GIVE THE POOR MAN A CHANCE!

The principal agricultural labor of the South was everywhere destroyed by the state of things was then this: One class of people had the lands, teams, &c.; another class had the labor and nothing else. The problem was out of this condition of things to find some secure foundation upon which to build up anew the prosperity of the country. The land without labor would be unproductive; the labor without land would be equally unproductive. Being without money to pay hire, the only practicable way was for the land-owner to of the crop to be paid as rent. The latter, on account of its freedom from vexation and annoyance, was preferable to the landowner; it was equally so to the laborer, as being in his opinion more consistent with his dignity. But the land-owner could not allow the use and occupation of his land without security for his rent, any more than the capitalist the use of his money without do nothing without team, tools, seed. wise it works effectively. and without supplies for himself and family, and these the landlord must pro- of it in the South, no one who uses his

poses, or are cultivated by a cropper. This legislation was wise, equitable and with beneficent. It solved the labor problem, It is all very easy for the Northern writer, good class of citizens who are sadly carried laid a secure foundation for the reëstab- or the Southern writer at the North, or his away with the idea that the lishment of our agricultural industries, and imitator at the South, to talk about South. to office, and that it is only necessary to

with profit here. It is annexed.

The clamor for the repeal comes mostly farming in South Carolina to the boss system of agriculture. The system of renting lands is particularly obnoxious to them They want to break it up and have all laborers to work under the management of skilled and intelligent bosses. Just exactly who these are and how numerous they are is a proposition which it is difficult to determine. As between the skilled and the unskilled, the line of demarcation is very hard to draw. As between the farmers who are able and willing to work under the boss system and those who prefer to rent their lands, it is believed that the former are greatly in the minority. It is charged to be a crime against civilization for a landholder to rent his lands to take a farm and work it on his own account. It presupposes that all land-hold ers who rent their lands are enemies to the agricultural prosperity of the country, and

the homestead swept away. Horses and train was 5,442,831 pounds. There were mules and wagons and bob-tailed bulls may be mortgaged ad libitum. Unlimited credit may be had, if it can be obtained, without any security at all. No objections to these liens. No clamor about them. No proposition to wipe them out. But the mortgage on the crop seems to be the straw 2,766,502 pounds; curves from 860 to 1510 had evidently just met each other. camel. This is the principal security that the poor man has to give. Take this right away and you compel him to take shelter under the boss system.

It is conceded that a very large proporprosperous as they should be. It is conceded that our laboring classes are not distinguished for habits of thrift and economy, and that our methods are far below what they really ought to be. But will the repeal of the lien law bring about the con-dition of things that the revolutionists hope to accomplish? It ought not to require a moment's reflection to see that it will not. Slavery cannot be re-established. We can never get back to the methods of the old regime. We must build up new systems and of thrift and economy. IT IS NOT STATESshortsighted, criminal and monstrous in the extreme. GIVE THE POOR MAN A CHANCE to become self-reliant. Let him There is no complaint against the lien law from him. It is his friend in time of hardship and distress. He would rather submit to its requirements than take his chances under the boss system. It settles him down at one place. He stays there interests and his peace of mind. "A roll ing stone gathers no moss." He does not have to roam about as a vagabond upon the face of the earth, begging for a foothold here and there.

slow process of the law? Must be run the risk of having his products carried away and disposed of right before his eyes? Are we to have no law? And must might be

substituted in the place of right? Repeal the lien law and what protection is the capitalist to have? Must be have WEDNESDAYDECEMBER 16, 1885. any protection from the law, or is it prosed to drive him from our borders? Millions of money flow into our agriculture under the protection of the lien law. Must this flow of capital be stopped? Must the wheels of commerce roll backward? Must the fields and the farms that are not enforcement of the war's results. The rnn by the bosses be abandoned and become waste places and grow up as a desert? Must our lands become unoccupied and depreciated in value? Must the laboring population be compelled to emigrate, to

starve, to steal, to fill our prisons? South Carolina is getting on very well. Her lands are occupied and cultivated in a very fair way. Her gross products show that she is not languishing. Let her alone. Let us have no class legislation, no revolutionary methods. Let the farmers have some repose and time to improve their ways of doing. Let us educate and appeal to reason. Don't use force. Don't undermake compensation to the laborer by giv- take to starve anybody out. Don't take land to the laborer for a stipulated share | break up one-half of the farmers of the country to inaugurate a new system in favor of a class, which will ultimately prove to be a delusion and a snare.

SOUTHERN IDLENESS.

