decide to go on with the work yourselves.

Fourth. The price to be paid for the convicts, that is to say \$62,500 a year or \$125,000 a head payable quarterly in cash will entirely relieve you of the burden of the maintenance of 500 convicts.

Fifth. I think you have a right to the opportunity of saying through the Legislature whether you will relieve yourselves entirely of this burden, or whether you will use the money to hasten the completion of the Western Insane Asylum at Morganton, so that those of our fellow beings whom God has bereft of reason may be provided for with decent comforts instead of languishing in our common jails.

Sixth. You have a right to say whether you will continue in force the existing laws or use the money appropriated to this purpose for fostering the public schools and the education of your children, in which so much has been left undone by North Carolina.

Seventh. You have a right to say whether or not this property shall pass from your hands into those of private capitalists who will speedily complete both lines of this important railway without further burden to you.

Eighth. You have a right to say whether you are willing that these capitalist shill invest \$4,000,000 of their own money in developing in the near future one of the grandest and most important sections of our State, a section that bids fair to be the great mining camp of the Union, and whether this investment shall be followed by others almost equally important.

Ninth. It is for you to say whether capitalists who have been urged by appeals, constantly and earnestly made to come and invest their money amongst you, shall be permitted to do so.

Tenth. It is for you to say whether your fellow-citizens of the west are again to be disappointed. For nearly a half century they have appealed to you for help. For a quarter of a century you have responded to their appeals with all the means in your possession. During that time, after expending millions, you have been able, of the three hundred and forty miles of railway which you project nearly thirty years ago, to complete only one hundred and forty, and the track upon the part completed is almost worn out. You have in your political conventions often pledged yourselves to complete the other two hundred miles, and appropriate legislation has been participated in by both parties to redeem this pledge. Private capitalists now offer to relieve you of this obligation. Whatever may be the speculation on the subject, who can say when another offer will be made? You are entitled to have an opportunity to accept this offer or to decide to run the risk of another.

Eleventh. You have a right to say that you will keep your faith. Every plan yet suggested for the State to go on with the work without further taxation looks to the abandonment of the main Ducktown line, and the completion of the branch to Paint Rock alone. Before your pledged faith is broken, you are entitled to the opportunity of accepting, if you desire, a proposition that will enable you to keep that faith, and to strengthen rather than loosen the bonds that bind the mountains to the plains.

Twelfth. This is the first offer you have had for the purchase of the road and for its completion by private means. It may or may not be your last. But if I knew absolutely that one equally advantageous would be made to the general Assembly at its regular session next year, I would still deem it my duty to place it in your power to act now. The extra session, I find upon investigation, will cost you about \$13,000, detailed as follows:

Table with 2 columns: Item and Amount. Includes 170 members at \$4 per diem, 2 presiding officers, 4 door-keepers, 4 servants, 5 wages, printing, fuel, lights and stationery, total per diem, and total amount of \$13,387.75.

This is less than one cent on the \$100 worth of property. To wait until next January means that the sheriff shall collect of you for the railroad this year \$175,000; that is to say twelve cents on the \$100 worth of property, the appropriations for the road being that amount. To act now, rather than a year from now, will cost \$13,000, and save \$175,000. In other words, it will cost one cent on the \$100 worth of property, and save twelve cents. Now I think you have a right to say whether you desire to have that eleven cents collected this year or what you will have done with it if collected.

Of the million and a quarter of people in your State I am only one, on account of the position in which you have placed me, who can give you power to answer these questions and exercise these rights for yourselves through your representatives, and to say what you will have done with this property and the money you are annually contributing to build it. After mature deliberation, I have determined, whether wisely or unwisely the future will demonstrate, to give you this opportunity. The way is now open to you, and it is for you to say what shall be done.

Respectfully,
THOS. J. JARVIS,
Executive Office, Raleigh, Feb. 23, 1880.

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As there are a great many Spurious and Inferior brands offered you at low figures, which are shipped under the name of "Chemicals," to avoid taxation and analysis, I repeat, you should be Very Careful and save your money by getting such goods as are legally authorized to be sold in the State, and have been analyzed and stamped.

Don't forget also that I continue to keep the old established and reliable "NAVASSA" and "PACIFIC" GUANOS, and COTTON MIXTURE, which I have been selling for the last 12 years with perfect satisfaction. You have only to ask those who have tried them. Do not waste time, money and trouble by experimenting with the many new and untried brands now going to be offered you.

O. C. S. Our Cough Syrup—The most palatable, soothing and efficacious remedy ever placed before the public for that most dreaded of diseases, coughs, colds, &c., manufactured at BARKER'S Drug Store.

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LEB S. OVERMAN, ATTORNEY AT LAW, SALISBURY, N. C., Practices in the State and Federal Courts. 12-6m

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Charles L. Heitman, Attorney for Petitioner. 17-5w

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