RALEIGH, N. C., TUESDAY MORNING, MARCH 5, 1878.

EUROPE.

"END OF THE HOLY WORK."

VOL. XIII--NO. 4.

The Treaty Signed on Saturday --Great Enthusiasm--Congratulations to the Czar--The Rus-

二百姓的第三人称单数

sians Jubilant.

LONDON, March 8, -The following announcement of the conclusion of peace between Russia and Turkey, was received to-night by Reuter Telegram Company :

CONSTANTINOPLE, Sunday Night, March, 3d, 1878. The treaty of pence has been signed. The Grand Duke Nicholas announced the fact to the soldiers at review at San Stefano to day. Russia has aban-doned her claims on the Egyptian and Bulgarian tributes

San Stefano to day. Russia has abandoned her claims on the Egyptian and Bulgarian tributes.
 LONDON, March 4.—A special to the Standard from Vienna asserts that two divisions of Austrians will enter Bosnia in about ten days.
 The Standard's correspondent at Viens a states that the Austrian and British ambasadors are instructed to protest, if the Russians enter Constantinople.
 The Times' St. Petersburg and Perst Correspondents confirm the report that the treaty of peace had been signed. At St. Petersburg the enthusians over the news of peace had been signed. At St. Petersburg the enthusians over the news of peace is unprecedented. Immense crowds are before the Palace, shouting and singing. "God save the Czar."
 The Pera correspondent says the treaty was signed on Saturdard.

The Pera correspondent says the treaty was signed on Saturday. Thirty-one thousand troops were reviewed at Sau Stefano, and a Te Deum

was sung amid great enthusiasm. The correspondent of the Tumes at San Stefano is able to state that neither the surrender of a portion of the Turk-ish fleet, nor a claim on the Egyptian tribute, is included in the conditions. No interference with a portion of the Turkish revenue hypothecated to foreign creditors. Nothing definitely settled relative to indemnity, but it will principally be in the form of territory in Awa, including Kars and Batoum—not Erzeroum. Salonica and Adrianople are not included in Bulgaria. The Daily Telegraph's Pera corre-spondent professes to give the condi-tions of peace. He makes the indemnity 1,400 million roubles, with forty millions sterling in bonds added. The Paris correspondent of the Times No interference with a portion of the

be represented in the Cortes at Madrid in equal terms with Porto Rico accord-ing to the population of the Island. Article 2d, of the provincial and mu-nicipal laws of Spain, dated October 2d, 1877, will be applied to the govern-ment and administration of Cuba, as is

H C whitehurst Ja 2278

done in Porto Rico. ARTICLE 3D,-The Spanish govern ment will be requested to apply suc dessively to Cuba all other laws promulgated in Spain, and to be promul-gated in Spain, with such modifications as are thought convenient, and in virtue of the prescription of article 89 of the

constitution of the monarchy.

Forty-Fifth Congress. back, as a substitut for sundry bills referred to that Committee, a bill to provide ocean mail steamship service between the United States and Brazil;

Judicial District.

timony is to the effect that the present force on the border could not safely be reduced at present. HOUSE.-Vance, of N. C., introduced bill authorizing circuit and district Judges to fine and imprison at discretion in cases of conviction of illicit distillation, in lieu of the punishment now required. Referred.

The Senate amendments to the bill issuing arms to the Washington Light Infantry of Charleston, S. C., were con-

The Paris correspondent of the Times telegraphs as follows: "Lord Lyons, the British Ambassador here, will go to London on Tuesday, presumably to con-fer orally with the government about his concernent.