Our friends who are fond of talking of the South's progress and at most Southern ways, are rapidly falling into the "yankee notion" that we don't work out here. Possecurity for his interest. The security the sibly the "new South" does not work, laborer could not give. Further, the ten- finding occupation in talk; but the South ant, if put in possession of the land, could | works well, and works all the time. Like-

That there is idleness and a great deal vide. Here again was a necessity for se- eyes will deny. That there is more of it curity to be given. Without security of here than at the North, no one familiar some kind the crop could be pledged, sold with the two sections can truly say. The or removed, and the land holder defeated New Yorker who comes from his bustling of his just claim for rent and also for all streets to pass a few days in a quiet Southhis advancements. If this were done in ern town thinks that its people have nothviolation of a positive contract, the land- ing to do and do it very thoroughly. If lord had no remedy; if he got a judgment he came to stay he would soon find that against the laborer the latter had nothing his work was harder here and with fewer on which to levy an execution. The se- breathing spells than he knew at home. It curity which the parties themselves were is all a difference of ways. North and powerless to provide, could, however, be South the most of us are workers in one salary. provided by the Legislature, and this was way or another, and it is lack of sense, or done by vesting in the landlord the title to worse, to charge with idleness every man and possession of the crop grown upon his whose manner of work is not as our own. land until his rent was paid, and making We have known somewhat idle people, it a penal offence to remove the crop with- even in Raleigh, to think and to say of out his consent. The lien attaches when public officers who were doing the very lands are rented or leased by agreement. hardest kind of work for very poor pay, written or verbal, for agricultural pur- that they had a "monstrous easy time," with nothing to do and plenty to do it

opened a boundless field for the energies ern idleness, and thriftlessness, and all how much worry, anxiety and torture Nevertheless, there has been unceasing to think, or to ascertain facts, he would tween hope and fear, success and failure, war made upon it, and latterly with more find that the amount of agricultural labor is something beyond the power of ordinary than usual vigor. Not a week passes that alone done in the South would show the it is not the subject of newspaper attack. folly of the reproach so constantly urged eye a fellow whom I met in one of the hoone house of the legislature now in session | before the war were 34,995,440 bales; for has passed a repealing bill. The assailants the last ten years 55,000,000 bales. In ad- ex-soldier, of the law there would seem to be of a dif-dition to this immense production a larger ferent class from those who attack it here, area of land is cultivated for food than but a brigadier from the other side of the but the Charleston News & Courier's reply ever before. Of course these crops represent a vast amount of hard work. Idle as wonderful, and his "cheek"-well, it was many of our people are, and earnestly as I watched (and I must say with great inthis paper strives to decrease the number terest) the movements of this brassy perfrom that class of farmers who want to of the idle, there is no doubt that in pro- sonage. To make his claims as one of the control the laboring classes and reduce all portion to population the people of the South do quite as much work and are actually better off in this world's goods, of

their own, than the people of the North. FUTURE RAILROADING.

Work for the Wilson Short-Cut.

The following telegram was printed last week in the New York Times: "NEW ORLEANS, Dec. 7 .- The largest freight train and the greatest number of loaded railway cars ever hauled in this city and perhaps any other city by a single locomotive came in over the Mississippi Valley Railroad. The train started from Wilson on that road yesterday morning small tenants, and for a small tenant to with 62 cars of cotton and 2 caboose cars, in which were some passengers. Wilson is in Mississippi, 122 miles north of this city. At Slaughter and Ethel, the next two stations on the road, 88 cars were that all the laboring population are thrift- picked up, making 150 loaded freight cars, less vagabonds and absolutely devoid of 2 cabooses and 1 locomotive. Of these 134 the necessary intelligence to do business on cars were loaded with cotton, 10 carried their own account. The tenant system, staves, and the other 6 were loaded with according to their gospel, must be broken general produce. The length of the train up, and they propose to accomplish this by as coupled together was 1 mile and 90 feet, impoverishing the small farmers, white or 1,790 yards long, and when the train and black, and depriving them of the was drawn out full length the slack or play means of getting credit, and starving them of the coupling links and drawheads made into the condition of dependents and hire- it 235 feet longer. The total weight of freight carried was 1,844,831 pounds, Lands may be mortgaged to death, and while the gross weight of the freight and 4,627 bales of cotton on board the train." On page 108, Baldwin's Catalogue, it is

stated : "Engine No. 41 on Northern Central cars; gross weight 4,932,202 pounds; net, ear-shot of two well dressed ladies who

If this Mississippi train had been loaded with compressed cotton, it could have dispensed with 50 cars and taken 8,000 bales of cotton in the remaining 100. tion of the agricultural classes in South trains of this magnitude pass through

Eastern North Carolina on the way from the lower Mississippi to New York, and he will not be as I am,

GREYHAIRED. EVOLUTION EVOLVING AGAIN.

