PROGRAMME OF WEEK.

Thankspiving Day Will Bring Football Scasses to an End-Cornell and Pennsy and the Army and Navy Games the Chief Events.

New York, Nov. 24.—Thanks tiving week practically closes the purrent year, and as usual at this porfed the next seven days will bring decisions in a number of events of unusual athletic interest. There are still two big football games to played and both will take place on Prankin Field, Philadelphia, Then are between Cornell and Pennsy, wanta, is down for Thursday, and the second, the annual meeting of the army and the navy for Saturday, Besides these two games there will be a golf tournament at Lakewood, and the inter-collegiate cross-country championship at Princeton.

Naturally chief interest centres in the two remaining big football games. Both promise to be stubbornly fought contests. Close students of the game are predicting success for the Cornellians but proceeds.

The game on Saturday between the army and the navy will be the beat the Quakers.

The game on Saturday between the social affair it has always proved to be heretofore and a targe attendance of government officials lending something more than athletic interest to the contest. In form the West Pointers of the proceed of the contest. In form the West Pointers of the contest is the defendant that the contest is the contest. In form the West Pointers of the contest is the contest. In form the West Pointers of the contest is the defendant that the contest is the contest in the contest in the co

the contest. In form the West Pointers seem to have an advantage.

ers seem to have an advantage.

Eight of the big Eastern collèges will send teams to Princeton on Wednesday to try for the intercollegiate cross country championship. They are Cornell, Columbia, Harvard, Massachusetts Institute of Technology, Pennsylvania, Princeton, Syracuse and Yale. The teams in the aggregate will make up

Special to The Observer. Wilmington, Nov. 24.-L. Jensen, 60 years of age, a fireman on the British steamer Disdenhall, now receiving a cargo of cotton at the Chapion compress, died yesterday morn-ing on board the ship, of epilepsy, His remains were prepared for burial upon the orders of Captain Hackburn, aster of the yessel, and they were laid to rest, after brief funeral services in Bellevue Cemetery.

Mrs. Richard H. Cowan, of Rowan County.

Special to The Observer. Salisbury, Nov. 24.—Mrs. Richard H. Cowan, aged 76 and living at her old home place in Watsonville, Rowan county, died this morning of pneu-She had been ill but a few days and her death was not expected. She leaves numerous relatives in with plaintiff, secured with plaintiff's Salisbury, and throughout the county, money an option on certain lands, tak-She leaves numerous relatives in among them being the daughter living with her, Miss Eloise Cowan, and her enarried daughter, Mrs. M. L., Bla-The Mock family, of Salisburys are kin people. The funeral will be held to-morrow morning from the morning from the home and the interment will take place in Salisbury.

Mrs. Pannic Long, of Davidson Coun-

Special to The Observer.

Long, mother of the late T. M. Kern, chairman of Rowan's board of commissioners, died at 1 s'clock morning at the home of her son in Fairment, Davidson county. was 86 years old and leaves a family of two sons and two daughters. Besides these, she has hundreds of prominent kin people.

The death of Mrs. Long came entirethat had devoleped within two Jays. She had been nursing her youngest son, who is very low with the same affliction in both sides, and took to her bed Friday. She was the loveliest of that unreturning type of antebellum ladies of the South. funeral will be held from the Trading Ford Baptist church to-morrow afternoon at 1 o'clock.

Charley O. Moore, of Whitney." Special to The Observer.

Salisbury, Nov. \$4.—Charley O. Moore, affectionately known as "Big Charley," of Whitney, died this morning at the Whitehead-Stokes Sanatorium, where he was sent a week ago to receive creatment for tetanus. Mr. ore ten days ago stuck a nail in his foot, making a wound that gave him trouble and daily grew worse. Coming to Salisbury after he had passed the state of safety, he took the operation when the worst was on him. He was man of great hold upon life but gave way to odds.

The announcement of this man's death will be sorrowful to everybody announcement of this man's except the rowdles over whom he walked and held the big stick.
Charley Moore made Whitney, a land of foreigners an dengroes of crime, perfectly safe and no town was bet-ter policed. When Hell's Acre broke lasse on Sunday he was on the spot policed. When Hen's have on the spot and the shooting that disturbed the slet of that day ceased the moment and he appeared. Ed Davish the incaught murdered of Street Car incaught murdered of Street Car incaught murdered of Street Car markable degree yesterday that he was gainst the officer but he lacked the nerve to attack him and left Whitney without settling wifh Moore.