A despatch to Reuter from Constantinople, March 3rd, by way El Arch, says: "Previous to the signature of the treaty of peace, Gen. Ignatieff demand-treaty of peace, Gen. Igna ed that Turkey should unite with Rus- ton; Albert G. Porter, Indiana, First

a social character, to be resolved upon after profound study of the circum-stances: therefore, article 1st, dating from the next legislative term Cuba, will be represented in the Cortes at Madrid in court terms and Lamar-

--Thurman and Lamar--Growing Weakness of the Cabinet--The Signal Service Maps--Coreoran Art Gallery. (Prom our own Correspondent.)

election. The probability is that there will be several this year, but a Demo-crat, thoroughly identified with the or-ganization, will be the legislator. This county is Democratic by about four (From our own Correspondent.) WASHINGTON, March 2d, 1878. Neither House of Congress is in Besion to-day nor was the Senate in sion on yesterday. Nothing of special interest transpired in the House, on yesterday,—the day having been mainly devoted, as is the hundred

LETTER FROM LENOIR.

usage on Fridays, to the consideration of the private calendar. Mr. Waddell, from the Committee on Post Offices and Post Roads, reported That Pearson Monument Again --- A Correction -- A Noted Criminal Case Disposed Of.

(Special Correspondence of the News.) LENOIR, N. C., March 1, 1878.

great tribunal at which we all have to As was to be expected, the leading ournals of the North and East,-the appear. Now my article was not written, as is Wall street gentry, and the "bloated bond-holders,"-are denouncing the passage of the silver bill in the severest

after much "charitable" consideration rms, while the press of the South and Our Supreme Courts are our greatest

terms, while the press of the South and West as universally applaud it. By the way, a Washington correspondent of the Detroit News mentions, as a matter of current gossip, that Thurman and Lamar are looming up as the prominent Democratic candidates for the Presidency and Vice-Presidency in 188%, on the ground that the former will conciliate "financial" sentiment at the West and that the Fastern States favor of the wrong and oppressive-then I say virtue should no longer lean upon such a man. And such a man who forsakes North Carolina in her dark hour of trial ought not to have a monument at the hands of North Carothe West, and that the Eastern States may be expected to like a Southern man, who has expressed very liberal views on re-construction and who voted against the silver bill, although instructed by his State to vote for it. Possibly some such expectation, on Mr. Lamar's part, may explain his vote, - in other words,

of friendship or the desires to show re-cognition of genius. I trust you will yet publish what I had to say on the subject, in full, if the manuscript of my letter is not destroy-ed; and I am willing to be judged by it, over my full signature, if necessary, and I will repeat the request to print the whole of the communication touch-ing the matter in question, if, upon your sober second thought, you do not find it will conflict with the ends of truth and justice-flat justitia, ruat calum. account for the milk in that eccon-I have just read the able report of Gen. Scales, Chairman of the Commit-tee on Indian Affairs, recommending tee on Indian Affairs, recommending the transfer of the Indian Bureau from the Interior to the War Department. The proposition is supported by a thor-ough and caustic resume of the sad but instructive history of Indian Affairs un-der the existing system,—a history of fraud, corruption and "rings,"—and is further enforced by a searching exami-nation into and estimate of the cost of the two systems

SUPREME COURT. Digest of Opinions of the Supreme Court, January Term, 1878, 78 N. C. Reports.

Reported for the NEWS by Walter Clark' Esq., Attorney at Law.)

The following opinions were filed last evening, (4th March.) 56. By SMITH, C. J. Barringer es. Allison. Where a justices's judgment is 'stayed' by a surety, such surety's

LEIGH NEWS

between the United States and Brazil; and On motion of Mr. Waddell, Wednes-day next was set apart for the consider-ation of the bill to regulate the compen-ention of postmasters and for other purposes. Mr. Davis presented the petition of 65 citizens of Wilson county, N. C., praying for the establishment of s United States District Court at Tar-boro; and Mr. Steele presented the petition of sundry citizens of Catawba county, against the abolition of the Western Judicial District. II. Where various companies form an association and unite in making a continuous line of their respective roads, and collect, either in advance at the

said, "on the spur of the moment." It place of receiving or at the place of de-was penned after much deliberation, route, subdividing among themselves, the receiving road becomes responsible for the default of any of the associated companies, and no special contract need

III. Where no such association exists, and no special contract is made, the reand oppression; and, from motives of fear or otherwise, turns the scale in favor of the wrong and oppressive— then I say virtue should no longer lean the direct and usual line of common carriers towards the point of destina-

IV. Where there was no such associ been dear to them through the impulses of friendship or the desires to show re-cognition of continue of the desires to show re-

Marks, &c. { Received of A. B., to be laden on the freight cars.