Dr. Woodrow's Trouble Renewed. The new Board of Directors of the

Southern Presbyterian Theological Seminary met in Columbia last week and discussed the situation in regard to Dr. James educate the people as fast as we can to habits Dr. Woodrow was declared by a majority MANSHIP TO DEGRADE AND IMPOVERISH ed from the Perkins Professorship, and hence the new Board confronted the same difficulties encountered by the old Board. ful old Doorkeeper in person, only to be With Dr. Woodrow in the chair, they apwork on his own account, if it is his interest or pleasure to do so. Give him the Woodrow and ask his resignation of the book of highly complimentary letters from terest or pleasure to do so. Give him the earns right to mortgage his ground that you Professorship of the Perkins Chair for the best men in the city, but they did him no good whatever—and what made it to which he gave positive refusal. Anoth- harder to bear, he was refused right in the er committee was appointed to ask Dr. face of boys and young men who had been Woodrow if he would agree not to appointed by simply presenting a note from teach evolution, to which he replied that he would answer no questions. The board told me that if I would get the whole delecould accomplish nothing towards unseat- gation from our State to come and see him for years, and gathers his little comforts Dr. Woodrow is having his room in the Just think of that! He knew that he was his seminary put in order, and will lecture next asking an impossibility, and that was his Monday if he has an audience. Ten of the twenty students have sigified their in-

WASHINGTON NOTES.

Raleigh Printer's Observations. WASHINGTON, D. C., Dec. 14,-The Forty ninth Congress is now a week old, but so far nothing of a legislative character has been accomplished. The initiatory steps, however, have been taken, and eve-

ry thing got in line for a big winter's The contest over the principal offices of the House scarcely occasioned a ripple of excitement; but when I say principal, I draw the line, for as soon as these officers got "solid" the rush for the minor, places commenced in earnest. Now the officers of the House of Representatives have a

LARGE AMOUNT OF PATRONAGE at their disposal, as your readers will readily see from a few remarks which I propose making on the subject. Of course position of greatest honor is the Speakership, and the Democratic members did well in unanimously electing John G. Carlisle to that place. Next comes the Clerk, who has much patronage. The salary of the Clerk is \$5,100 per year and the appointees under him receive salaries ranging all the way from \$3 000 per year down ing him a share of the crop; or to let the away the best right of the poor man. Don't to \$700. Of course the prospect of dipping into all this government boodle would warm up a veritable saint, and certainly an ordinary flesh-and-blood politician will most naturally become immensely patriotic at the sly mention of it. Consequently, the last two weeks have witnessed the arrival of many self-sacrificing ci izens who are willing and anxious to work unthe "new South," and who yet sneer at | der Clerk of the House Clark. Addding together the salaries of all his subordinates we find that the total approxi mates \$70,000 a year. General Clark is an ex-member of Congress from Missouri, and

> assistants. The Doorkeeper has a still greater salay roll attached to his position, though his salary is only about \$3,000 per year. His subordinates number nearly one hundred, and he disburses in salaries nearly one hundred thousand dollars a year. It said that Mr. Donelson, who was elected to this place, has and will do much for people from the South, the gentleman himself being a native of Tennessee. The Sergeant-at-Arms also has quite a

> it is said that he has an excellent corps of

comfortable berth, and his employes receive in salaries about \$20,000 each year. The House Postmastership nets the successful candidate \$2,500 per annum, while his Chief Assistant receives a yearly income of \$2,000. About a dozen messengers are his subordinates.

The Chaplain is also in receipt of a good With all this patronage in sight (aggregating about \$200,000 yearly), it is not surprising that scores of people are here looking for places in this one branch of the public service. The worst feature of the case is that eight out of every ten aspirants must go back unsuccessful. It is a common occurrence to meet intelligent men here who have remained on the ground till they are actually unable to get back to their homes, and I do not include in this list what may well be termed "chronic place-hunters," but I refer distinctly to a the rest of it. But if either would stop these people endure while alternating be-

mortals to conceive. In our neighbor State of South Carolina, the against it. Take the one item of cotton: tels here on yesterday. Sunday, as it was, same legislation is similarly assailed, and the aggregate crops of the ten years just he was restlessly awaiting the appearance of a Senator who had promised to "do something for him." This aspirant was an

