

The Silver Dollar.

They talk about "sound money," and they sigh and preach and sing; But the "soundest" of all money is the dollar with a ring!

"Jingle, jingle!" So it goes! 'Tis a solace for our woes, And it makes a fellow happy, While its rhythmic music flows.

They talk about "sound money," but the soundest note of all Is the tintinnabulation in a silver dollar's fall!

How it gives the world its color! how it makes the winter spring! And the whole creation dances to a silver dollar's ring!

"Jingle, jingle!" So it goes! 'Tis a solace for our woes, And the winds grow sweet with music And the world with honey flows!

They talk about "sound money." Let the silver dollars chime, And the whole world will go singing "down the corridors of time!" They gleam with noonday splendor; they are suns serene and bright, They make splendid every morning, and they glorify the night!

"Jingle, jingle!" So it goes! How the silver soothes our woes! The world rolls round in music, And we triumph o'er our foes!"

SUPREME COURT DECISIONS.

A Digest of the Opinions Handed Down During the Past Week.

Reported by Ferrin Busbee, Esq., of the Raleigh Bar.

A. D. Webster (appellant) vs. J. P. Sharpe, from Alamance county. Opinion by Furches, J.

A summons "issues" when it goes out of the hands of the clerk, expressed or implied, to be delivered to the sheriff for service: as if the clerk delivers it to the sheriff, or to the plaintiff or some one else to be delivered by him to the sheriff, or by his implied consent it is filled out by the attorney of the plaintiff and put in the hands of the sheriff. But a summons simply filled up and lying in the office of an attorney, or filed up and held by the clerk for a prosecution bond will not constitute an issuance until the bond is given, or at least until it leaves the hands of the clerk for the purpose of service. Judgment affirmed.

B. W. Moore vs. J. P. Angel (appellant) from Macon county. Opinion by Avery, J.

Where in an action for damages for an alleged trespass, a claim of title to the property arose in the pleadings and the issue based thereon was found for the plaintiff, he is entitled to judgment declaratory of his title and for nominal damages, if none had been assessed, by the jury, with costs.

Judgment against appellant for costs.

G. B. Carden (appellant) vs. W. R. McConnell, from Clay county. Opinion by Furches, J.

Where the plaintiff had contracted in writing to sell a tract of land to one Isbell, and defendant went to Isbell and told him that plaintiff's title to said land was not good as he (defendant) owned one-half interest in said land; Held, That in an action by plaintiff to recover damages for alleged slander of his title, it was competent for Isbell to testify as to contents of said written contract between himself and plaintiff.

New trial.

State ex rel. Dennis Burrell (appellant) vs. John K. Hughes et al., from Orange county. Opinion by Faircloth, C. J.

Where plaintiff sued a sheriff on his official bond for four penalties, of \$100 each, for failure to serve process, the summons being issued in the name of "Dennis Burwell," and the amended complaint declaring in the name of the "State ex rel. Dennis Burwell." Held, 1. A person suing for a penalty is the proper party plaintiff, and not the State, unless so expressed in the statute.

2. A party suing for several penalties against the same defendant may unite several such causes of action, and if they exceed \$200 the Superior Court will have jurisdiction.

3. Where in the above action, the defendant moved to dismiss the action and demurred because of the discrepancy in the summons and amended complaint and for want of jurisdiction; Held, that the Court below, in sustaining the demurrer, committed error.

4. A motion to dismiss for want of jurisdiction or because the complaint does not state a cause of action is not such a demurrer *ore tenus* as will permit an appeal from its refusal. Reversed.

Mary L. Hargrove (appellant) vs. Henry P. Harris, from Granville county. Opinion by Clark, J.

Where plaintiff sought to recover \$75 due as rent, and incidentally asked, or stated what might be construed as asking for claim and delivery of the crop, which was not alleged to be worth less than \$50, Held:

1. That the Justice of the Peace properly ignored the auxiliary remedy of which he would have had no jurisdiction, and rendered judgment for the amount of rent found to be due.

2. The Code, section 1754, makes the judgment a lien on the crop, and the fact that the Justice so adjudged is harmless surplusage. Reversed.