1 bale bedding, &c., J. F. PHILIPS, Monroe, La. Marks, &c., as per margin, which are to be delivered (condition of contents

anknown) to - or assigns, at

C. D., Agent N. C. R. R. Co.

tax payer can maintain an action to re-strain the collection of illegal taxes. A city tax levy is illegal if it excludes from valuation and taxation stocks of goods held by merchants on April 1, of that year, and it is no vindication of the legality of the tax levy that the City Government added to the tax on the monthly purchases of merchants more than enough to compensate for the de-ficiency caused by such exclusion of a tax on stock of goods in hand. Taxa-tion should not only be substantially the same in the result as if levied ac-

Decisions of Supreme Comt

is "stayed" by a surety, such surety's is like his principal's, out of the judgement, and the statute of limitation which bar such liability is therefore seven years.
of the judgement, and the statute of limitation which bar such liability is therefore seven years.
of the taxation is not uniform and property liable to taxation has been purperty liable to taxation has been purperty. If his case is otherwise good.
bill found, but may at any time before entering upon the trial, send another bill to the grand jury and require the defendant to answer that. Where seven years and partice the state of the statements mide by twist there in a common of the state of the statements mide by the subtation of the statements is clearly valid, to which no objection is of restricted in a common defence, or, as in this case, their defendant to answer that. Where seven be all the tax gonistic, the was because the lilegal tax can be approximated in the same of the state of the state of the statements mide by the subtate of the statement subtate of the statements mide by the subtate of the statements mide by the subtate of the statement subtate of the stat tion should not only be substantially the same in the result as if levied ac-

a pot paid that portion of his tax which is clearly vialed, to which no objects of a start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject in the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great regret that a subject of the start of very great start of the start of very great start of very great start of the start of very great start of very great start of the start of the start of very great start of the start of very great start of very great start of the start of very great start of the start of the start of very great start of the st

The only effect of the failure, to return the goods, or to notify the vendor, is to raise a presumption that the complaint of their quality is not well founded. 66. BY BYNUM, J. Jones vs. Robinson. Where by a clause of a will the testa-tor devised "the plantation that my son G. now lives on lying in Burke county three hundred and lifty acres to be sold after he gets possession of the plantation that I now live on &c.,"and there being no punctuation in the raise a presumption that the complaint of their quality is not well founded.
60. By Bynum, J. Jones es. Robinson.
Where by a clause of a will the testator devised "the plantation that my son G. now lives on lying in Burke county three hundred and lifty acres to be sold after he gets possession of the plantation that I now live on &c.,"and there being no punctuation in the clause, the question is whether the tess tator meant that only 350 acres out of the plantation estimated to contain 350 acres should be sold, the whole plantation should be sold.
e tion having been worked for a number
e tion having been worked for a number of years as one farm, and consisting in fact of two adjoining tracts, one of 400 acres, the other of 70 acres. *Held*, considering the designation of the num-ber of acres as only an alternative de-scription of the plantation; the rule is that where there is in the first place an nnambiguous and certain description of the thing and alterwards another de-scription which fails in certainty, the latter should be rejected. The whole plantation should be sold. The uncer-tainty as to what 350 agree of the tract tion having been worked army to guard and protect the forts, nty as to what 350 acres of the tra time over shall come when our liberties can not be preserved by the volunteers, if the time shall come when our people shall so far lose sight of the free princiwill to another tract as joining "the S acre tract," also aid the court in place this construction? on the citu ples upon which our institutions are founded as not to care whether they consideration. 67. By BYNUM J. State and Jackson 67. By BYNUM J. State and Jackson vs. Mallsby, Au action can be main-tained by the clerk of the Superior Court in his own name against the sheriff's bond, to collect bills of costs collected by the sheriff upon executions but which he failed to pay over to the wit-nesses and officers entitled, as well for the benefit of the other bene-ficiaries as for the clerk him-self Eurocially is this so where live or perish, then the time for despot-ism will have arrived and we shall cease Now, looking at it in this aspect, and desiring to inspire and keep alive this spirit, what should be the policy of the Government toward those soldiers who