> "heroic defenders of the Union" very apparent, he was rigged out in all the glory of his long-since discarded uniform, while and safely passed; and his huge gray mus- its noble-hearted people. tache drooped in graceful festoons around his mouth in a kind of "leader of men" inch the determined office seeker, and when he did finally hook his Senator, the said Senator cast a look around him which seemed to say, in a mute way, "Take him But the crowd didn't; and so the 'soldier" marched the "statesman" into a private corner, and then commenced the story of "my service to the dear old flag," which was being most vigorously and gesticulatingly fold when I left. Ten chances to one, this man, with his manufactured record and gaudy uniform, will be appointed to some good place, while better men will go back home in anger, unable to understand why they "got left." Would you know the secret of this fellow's success? Cheek, pure and simple; for a man who can brag on his record as this one did has little else to recommend him. It is all very well for members of "grand army" posts to be given places, but too much

'army" naturally makes a peaceful citizen like this writer a little weary-and some-Nor is the office-seeking at all confined to men. "I tell you what," said a Con-

gressman to me, "the men are bad enough but Heaven DELIVER ME FROM THE WOMEN." Dropping into a café the other evening for Railroad, on October 27th, 1877, drew 100 | a cup of coffee, I took a seat within easy "Oh," said A, "I have had a terrible disappointment since I saw you last!"

"Why," said B, "whatever could it have been? "Well it's this: You know my boy Ernest? I was almost certain I should get him in as a page in the House, and now I'm so put out about it! Hon, Mr. Blank was positive he would be appointed, and have been right on the spot for three days, and all to no purpose. I know that my boy is much smarter than many of

those who received appointments-he is at the head of the seventh grade in schooland why I should be neglected in this manner is more than I can understand. That old Door-keeper is just too mean for anything, and I intend telling him so, if I ever see him again !" "But probably your 'influence' is not sufficient?" ventured her companion. "Influence? Why its just as good as the country can afford. A Senator and

three members went with me to the hatescience as revealed in Scripture no good whatever-and what made it

rests the head that wears the crown," Rev. Mr. Milburn, who was elected chap-lain of the House, is well-known in Rai-eigh, having preached and lectured there Davidson's Reports, Vol. 93.] TON AND WELDON RAILROAD CO. Common Carrier-Liability on Bill of several times. He is called "the blind Lading-Agency.

man eloquent," and his opening prayer in the House was a splendid vindication of the title. The Congressman who nominated him in the caucus said of him that he "feared God, loved his fellow man, and voted the Democratic ticket." He has hosts of friends all over North Carolina who will join with the writer in congratulating him on his success. He is a native | value.

rior Court.

Among the many North Carolinians

whom I met in the last week was the eversmiling Captain Carraway, better known in North Carolina as "Dirt-road Walker," the signature over which he writes to the paper of which he is a traveling agent. The malarial atmosphere of Washington has no depressing effect on his bounding spirit and ringing laugh. He will, think, get a place under this administration, if he has not already received the appointment. He deserves well at the hands the Democratic party, for no man has been more loval to it than he.

of Chicago, Iilinois.

he deserves the wholesome pity of all his

countrymen. "It is a true saying, and worthy of all acceptation," that "Uneasy

Mr. Mallard, a newspaper man from reensboro, also showed his pleasant face at the Metropolitan Hotel last week, and I believe, still in the city. The Metropolitan, by the way, seems to be headquarters for people who come here from our State. Congressman Cox, of the Raleigh Dis-

trict, is quartered just opposite the Riggs House. He is head over heels in business and seems to be thoroughly "up to snuff" in verything that pertains to the interest of his constituents. The General stands deservedly high in this city, both in private and official life. His colleagues regard him as one of the most hard-working and best informed members from the

Senator Ransom, full of business and true Southern courtesy, has headquarters at the Metropolitan, and I generally find him there, surrounded by a group of admiring tar heels.

Senator Vance reposes from the cares of Senatorial life under his "own" vine and fig tree on Massachusetts Avenue, where he and his popular wife dispense old-fashioned North Carolina and Kentucky hospitality. "Zeb," as every North Caro-linian delights to call him, enjoys telling a joke as much in Washington as he does n the wilds of Western North Carolina, and each year adds to his reputation as a far-seeing, deep thinking public man.