Thos. D. Wright (appellant) vs. Jesse Harris, from Person county. Opinion by Montgomery, J.

Where a testator left all his property to his wife for life and after her death to the plaintiff, but added the proviso "However I request that Jesse and Henry Harris, former slaves of mine, remain with my wife and nephew until the death of my wife, and if they shall remain with them during this time, that they, Jesse and Henry, shall have at some suitable place, fifty acres of land each"; Held, 1. That as defendant remained with the widow until her death and was faithful to her, he became at the death of the wife, a tenant in common with the plaintiff (the nephew) of the tract of land devised and is entitled to partition.

2. The plaintiff cannot eject the defendant from fifty acres which he now occupies and which was indicated by the testator during his life time as a suitable home for the defendant, but the defen-

dant will be allowed to remain in possession until the fifty acres are allotted by the commissioners appointed by the court. 3. The defendant is also entitled to the crops now in the hands of a receiver, which were grown on said fifty acres. Affirmed.

L. C. Younger et al (appellants) vs. M. Ritchie et al, from Stanly county. Opinion by Clark, J.

1. It is no defence to an action to set aside a fraudulent conveyance to allege and prove that the lands therein embraced do not exceed in value the homestead exemption.

2. Where the creditors of a husband seek to set aside a conveyance by him to his wife on the ground of fraud, it being admitted that the land conveyed was worth less than one thousand dollars and no other homestead had been allowed him; Held, that the docketed judgments of the creditors are liens upon the reversion after the termination of the homestead and the creditors are entitled to have the cloud or obstruction caused by the fraudulent conveyance removed now, lest the evidence by the lapse of time become unavailable.

ALL HONOR TO THE VETERANS.

One of the Last at Appomattox Writes of the Unveiling Ceremonies.

FAYETTEVILLE, N. C., May 23.

To the Editor of the News and Observer: DEAR SIR: I went up to Raleigh on the 20th inst., in company with quite a number of old Confederate soldiers to see the unveiling of the Confederate monument, erected by the noble women of our State to perpetuate the memory of our fallen heroes.

The old veterans from this county (Cumberland) were in charge of the Independent Light Infantry of Fayetteville, than which a more gallant, courteous and gentlemanly corps can not be found anywhere—a company that we delight to honor, and one in which the whole State should feel a just pride, both on account of its age, past history and services to the State.

Arrived in Raleigh, we were received with large hearted and full handed hospitality; the whole city was beautifully decorated for our reception, the day was simply perfect, the arrangements everything that could be expected or desired, the speeches excellent and the crowd immense.

The unveiling of the Confederate monument was a day long to be remembered; an occasion of deepest interest and pride to the survivors of the late war; it was a glorious day for North Carolina, made so by the people of Raleigh, who, it seemed, spared nothing calculated to make the occasion a pleasant and glad-some day for the Confederate soldiers. To the ladies especially, and to the citizens of Raleigh generally, we feel that we are in large measure indebted for the happiness of that day of another reunion, awakening sad and yet pleasant memories that thronged like half-forgotten dreams, or half-remembered scenes and faces of the long, long ago.

To the railroads of the State, the old veterans are due many thanks for favors in making low rates, and thus making it possible for a larger number to attend these joyous reunions than otherwise could.

I never go to Raleigh and feel as if I have been there at all, unless I see and grasp the hand of that big hearted Scotchman, W. O. Stronach, the friend of old soldiers. But he is not the only big hearted man in the Capital city, there are many of them, too many to call them by names and I only take him as an illustration to show the high esteem in which he and many others like him are held, all over the State.

To the Confederate Veterans the freedom of the city appeared to have been given on the 20th instant. They were everywhere, and I began to think at one time that they had captured the city, and I believe they did, they were lodged and fed, if not feasted. A large warehouse near the center of the city, was nicely prepared for a dining room, cool and clean, in which were arranged four large tables the full length of the building capable of seating or rather standing 150 each, at which was served bread, cheese, ham, and canned beef, together with good coffee the soldiers' beverage. Especially to those who are not able, or inclined to take anything stronger, lemonade was also provided by the tub-full, in which large pieces of ice, resembling miniature icebergs were floating. I heard the question asked repeatedly, who is furnishing all this? I did not know who, but on examining all the arrangements so thoughtfully provided for the comfort of the old veterans, I became satisfied that such tact and taste could only originate with women—men never think of such little things. There were a number of wash basins, soap, towels, combs, hair brushes and looking glasses, an abundance of cool, clean, clear water was supplied by a pump in the building, placed there, I suppose, for the occasion.