\$.500 PER ANNUM.

sia in defending all its stipulations before the conference. Safvet Pasha re-fused to accede to this. Gen. Ignatieff then telegraphed to St. Petersburg for ns. It is not known how the question was settled. Russia agreed not to include Salonica

Russia agreed not to include Salonica in Bulgaria. It includes Bourgas, Var-na and Kustendje. Money indemnity of 40,000,000 pounds originally claimed in addition to territorial concession, was fi-nally fixed at 12 millions. ST. PETERSHURG, March 4.—The Grand Duke Nicholas has sent the fol-

Grand Duke Micholas has sent the fol-lowing to the Emperor: "San Stefans, March 3.—I do myself the honor of con-gratulating your Majesty upon the con-clusion of peace. God has vouchsafed to us the happiness of accomplishing the holy work begun by your Majesty, and on the anniversary of the enfran-chisement of the serfs. Your Majesty has delivered christians from the Mussul-man voke." man yoke."

LONDON, March 4 .- The Pera cor respondent of the *Times* says: By giv-ing up their hostile European provinces, and at the same time receiving a tribute

and at the same time receiving a tribute from them, or saddling them with a portion of the national debt, and con-centrating the Mussulmans in the ter-ritory contiguous to Constantinople, and making the concentration required by the territorial concessions in Asia, Minor, the Turks will create a new Ottoman power ten times stronger than when it was spread over a vast, badly organized and hestile territory. In the house of Lords, Lord Derby

in the nouse of Lords, Lord Derby, said the government had received the terms of peace, but in an imperfect state. He could only say that, the terms did not include the cession of the Turkish fleet, the indemnity was reduced to 12,000,000 sterling, and that the

Egyptain tribute was not affected. In the house of Commons, the Secre-tary of State for War, in answer to a austion, said the matter of defence of the connectal posts of Englands was being carefully considered, at the present moment.

A Cuban Proclamation.

HAVANA, March 4 - A proclamation dated Puerto Principe, and signed by Captain General Jovellar and Genera

Martinez Campos, says: WHEREAS, the insurgents are sur-rendering their arms, and whereas, a prity of the slaves who took part in insurrection did not figure in the sus formed in the year 1870, or belonged to masters who participated di-rectly or indirectly in the insurrection, thereby acquiring their liberty de facto, and whereas the sentiment is taken in-to account which inspired theoresent law of the gradual emancipation of the slaves in this Island, therefore author-ized by the home government, we pro-

Anticas, 1st. All slaves of both sexes, who were in the files of the In-surgents on the 10th of February, will be free if they present themselves to the legitimate suthorities, or the gov-erament troops before the last day of

ABTICLE 2nd. -The former owners of ARTICLE 20d.—The former owners of these freedmen have no right to indem-nity if they took part in the insurrec-tion themselves directly or indirectly. ARTICLE 3rd —Those formerly own-ers of these freedmen who remained faithful to the Spanish government will receive an indemnity in the manner which the law of gradual abolition pre-scribes. scribes.

ARTICLE 4 -All local anthorities will furnish papers of free citizenship to these former slaves included in article first, giving direct and detailed accounts to the heads of their respective depart-

A decree signed by Capt. General Jo-vellar and Gen. M. Campos, says: Whilst during the existence of the insurrection all the attention of the government was absorbed by the war, now after its hap-

py conclusion comes the time to intro-duce into the organic political adminis-trative system of the Island, such re-

trative system of the Island, such re-forms as without insurrection Cuba would have enjoyed long ago and would have been in an analagous position with David Morton and John Mills, em-

Comptroller of the Treasury of 20dollars for deposit of silver bullion to be received for custom dues. Referthe two systems.

red to the committee on finance. Ingalls introduced a resolution to re peal the charter of the National Capital Life Insurance Company.

Failures. LONDON, March 4.-Laza, Marco

Company, import and export any pended London and Havana, have suspended London in Habilities are believed to b CINCINNATI, March 4.-The Miam Savings Bank of this city, have failed Liabilities, \$170,000; assets, \$18,000

NEW YORK, March 4 .- The failure of

Jewell, Harrison & Co., provision dealers, is announced.