Hon. John Henderson, the efficient Representative from the Salisbury District, is a great favorite with North Carolinians here, and for a new member he is certainly a splendid worker. His well known reputation as a "time-saver" (acquired years of hard work in the Legislature of North Carolina) has preceded him here, and his friends expect great things of him, and I hazard nothing when I assert that he will ably and faithfully represent every interest of the State which is so dear to

Hon. Wharton J. Green, of the Fayetteville District, is at the National when not busily engaged at the Capitol. He enters on his second term with a splendid record from the last Congress, which he will doubtless add to in the work of the coming two

Hon. J. W. Reid, the talented member from the Greensboro District, has buckled on the harness in good earnest. You will hear much from this eloquent member during the coming session, or I am very much mistaken. He is another new member that will make his mark.

Hon. T. G. Skinner also holds forth at the Metropolitan. He is as full of cordiality and wit as an egg is of meat, and is always on the lookout for tar-heels, as he never is really happy unless doing something for some of his constituents. Hons. Thomas Johnston and W. H. H.

Cowles, the two western members, are both generally found with "the boys" at the Metropolitan Hotel, though the latter gentleman does not live at the Metropolitan. Both are new members and consequently "his eye had all the seeming of a hero that eager for the fray. They will fitly reprewas dreaming "of battle magnificently won sent that magnificent mountain land and

Hon. R. T. Bennett is domiciled with his colleagues at the Metropolitan, when fashion, which was evidently intended to not out on some business of State or faithbe quite irresistible. He looked every fully attending to the wants of some constituent. That he will serve well the people of his district is too well known in North Carolina for me to repeat it. B.

BEWILDERING FIGURES.

How the Vanderbilt Millions go. [New York Times.]

No man ever before, by his last will and estament, disposed of such a vast estate as that which is to pass to the legatees of William H. Vanderbilt by virtue of the document filed for probate in the office of the Surrogate of this county. * * * Mr. Vanderbilt had in the last few years

built splendid residences for all his four married daughters, and these he leaves to them in fee. His own palatial home, with its treasures of furniture, ornaments, and works of art, together with his stables and horses, he leaves to his widow during her life, then to his youngest son for his life, thereafter to go to his heirs, or in default thereof, to the offspring of his oldest son, Cornelius, thereby preserving it for at least two generations in the keeping of heirs to his name. At a moderate estimate the property thus devised must exceed \$5,000,-000 in value. Then he gives to his wife \$500,000 and an annuity of \$200,000 a year, equivalent at 4 per cent. to a principal sum of \$5,000,000. In making provision for his eight children he sets apart for each, to be held sacredly in trust for their benefit, \$5,000,000, or a total sum of \$40,-000,000. Thus secured, they are not likely to come to want; but in addition to the benefit of the trust fund, they receive another \$5,000,000 each, or \$40,000,000 in all, for their free use and disposal, with the sole reservation in the case of the youngest daughter, that it shall not come into her own control until she has reached the age of 30 years. The trust funds ou the decease of the beneficiaries go to their heirs. In addition to these great bequests a special legacy of \$2,000,000 is given to the oldest son and an equal amount to a favored grandson, and to two other persons \$30,000 and \$10,000 are respectively given. Sixteen persons receive annuities amounting in the aggregate to over \$32,-000 or the income at 4 per cent. of about \$800,000, and thirteen organizations and institutions receive charitable bequests

amounting in all to \$1,200,000. Thus is about \$96,000,000 of property disposed of. with Dr. Woodrow in the chair, they appointed a committee to wait upon Dr. office already. Ernest also had a whole the estate goes to the two oldest sons in "to their heirs and assigns to their use forever." This "rest, residue, and remainder" is believed to be fully equal to the prodigious amount pre-viously disposed of. Every precaution is taken to prevent the dissipation and waste of the Vanderbilt fortune. Virtually it remains invested as in the testator's lifetime. One-half is, nevertheless, divided up, and the other half is, in effect, divided into two parts.

tentions to leave and others will follow. never repeat, for I had heard enough, and taken on Friday to St. Bartholomew's were delivered to the agent and they were It is believed that the seminary will soon was hurrying off; and as I walked thought-

SOME COMMON CARRIER LAW. Supreme Court-Fall Term.