The property of the county road force, feigned sickness to such a remarkable degree yesterday that he was sent to the hospital in apparent great agony. Night came on and when he was left for a moment in the ward by a nurse, he took French leave and has not been seen or heard of since.

children. He was 38 years old and, as he once said to Governor Gienn, "didn't know nothing but ruling niggers and voting the Democratic ticket. My mother taught me how to wote," he told the Governor who happened to be on the Yadkin train last year with him. The funeral services will be held from his Whitney home

dence there the statute, when the evi-dence shows that the prosecutrix trusted to detendant's pledge "never to forsake her," and to his promise of marriage when her ruin was accomplished, though the promise existed before the seduction.

Eight of the big Eastern colleges will send teams to Princeton on Wednesday to try for the intercollegiste cross country championship. They are Cornell, Columbia, All Pensen, David Massachusetts Institute of Technology, Pennsylvania, Princeton, Syracuse and Tale. The teams in the aggregate will make upsoventy individual runners. Cornell is the favorite with Yale and Pennsylvania close second choices.

The annual golf championship at lakewood will attract nearly all of the best players of the country with Jerome D. Travers standing out as the probable winner.

Harvard, Yale, Princeton, and Columbia will play their annual four-cornered chess tournament in this city during the Christmas holidays. They have selected December 21-24 as the dates.

Saturday will be get-away day at the Benning track after which date New Orleans and the two California tracks will have a monopoly of horse racing until next spring.

Talk of a State Meet at Wrightsville Beach.

Special to The Observer.

Wilmington, Nov. 24.—The success of the automobiler races at Wrightsville that will attract fast machines from the automobiler was more and the two California tracks will have a monopoly of horse racing until next spring.

Talk of a State Meet at Wrightsville beach.

Special to The Observer.

Wilmington, Nov. 24.—The success of the automobiler that will attract fast machines from the races here yesterday reflect that will attract fast machines from far and near. An ardent automobilist who watched the races here yesterday reflect that will attract fast machines from far and near. An ardent automobilist who watched the races here yesterday reflect that will attract fast machines from far and near. An ardent automobilist who watched the races here yesterday reflect that will attract fast machines from far and near. An ardent automobilist who watched the races here yesterday reflect that will attract fast machines from far and near. An ardent automobilist will be performed the performed the farmous Daytona track in Florida.

The DEATH RECORD.

Deeds and Conveyances, Options, Fraud, Between Parties, Title, Uses and Trusts, Trusts and Trustees, Spe-Options,

cific Performance. An action is one to declare defendant trustee, and not to enforce specific erformance of a parol contract, where-the plaintiff alleges that he and defendant had agreed, upon a sufficient consideration, to acquire together an op-tion on a certain tract of land, that pursuant to the agreement the defendant secured the option, but in fraud of plain-tiff's rights had it made to himself alone, and, also, in fraud of the plaintiff's rights, secured to himself the land under option and conveyed an undivided one-half interest therein to a third per-son, when the relief asked is that de-fendant be decreed to convey the onehalf undivided interest in the land re-maining in defendant's name. Options, Fraud, Between Par-

ties, Evidence. When defendant, under an agreement acquired an extension of the option, again in his own name, and having this called to his attention by plaintiff, ac-knowledged that the option should have been taken in both of their names, and offered to give plaintiff a writing to that effect, the evidence as to the writing is corroborative of the original agreement; and, when so restricted by the trial judge, is competent in an action to declare the defendant a trustee for the plaintiff in the land acquired, under the options by defendant, in fraud of plaintiff's rights.

Same.

Same, Option, Fraud, Between Par-ties, Uses and Trusts, Ex-Malificio. When defendant willfully violated his agreement with the plaintiff to secure both jointly, assured the plaintiff that the land taken under the option, in his own name, was to be held by him under the agreement, and, while each party was enleavoring to raise money to se-cure the land under the option, the de-The death of Mrs. Long came entire-unexpected and from pneumonia could berrow the money for them both, to which plaintiff agreed, equity will create and enforce a constructive trust upon the land in plaintiff's favor, when defendant secures title to the land in his own name, and conveys an undivided half interest therein to the one from whom he borrowed the money, and se-cures the money, and se-cures the money, and se-tures the loan by a mortgage upon the other like interest. In such cases the court, to prevent fraud, will declare defendant a trustee,

Melvin W. Parrish vs. High Point, Ran-dleman, Asheboro & Southern Railway Co.

Upon competent evidence, an expert may be asked, and he may answer, a hypothetical question as to his opinion hypothetical question as to his opinion upon or conclusion from certain facts in controversy, assuming that the jury should find them to be true, which leaves the findings of those facts exclusively for the jury. A physician, admitted to be an expert witness, who had examined the plaintiff susmining an injury, shortly thereafter, and had found, and had testined, that the plaintiff's kidney had been injured, may upon competent evidence be asked, and may give his opinion as to the cause, if the jury finds the facts from the evidence that plaintiff was injured by falling back against the arm of a seat in the train, and struck his back over the region of the kidney, and at the time it gave him great pain followed by nausea, etc.