Insane Asylum.

To the Editor of the News :

SIR : I have carefully read the cor-SIR: I have carefully read the cor-respondence in your paper relative to Dr. Grissom, and deeply regret to see that there is yet a dissenting voice in regard to his continuance as Superin-tendent of the Insane Asylum, which office he has so faithfully filled with credit to the State, the Institution, himself, and to the entire satisfaction of his more friends, who uncontructed his many friends, who, unfortunately, have relatives and connexions under

his care. Is there a man in this community ays I may say in the State, who can lay his hand upon his heart and say that Dr. Grissom has not fully and faithfully discharged all the duties incumbent upon such a responsible posi-tion? I fearlessly assert, that from a

long, personal acquaintance, I have never met with any man so gifted by nature to regulate and govern an Institution of this kind; — his nild manner, his for-bearance, his sympathetic heart. his distinguished acquirements as a physi-cian, (I speak knowingly) all conspire to recommend him to the full confi-dence of the State at large, as pre-emi-nently qualified for the supervision of the poor unfortunates who have been placed under his care.

I have had some experience in the Blockley Hospital of Philadelphia, and therefore arrogate to myself the pre-sumption to offer an opinion in support of the management, system and regu-lation of our Insane Asylum. Now what weight have the attacks upon Dr. Gris-som and upon what grounds are they

Grissom." Such is, if not the words of your correspondent, their full meaning. Oh! how puerile and prejudiced, and in the language of the old Proverb, "if you kill my dog, I kill your cat;" be-sides, there is a manifest sentiment of discord, which, at this day and time, no honest heart should cultivate. Let us lay aside all party malice which may have been engendered during the days

lay aside all party malice which may have been engendered during the days of carpet-baggers and scallawags, and continue in office such men as Dr. G., who are without spot or blemish, in a social or official capacity. Such are the sentiments of our great statesman, Ran-som, which have made him the brightest star in the political arena, both North and South and South.

and South. The Directory of the Lunatic Asylum is composed of good and intelligent men, and I trust will not be governed

A Boiler Explosion.

The Cabinet which surrounds President Hayes is growing daily, more and more, in popular disfavor. The recent eagerness of the majority of them to in-cite the Executive to interference in

the inter of the late veto, have given their disrepute a further

the matter of the late veto, have given their disrepute a further downward tandency. In point of entropy of mind or pa-titive and Heral statesmenship, the "Ministry" is a potent failure. Mr. Evarts, unquestionably a great lawyer, is eaten up with an egoism which never lets self go for an instant and is said to be as unocent of warmth of sympathy or character as the northern side of the North pole; Schurz is a charlatan and nothing more; Jno. Sherman is too no-torious for malignity, treachery and un-scrupulousness to need any dark pig-ment at my hands; McCrary, Secretary of War, is the cleverest of the batch; while Secretary Key occupies, I imag-ine, about the same relation to Admin-istration councils that a fifth wheel would to a coach.

would to a coach. would to a coach. There hang, in the lobbies of the Senate and House of Representatives, several large maps that will at once at-tract the attention of the visitor. They are the signal maps, made of cauvas, covered with a thick coating of oil. Plack machine transmission they indicate

Black marks traversing them indicate the isothermal lines. Appended to the

Black marks inversing them indicate the isothermal lines. Appended to the name of each prominent town or city in the country are small tags, on which is printed the immediate condition of the weather or temperature there prevail-ing. These tags are changed twice each day by officers connected with the Signal service to correspond with the observations as they are made at Fort Whipple, on Georgetown heights. And now see the results : One can tell at a glance which way the wind is blowing, or how warm or how cold it is at the moment of inspection at San Francisco, St. Louis, Boston, Memphis, New Orleans, Charleston, etc. While I am enj ying a bright and balmy mor-ning here, I can tell, at a glance, whether or not you are hoisting your umbrellas in our dear old "City of Oaks," and *cice terea*. Who shall measure the progressiveness of this age and this wonderful people of ours? "The wind bloweth where it listeth, and thou canst not tell whence it cometh nor whither it goeth ;" — but this was written thousands of years before Amer-ican genius imprisoned the lightning and taught it to speak, before astrono-my held close converse with the stars, and before signal stations and observa-