WILLIAMS, BLACE & CO. V. THE WILMING-

A common carrier is not bound by a bill of lading issued by its agent unless the goods be actually received for shipment; and the principal is not estopped thereby from showing, by parol, that no goods were in fact received, although the bill has been transferred to a bona fide holder for

(Brown v. Brooks, 7 Jones, 93, and Smith . Brown, 3 Hawks, 580, cited and approv-

The action was founded on the facts

Civil Action, tried before Gudger, Judge, at Fall Term, 1884, of Edgecombe Supe-

embodied in the following "case agreed" One L. G. Estes on the 10th day of May, 1882, delivered to the local station agent of the defendant corporation, at Enfield, N. C., the said defendant being a common carrier, engaged in transporting cotton from Enfield to New York, ten bales of cotton, and took from said agent a bill of ading therefor to Hilliard & Co., Norfolk, Va.; that on the next day the said L. G. Estes went to the said agent and stated to him that he desired to ship the said cotton to the plaintiffs, Williams, Black & Co., New York, and thereupon the said agent, without taking up or cancelling the first aforesaid bill of lading, issued to said L. G. Estes another bill of lading for said cotton (ten bales), to be shipped to the plaintiffs at New York. The said L. G. Estes forwarded the said bill of lading to both parties and drew upon the plaintiffs a draft for the value of said cotton, which was paid by the plaintiffs, they reposing confidence in said bill of lading. There was no cotton delivered to said agent other than the ten bales for which bill of lading had been issued to Hilliard & Co. said cotton was sent to Hilliard & Co., and never delivered to the plaintiffs. There were only ten bales of cotton delivered to said agent by said Estes, and no cotton actually delivered on the bill of lading issued to plaintiffs.

On the 17th day of May, 1882, the said L. G. Estes carried to the said agent of the defendant, at Enfield, N. C., a bill of lading filled up for eight bales of cotton to be sent to the plaintiffs at New York, which bill of lading said agent signed and delivered to the said L. G. Estes, who forwarded the same to the plaintiffs, drawing draft for the value thereof, which draft was paid by plaintiffs, they reposing confidence in said bill of lading. That only two bales of cotton were in fact delivered to the said agent; that the plaintiffs never hope that his life would be as bright as received any notice from the defendant the occasion which marked his leap into tuat the aforesaid cotton had not been de livered and shipped as purported by the said bill of lading, but paid the said drafts, believing that said cotton had been forwarded as set forth therein.

That the plaintiffs had never received one else, and the said L. G.

If upon the foregoing facts, the Court a 9 lb. "gal." shall be of the opinion that the defendant is liable to the plaintiffs for the value of said cotton, judgment is to be rendered in quite a crowd marched into town and favor of the plaintiffs and against the de- made its way to the Court House, where fendant for the sum of \$800, with interest thereon from the 10th day of May, 1882, tive of the law, presided. We learn that and for cost; otherwise judgment shall be the crowd were from a settlement known Sun. rendered against the plaintiffs for the cost | as Puettsville, a place of low repute, situaof this action.

Judgment for the plaintiffs, from which defendant appealed. No counsel for the plaintffs. Mr. John L. Bridgers, Jr., for the de-

fendant. facts). The action is prosecuted for the cedented in the history of this County. The recovery of the value of the undelivered two Rhodes were ordered to give bond in cotton mentioned in the two bills of lading, the sum of \$100 each, which the younger upon the faith of which and under an succeeded in doing, the elder failing was arrangement with the consignor they made sent to jail. We hear that on Sunday last full advancements in honoring his drafts. the settlement was the scene of some wild It does not proceed upon an allegation of capers by the younger Rhodes who broke fraud practiced through the instrumentality of the defendant's agent, and made sister's head and cut up generally. It is to successful by means of the false bills of be hoped that something like quiet will lading. We must therefore consider the now reign there. case as resting upon contract or the common law liabilities of carriers of goods for

upon the actual delivery of goods, and if issued without delivery they do not bind the principal, and that this defence is open to the latter. Some of the authorities to

this effect we propose to refer to. condition." Abbott's Trial Evi., 537, \$45. around her and her two children.

Carrying the rule still further, Mr. Danel, in his excellent work on Negotiable the master of the ship, his subscription is knives so that three are confined to their as agent for the owners, and the contract | beds. We have not learned the names of is binding upon them. But the master has all the parties in the affair. no authority to grant a bill of lading unless the goods be actually received on board the ship; and if he transcends his authority in | ing not far from here, wishing to put on this respect, and the goods be not on board, some style perhaps, rode three miles in the ship owners will not be bound by the the rain to borrow a rubber coat to go two bill, although it be transferred to a bonx fide miles to see his "gal. endorsee for value."

So it is said by the Supreme Court of the United States that the general owner is not "estopped from showing the real character of the transaction by the fact that libellants advanced money upon the faith of bills of lading." Freeman v. Buckingham, 18 How., 182; Pollard v. Vinton,

In like manner Mr. Justice Davis, deivering the opinion of the court in the Lady Franklin, 8 Wall., 327, and reiterating the doctrine, says: "The attempt made in the prosecution of this libel to charge this vessel for the non-delivery of a cargo which she never received and, therefore, could not deliver because of a false bill of lading, cannot be successful, and we are somewhat surprised that the point is pressed here."