At a reunion of the disabled veterans at Wrightsville, near Wilmington, a few years ago, where about 1,500 were provided with a sumptuous dinner by the ladies of Wilmington, I noticed the same anxious care for the comfort of those men who achieved for the South an immortality of fame.

At the head of the column of veterans waved the battle flag of the 51st N. C. Regiment whose faded and tattered folds spoke eloquently of the scenes and triumphs through which it so honorably passed, upheld by Southern valor, this flag, now a relic of the glorious past, has fallen into the friendly hands and keeping of the Independent Company of Fayetteville, whose history of the past is an earnest of the future. This gallant company in their uniform of historic gray, was chosen to act as the escort of honor to the veterans assembled in Raleigh on that day. The naval battalion of Wilmington attracted the special notice of the old vets. I heard some of them remark that they "looked more like business than anything they had seen since the war, and that they would rather tackle any other crowd in Raleigh on that day than that."

The most fervent and frequent remark that fell from the lips of the veterans was, "God bless the women of North Carolina," to which I heartily respond amen. A. D. MCGILL.

A PICTURE OF HEALTH TO-DAY.

Mrs. Moore was Sinking---Paine's Celery Compound Made Her Well.



The people have given their verdict! Every state, county and most humble village has had a voice in it.

There is a consensus of testimony from all America to the fact that Paine's celery compound is making sick, tired out, nervous men and women well and strong again.

There have been published by thousands in every state in the country, this spring, testimonials from people in every station of life in those states telling of the many cases where the greatest of all remedies has made people well.

The News and Observer has published the unsolicited testimony of well-known and highly esteemed people in Raleigh who have found health and strength in the remedy that was first prescribed by Prof. Edward Phelps, M. D., LL. D., of Dartmouth college.

Men and women of national reputa-

tion have written thankful letters on the same subject, which have been published the world over, and have called forth unasked for responsive letters from equally prominent men and women in other lands. Below is a letter that commends itself in this spring month of May to every woman in Raleigh. It was voluntarily written to Wells, Richardson & Co. by a lady whose portrait, given above, is assurance of her high character and honest disposition. She is a picture of womanly health. She is Mrs. Robert M. Moore, of Laporte, Ind., and she writes: "Please accept my heartfelt thanks for the great good Paine's celery compound has done me. I do think that there cannot be too much said in its favor. I was completely run down a year ago, and had the advice and attendance of two of the best physicians in the town who pronounced my sickness nervous prostration. I was treated by one for two weeks, and then went to another and at first he seemed to help me, but after a while instead of getting better I went from bad to worse.

"At the earnest solicitation of two of my children and a dear friend, who was very much interested in my case, I commenced to take Paine's celery compound and took seven bottles, and am thankful to say that I am a well woman to-day. Considering the low state of health in which I was, my case has been pronounced wonderful. You can use this communication as you see fit."

For recovery from the effects of too constant indoor work, worry, over-exertion of body or mind, and for the general depressed state of health that is so apt to result from a sedentary life of hard work and routine, Paine's celery compound is the one strictly accurate relief. It refreshes and restores the worn-out tissues, disposes the body to take on new flesh, and rapidly clears the system of the used-up elements that clog its healthy working. Drudging indoor workers who seldom get a long breath of fresh air—and there are many such, both men and women—recover vigor of the nerves and vital organs through the use of Paine's celery compound.

TO-DAY.

We devote our entire space to welcome the many strangers and our friends and the public to the hospitalities of our house during their visit to the unveiling of the Confederate Monument, in one word, we invite everybody to come and make themselves feel at home in our house and promise that you will not be worried about buying. Everybody knows we have the best and largest stock of Men's and Boy's Wearables, and that OUR goods are less in price and better in quality and style than you find in other houses, is the easiest of all to prove to you.