life-time, instead of waiting to dole it out by bequest—is the home and gem of beauty in Washington. One of æsthetic tastes can spend days within its charm-ing precincts, with ever-increasing de-light. There are several Madonnas, original pictures by the masters, which fill the eyes with tears and the heart with emotion; and there is a picture of Charlotte Corday, looking through the bars of the French Bastile, that actually ravishes with the beauty that actually ravishes with the beauty of *desperate heroism* that glows and burns in a glorious face. But I have

MC'DOWELL.

Mad Dogs--Wedding of the Blind--Political.

(From our own Correspondent.) MARION, N. C., March 2d, 1878.

body. Mr. Walter McCurry, of this county, was married a few evenings ago to Miss — DeLoche, of Northampton; both

And justice—flat justitia, ruat calum. [Nore,—The mss. was destroyed. We were pressed for space that day, and eliminated from our correspond-ent's letter what we considered could be omitted without marring it.—EDITOR.] I have another regret also to express in regard to my has letter. I have in-dent to the plaintiff testified that he goods to go to Monroe, La., and offered to prepay the freight to that point, and the agent declined, telling the plaintiff to pay at Monroe on the bale arriving there. Held, There was no evidence of a special contract to go to the jury. The conversation with the agent was entire— ly conversite own read if admissible at I have another regret also to express in regard to my last letter. I have in-advertently got Judge Schenck and Judge Furches mixed up in connection with one of the speedotes repeated. Having leen wrongly, informed about-tine matter only over its own road, if admissible at

all to affect the written contract con-tained in the receipt, and the defendant-the name of station of delivery being

making the correction and gladiy lay any thanks and henor due in the case at the door of Judge Furches, for whom I have occasion to have high personal re-gard.

have occasion to have high personal regard. While on the subject of Judges and Courts, I might have something to say in regard to a recent decision upon the Supreme bench which would be of inter-est to your readers. It is in the case of the State ts. Laxton, for the crime of rapt-rape of a respectable white girl of this county. This case has been one of unusual in-terest here. This last decision is the uppermost theme in many of the locali-ties of the county, now, in view of the result. The girl was the orphaned daughter of a brave Confederate soldier who lost his life in one of the bloody battles in Virginia during the war. The family

Virginia during the war. The family were quite limited in their orcumstan-ces, but the victim of the crime proved mission

60. By READE, J. State ex. rel. Com-missions of Wake vs. Magnin. The county Commissioners ex necessitate have the right to sue upon the bond given by the county Treasurer 'as treasurer of the county school fund" there being no other provision to enforce a remedy against it in favor of the county. To such a suit the present county treasurer is not a necessary party. Where there is a suit on such bond and the only allegation of receiv-ing, &c., is 'that said county treasurer accounted with the plaintiffs concerning the monies which had come into his hands as such treasurer and on such ac-counting he was found in arrears the sum of, &c., " there is no allegation that any of the county school fund came into his hands and a demurrer on that ground must be sustained. An order over-ruling a demurrer is appealable. 60. By READE, J. State ez. rel. Comces, but the victim of the crime proved to have always borne an irreproachable character. The negro Jim Laxton was a very intelligent darkey, who numbered his friends among some of the best citi-zens of the county. No negro in the county stood fairer in business circles than this same Laxton. He had ample credit, not only in his neighborhood, but among the merchants around. So deep indeed were the attachments of many of his friends, that they have ad-hered to him through the fortunes of the law prosecutions. He has been de-

ruling a demurrer is appealable. 61. By READE, J. State ex rel Commissioners of Wake vs. Magnin. Where in a suit against a county Treasurer upon his bond, the complaint does not allege that the defendant was county Treasurer at any time not covered by the bond which is set out, and it does al-lege that he collected the money, "as Treasurer;" a demurrer upon the ground ican genius imprisoned the lighting and taught it to speak, before astrono-my held close converse with the stars, and before signal stations and observa-tions were dreamed of ! Corcoran's Art Gallery—the gift to this city of that large-hearted gentle-man and philanthropist, who knows how to do good with his money in his life-time, instead of waiting to dole it out by bequest—is the home and gem of beauty in Washington. One of æsthetic