He adds: "In this case the bill of lading acknowledges the receipt of so much flour and is prima facie evidence of the fact. It is, however, not conclusive on this point, but may be contradicted by oral testimony.' Upon similar grounds are the rulings in this court which declare written acknowledgments of money received liable to con

is formed by them, as in Brown v. Brooks, Jones 93; Smith v. Brown, 3 Hawks, 580, and other cases. When no goods are placed in custody of the carrier's agent to transport, there is no can be no conveyance unless there be some-

thing to convey, and therefore no breach of obligation or duty. The result is that the defendant com-After a brief service at his late home the of action by the bill of lading for eight

was fixed in the contemporary bills at Norfolk to a consignee there doing business, it was competent for the consignors to change this and direct transportation to the plaintiffs in New York. This new, superseded the first contract and annulled all liability under it. The cotton being then in possession of the company it was competent to issue the second bill and undertake to transport the goods to the plaintiffs at New York. This was a valid contract and was broken by the failure to carry to the plaintiffs, and, instead, conveying to the consignees at Norfolk under he superseded contract.

There is error in entering up judgment for six bales of cotton described in the last bill of lading, and the plaintiffs should have received only the value of the ten first delivered

The form of the case agreed will not permit of a reform of the judgment, for it requires us to sustain it in its entirety or render judgment for the defendant. aspect of the case as considered by us seems not to have been contemplated by the parties, and, therefore, reversing the judgment, we remand it for further proceedings in the Court below.

Judgment accordingly. SOCIETY NEWS.

How They Live in Gaston County. Gaston Current.

On last Thursday and Thursday night the residence of Col. D. A. Jenkins in Gastonia, was a scene in high life, when Mr. Laban Jenkins, youngest son of Col. Jenkins, donned the manly toga with great eclat and ceremony. The noon train brought quite a number of friends from Charlotte, Miss Bessie Alexander, Miss El Dora Ross, Miss Louise Morehead, Misses Yates, Misses Liddell, Misses Harty, Messrs. A. Reese, W. W. Watt, Ed Bell Arch Brady, Bartlett Shipp, D. A. Thompkins, Dr. Chas. Alexander. About 4 o'clock, all the invited guests having assembled, the dining hall was thrown open and the gay party entered, to do honor to the occasion, by enjoying the birth day dinner so sump tuously and in such elegant style spread for the enjoyment of the guests. After this bountiful repast had been served in a pleasant and tasty manner the guests retired to the elegant parlors and halls, where the sweet music by the Italian Band from Charlotte made melody for the occasion. Very soon the charms of the music brought the dancers on the floor and mid-night had come and gone before any thought of leaving a place so completely wrapt in joy and pleasure. The party from Charlotte left on the 4 o'clock train. The hearty congratulations were extended to Col. Jenkins for his courteous entertainment and the good wishes of all were extended to Mr. Laban with the earnest manhood.

Minor Incidents.

The arrival of a strange lady in our town is an event that causes some stir The present session of Congress will not any payment for the amounts advanced on among the beaux at all times. The ansaid draft from said L. G. Estes or any nouncement, last Friday that there was a vent. The plaintiffs have demanded of Deeds, Mr. Jno. F. Leeper's, was no ex- Senate and in the House of Representa the defendants payment for the said cot- ception to the rule. The excitement sub-

On yesterday evening, about 3 o'clock Esq. F. W. Thompson, as the representated about one mile from town. The trial was on account of the swearing out a "peace warrant" against Sallie Rhodes Sr. and Sallie Rhodes, Jr., by a sister of Sallie Sr. We were not present at the trial but hear that for disorder and the SMITH, C. J. (after stating the above vulgarity of the language used it is unpreher mother's arm, broke a plate over her

It is said, by good authority, that there their safe transportation and delivery to are persons living in this county, who are drift was, intend to endorse all the good the consignees and the failure of the de- so heartless as to allow their aged mother appointments of the Administration and to go to the poor-house, after she and their The authorities cited and discussed in father had given up all their property to the well-prepared brief of defendant's them, which was considerable. After their counsel seem to sustain his proposition that father died, and she could no longer supthe authority to issue such bills depends | port herself they allowed her to go to the home for the paupers.