Convict Feigns Sickness, is Taken to Hospital and Escapes.

SUPREME COURT DECISIONS MILLS AND MARKETS

Owing to the financial crisis, the present cotton oil crisis is far more scute and the remedy must be far more heroic and immediate than in the case of cotton a tew years ago. Day after day our oil mills are grinding up more and more seed into products when we have already more than enough made to supply the world's legitimate wants for thirty if not for sixty days. Day after day these products are being forced on the markets to satisfy the banks' demands or to obtain money to buy more seed.

If the planters continue to insist upon cash in payment for seed and the banks insist upon limiting the oil mills line of credit and the oil mills insist upon running, there is no telling how much money the South will lose upon the present seed and oil crops although every pound of both of these grops will be needed for actual consumption before the season is over and every pound of them ought to bring good prices.

A SIMPLE SOLUTION.

The simplest and most immediate solution that presents itself is for the oil mills without exception to close down immediately and not turn a wheel until the mills in distress have marketed what they cannot carry, and in the meantime for the planters to continue to deliver their cotton seed to the mills receiving therefor not money, but negotiable warehouse receipts for say sixty days, carrying

It is folly to object that the necessity exists for running the mills to prevent seed or oil spoiling. Such danger is much overated, and even should it occur, we know from the should it occur, we know from the experience of last season, that bad products wisely marketed will bring more than good products unwisely marketed. It is more profitable to sell bad oil at 371-2 cents with a slight discount than good oil at 25 cents at no discount. This is no time for speculation. The mill which has run for two months should sell or lower sold one-sixth of its total estihave sold one-sixth of its total estimated output, but the mill which has exceeded this proportion should be checked and not allowed by its bankers to damage the entire South by compelling all the rest to sacrifice their own product as well, at the lower price which this over selling will produce,

THE WORLD SATISFIED. It ought not to be forgotten, that the world was quite content to buy the South's cotton oil freely borth for spot and future delivery at the decline from 45 cents a gallon, 6 cents a pound, to 35 cents a gallon, until this panic came, and at that price of 35 cents we can safely say the world will buy the South's cetton oil if we but put our shoulders to the wheel and put this important part of King Cotton's chariot on the road

The South has and will continue to take care of King Cotton. Do you know any good reason why she should not also take care of King Cotton's firstborn, cotton oil? Both sense and sentiment say "No."

EDWIN LEHMAN JOHNSON.

THE WEATHER.

Washington, Nov. 24.—Forecast for Monday and Tuesday: Virginia, fair Monday; Tuesday fair and warmer in interior; light to fresh north to northeast winds. North Carolina, South Carolina and Georgia, fair Monday; Tuesday fair, warmer in interior; light to fresh north South Carolina and

Tennessee, fair Monday; Tuesday warmer, and fair in east portion. Eastern Florids, fair Monday and Tuesday; light to fresh winds mostly northeast. Western Florida and Alabama, fair Monday; Tuestday fair, warmer; light

northeast to east winds.

Mississippi and Louislana, fair Monday and Tuesday; light northeast to southeast winds. Eastern Texas, fair Monday, warmer in northwest portion; Tuesday fair; light to fresh east to south winds. Western Texas, fair Monday and Tues-

Arkansas, fair Monday and Tuesday.
Kentucky, fair Monday: Tuesday fair
and warmer in east portion.
LOCAL OFFICE U. S. WEATHER
BUREAU.

Charlotte, Nov. 23.—Sunrise 7:07 a. m.; sunset 5:13 p. m. TEMPERATURE (in degrees). Highest temperature Mean temperature
Departure for the day
Accumulated deficiency for month
Accumulated excess for year
PRECIPITATION (in inches). Total for 24 hours ending 8 p. m... Total for the month Accumulated excess for the month 2.45

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a charge of say \$1 per ton of seed for storage, care, insurance, etc., in case the seed are removed from the mill at the end of that time. No price should be stated in the ware-house receipts nor even considered at this time, when no man knows the value of seed or oil but a simple pledge to take the seed at a price to be mutually agreed upon at some later time when cotton oil has found its just and proper level in price, and having some relation to the price of oil, a detail which can be later ar-

ranged. This is a heroic measure, but the situation calls for heroic ac-tion as well as mutual confidence between mill and planter. NO DANGER OF LOSS.

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CHAR LOTTE, N. C.

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