as part of the cost the amount of U.S. Revenue stamps thereon. The purchase must necessarily be after the stamps are put on and their cost is part of the purchase. Property must always be asses-sed for taxation at its *improved* value. This does not impair the U.S. license or is it a tax upon it. The U.S. may tax almost everything and therefore to prohibit the State from taxing the same article might be to take away all power

of taxing anything from the State. Quere. Whether the cost of transportation is to be added in, in listing such purchases.

self. Especially is this so, where the names of the witnesses &c., entitled, and the amount due each, are set out in the complaint. 68. By BYNOM J. Whisenhunt ve. Jences et als: Where both the plaintiff and the defendant claim under the same person, it is not competent for either to deny that such person had title. The defendants may show that they have a better title in themselves than the plaintiff, but they can not set up a title in a third person. Where some of the defendants, who had originally come into possession as tenants of the plaintiff, attorn to their 68. By BYNUM J. Whisenhund ve.

plaintiff, but they can not set up a title in a third person. Where some of the defendants, who had originally come into possession as tenants of the plaintiff, attorn to their co-defendant they are not entitled to notice to leave before suit brought. In an action for the recovery of the possession of land and for damages for its wrongful detention, the damages are not restricted to the time of the stand side by side so far as the benefits of the Government go." I am in favor of saying to the soldiers of the Mexican war, "You all fought in one common cause, and whatever may have been the difference in the Union since then, they are blotted out, they are behind us, they are not now before us or to be considercommencement of the action but should be assessed up to the trial. The only difference between the action The only difference between the action of trespass for mesne profits under the old system, and the present action un-der the Code, is that in the former practice the writ did not lie till the land of space, we are compelled to omit.—

had been recovered in an action of eject-ment. Under the present system, the A. Under initif can recover po-and and damages for its wrongen sention in one and the same action. By sention in one and the same action. By the plaintif is kept out of possession. Where the plaintif is wept out of possession. Where the plaintif is was an assignment of the rent for that year, and he cannot brid and recover is back. Where tennuts pay the rent to their co-defendant, the land brid the recorditation which is constantly the rent to their co-defendant, the land brid the recorditation which is constantly the rent to their co-defendant, the land brid the actor of 1898 -C. But a clerk of the cod cordition to otheir members that all some charges them with all sorts of crimes. Bren a question of contract cannot without grave charges dition to otheir members their and from 69. By FAIRCLOTH, J. City of War-mington'vs. Nutt. The act of 1868-C. C. P. sec. 187-requires a Clerk of the Superior Court to execute a bond con-ditioned "to account for and pay over all monies received, &C., and to faith-fully perform the duties of his office as they now are, or thereafter shall be pre-scribed by law." The defendant execu-ted such bond 31st of Aug., 1869, as Clerk of the Superior Court of New Hanover. The Legislature, by a private act ratified 21st Dec., 1870, made it the duty of the Clerk of New Hanover Su-perior Court to issue Inspectors' licen-ses and receive the fees therefor. Heid. The bond is responsible for his failure to pay over the license fees so received.

purchases.Held. The bond is responsible to itsSink is an action63. By RODMAN, J. State ex. rel.
Crawley vs. Woodfin. No appeal will
lie from the refusal of a motion to dis-
miss an action or to non-suit a plaintif.
Such refusal affects no substantial
right. The defendent are all open to him as they were. If ap-
peals were allowed in such cases, litiga-
tion would be immensely protracted
and the costs increased. Counsel will
not on such an appeal be allowed toHeld. The bond is responsible to its
responsible to its responsible to its
state vs. James.Sir, I want no such insulting utter-
ances as those when gentlemen come
to me and talk of reconciliation. I
want reconciliation, but I want it in
fact. I want all these by-gones to be
by-gones in name, in deed, in fact, in
heart, in action. Why, sir, the gen-
the ant atter an examination, and an officer
who obeys such verbal order is liable in
an action for false imprisonment. An
officer, after an arrest, may detain a
prisoner in custody until a convenientImprisoner in custody until a convenient
tare subwer and the batchet and
let by-gones be by-gones. * * It