We have provided space for your baggage while here. Again, our cordial welcome to all.

S. & D. Berwanger. High Art Clothiers.

Notice.

RALEIGH, N. C., May 1, 1896. The death of Maj. J. B. Neathery, in August last, worked a dissolution of the firm of Alfred Williams & Co., and necessitated the winding up of its affairs. We have succeeded to the business for that purpose, having been created trustees by Mr. E. G. Harrell, sole surviving partner of said firm of Alfred Williams & Co. All persons indebted to said firm are requested to make immediate payment to us; and all persons having claims against said firm will please file the same with us at once. A. W. HAYWOOD, THOMAS M. PITTMAN, Trustees.

SALE OF VALUABLE REAL ESTATE.

By authority of a judgment of the Superior Court of Wake county, made in a special proceedings to make real estate assets, entitled N. B. Broughton, Administrator, vs. Edgar S. Lougee and others, I will on Tuesday, 21st of May, 1896, at 12 o'clock M., at the Court House Door of Wake County, sell to the highest bidder the following described real estate:

First parcel, situate in the City of Raleigh, on North Person street, and bounded on the North by lot of Mrs. W. M. Shipp, on the South by lot of C. G. Latta, and on the West by Person street, being a lot 52' x 205 feet with cottage on same. This is the home of the late Mrs. C. E. Lougee. It is one of the most attractive and desirable locations in the City, having as its West front the Governor's Mansion and grounds.

Second parcel, situate on the North by Jones street, in the City of Raleigh, and is bounded on the North by Jones street, on the West by lot of N. B. Cobb, on the South by Gatlins' lane, and West by lot of S. V. House, being lot 38x206 feet with cottage on same. A splendid opportunity for a good home for a small sum of money. A good building lot can be cut off in the rear.

Third parcel, situate near the town of Cary, N. C., adjoining the land of N. A. Pleasants and others, contains 78 acres, 2 rods and 81 poles, and is the same land conveyed to Mrs. E. Lougee by deed, recorded in book 100, page 624, Records Register's Office for Wake County. This property is in less than half a mile of corporate limits of Cary.

Terms of sale one-half cash, balance in six months from day of sale. Title reserved until purchase money is paid.

N. B. BROUGHTON, Commissioner. This sale has been postponed till Monday, June 2d, 1896, at 12 M.

W. L. DOUGLAS \$3 SHOE IS THE BEST FIT FOR A KING.

\$5. CORDOVAN, FRENCH & ENAMELLED CALF. \$4.35 FINE CALF & KANGAROO. \$3.50 POLICE, 3 SOLES. \$2.50 92. WORKINGMEN'S, EXTRA FINE. \$2.17 BOYS SCHOOL SHOES. LADIES. \$3.25 \$2.17. BEST GONGOLA. SEND FOR CATALOGUE. W. L. DOUGLAS, BROCKTON, MASS.

Over One Million People wear the

W. L. Douglas \$3 & \$4 Shoes

All our shoes are equally satisfactory. They give the best value for the money. They equal custom shoes in style and fit. The wearing qualities are unsurpassed. The prices are uniform, stamped on sole. From \$1 to \$5 saved over other makes. If your dealer cannot supply you we can. Sold by

HELLER BROS., Raleigh, N. C.

JOHN W. EVANS



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JAMES A. FRAZIER, Managing Receiver.

Sale of Lexington Seminary.

The undersigned, duly authorized thereto, will sell at private sale, The Lexington Seminary, and hereby invite bids for the same. Said property consists of two acres of land having thereon a large two story Brick Building with four recitation rooms on the first floor and two recitation rooms and a large chapel on the second floor, with chairs, desks and other furniture suitable for school purposes, and is situated at an eligible point in the town of Lexington, N. C. F. C. ROBBINS, April 29th, 1896.

H. J. BROWN COFFIN HOUSE.

JNO. W. BROWN, Proprietor.

Funeral Director and Embalmer, RALEIGH, N. C.