and arsenals, and other public property as well as to guard and protect the In-taken in what he said. and I can assure him that he

dian frontier, but in times of danger and trouble to the Republic we must look to the hearts of the people if we wish to the hearts of the people if we wish to have our institutions remain as they were founded by our fathers in the love and respect they had for them. Our volunteer proved equal to all emergen-cies in the war of 1812 and in the Mex-ican war, and we were all witnesses of their valor in the late war between the States, and I desire to say that if the time over shall came when our libertion

to say to the old soldie the second the nation in the war of 1812, the second war for independence, "Stand aside, thou unclean thing, thou rebel; none of the benefits of this Government shall be thine.'

The bitter words "rebel" and "traitor" seem to be sweet morsels rolled

ism will have arrived and we shall cease
ism will have arrived and we shall cease
is bold be an arrived and we shall cease
Now, looking at it in this aspect, and
desiring to inspire and kaep alive this
spirit, what should be the policy of the
Government toward those soldiers who
volunteered their services and risked
the should be an assurance that in old age,
when helpless and worn out, they shall
not be neglected by their country? Sir,
we have pension laws which provide to
soldiers of the Maxican war, and for the
soldiers of the Maxican war, and all shall
stand side by side so far as the benefits
of the Government go." I am in favor
of the Government go." I am in favor
of the Government go." I am in favor
war, "You all fought in one common

of saying to the soldiers of the Mexican war, "You all fought in one common cause, and whatover may have been the difference in the Union since then, they are blotted out, they are behind us, they are not now before us or to be consider-ed, and we will make no difference be-tween those who fought on one side or the other in the late war." [Here follows an admirable argument in mis visionary brain and the difference in the state of the south ever at-tempted to interfere with the affairs of the people of the West or North. or to exercise control in the administra-tion of their laws? I defy them to show anything of the kind, and I say to them: "Do not be uneasy; your fears are groundless. All we have asked for since or before reconstruction ed, and we will make no difference be-

A Fact Worthy of Note Is that the National Hotel is the most desirable place in the city of Ral-eigh at which a traveler can stop, what-ever his avocation in life may be. The drinking water is by far superior to any in the city. The rooms are all nicely furnished and well ventilated. The ta-ble is always filled with the best the market affords, and prepared by a cook of twenty years experience. The Stewof twenty years experience. The Stew-ard, Mr. Powers, of New York, hasn't his superior in the State. The terms are only \$2.00 per day and the proprietor is always willing to make spe rates. All I want is a trial and I will

insure satisfac C. D. OSBORN, Proprietor.

he seized her and perpetrated his hellish and horrible purpose. It is due to say that the very large majority of even those who had been the negro's friends now acquiesce in the final decision of the Supreme Court, and believe the judgment of the lower tribu-nal to be just and righteous. It is said that when this last decision of the court was given to the young lady, she simply turped-her head heavenward, and, with a clasp of her hands, said "Thank Goal" at last!" no words to describe what is immortalized on canvas and in marble. S. G.

False Pretenses.

ALBANY, N. Y., March 4 .- Asa MARION, N. C., March 2d, 1878. The mad-dog excitement has about ubsided, without serious injury to any-ody. Mr. Walter McCurren of this court

false pretenses from B. A. Towner, of this city.

Spring seems to be upon us at last after the long, long winter of rain and spow and wind. The farmers are plonghing, and going ahead trying to help "the silver bill" bring prosperity to the country. No NAME.

weight have the attacks upon Dr. Gris-som, and upon what grounds are they predicated? None, except that he was made Superintendent by the Republican party. Admitting no incompetency, "but if you retain him, you reflect up-on the other physicians of the State, and acknowledge that there are none competent to fill the station, except Dr. Grissom." Such is, if not the words of your correspondent their full meaning