It is reported to us this evening that, two white men living in this county, called at the house of Mrs. Mina Netherton "Except as against a bona fide trans. also white, living about one mile from feree of the bills of lading for value," re- town last night after she had retired to marks a recent writer. "the carrier may rest and demanded a drink of water. She contradict it as to the delivery to him of the refused to get up and get it for them, when goods, or as to their description, quality or | they set to work and tore her house down

We learn that a bloody fight took place Instruments, vol. 2, §1733, states it thus: at Lowell last Saturday in which at least Although the bill of lading is signed by five were badly injured, being cut up with would promise that there would be any dispatch of business, for the vindication of

We hear that a certain young man liv-

A Woman's Terrible Affliction.

[Philadelphia Press.] A very natty two-horse brougham stopped with a flourish at the corner of Spruce and Eleventh streets yesterday afternoon. Its varnish was a dark olive and a crest was painted in crimson on each door. The negro coachman on the box shivered under his cape of sable until the cockade on his hat shook. His face was a dirty gray in hue-not unlike dish-water.

A prim English waiter bounced bareheaded down the steps of the house before which the carriage stopped and opened the door for two befurred ladies. The elder of the pair, who was evidently the mistress of the carriage and the mansion, turned and looked auxiously at the coachman as soon as she alighted. He trembled more than ever and cowered beneath his cape. "James," said the mistress in a grieved

tone, "it's happened again." "Can't help it, missus," answered the coachman, in a voice of resignation. "Well, don't keep the horses standing," said the lady, petulantly.

tradiction by parol proof when no contract said, despairingly: corner she turned to her companion and "I really don't know what I'll do."

was the sympathetic response. "I sent clear to South Carolina," the places by means of a competitive examina- Episcopalians—bishops, priests, deacons subject matter to support a contract, and hence no obligation is imposed by the re-Why you don't know how many congratu- nected with its execution. Thus the rules peated in coming years. Better results lations I received on my taste at the City and regulations adopted by the Commis- even than those which have been reached Troop races. But now the cold weather's sion have much to do with the practical come, he turns that nasty gray. The usefulness of the statute and with the rewretch, I believe he knew he would, and I sults of its application.

> The door of the house closed on the injured woman and a man on the sidewalk, ness and with as little irritation as is possi- will presently be followed with an increas-

WASHINGTON ITEMS.

What Congress will do this Winter. One hundred and eighty-five of the 325

members of this were in the Forty-eighth The House has a Sadler, but no Smith, and in this respect the Forty-ninth Congress is unique, for that never happened tunities, spreading abroad the contagion before. Smiths have always been members of their disappointment, and filling the of Congress from the foundation of the Government, there having been nearly eighty of that name in the preceding forty. eight Congresses; but a Sadler will appear for the first time

The Senate Committee on Privileges and Elections has instructed its chairman, Sen- tion of its thoughtful and deliberative ator Hoar, to report the Presidential Suc- character. The evil would increase with have been made in the bill, but in all important features it is the measure that office holding, growing from its inch passed during the last Congress, known as the Hoar bill, and printed in substance in the last REGISTER. It will probably give port of principle, the desire for the public rise to considerable discussion, but is likely to be passed during the week.

Representative Weaver, of Iowa, will introduce in the House on the first opportunity a bill to create a department of labor, with a secretary and assistant secretary, the former of whom shall be a Cabinet officer. The duties of this department shall be to acquire and diffuse among the people useful information on subjects connected with labor, to ascertain the causes is the freedom it brings to the political of discontent which may exist between action of those conservative and sober men employers and employes and to recommend proper methods for the adjustment of the

The Republican Senate leaders are loud in declaring that if the President had removed Republican officeholders without assigning any other reason than that the people had demanded a change in the working machinery of the Government, no partisan hostility would have been shown which follow party supremacy. While against his appointments. They profess partisanship continues bitter and pronot to make war on the removals, but upon | nounced, and supplies so much of motive the cause ["offensive partisanship"] that s assigned for the act, which reflects on the character of the persons dismissed, and brands them with a stigma of personal discredit .- New York Sun.

The Republican caucus declared in favor of the unconditional repeal of the limitation on the payment of arrears of pensions. The Democrats are not going to be left behind their opponents in this matter, and Senator Voorhees yesterday introduced a bill to "repeal the statute of limitations on the allowance of pension arrears." The arrears bill became a law in 1879 on a general understanding that it would cost about \$20,000,000. If the statute of limitations should stand, it is now believed it will cost at least \$150,000,000; but if this is repealed no person can tell what it may in the end cost, though the former Commissioner of Pensions estimated it at \$246,-000,000 .- Washington Letter.

Both parties are walking on thin ice. They are separated by narrow lines, and the managers are watching each other with sharp eyes for every possible advantage. plan of battle against the Administration has been formed and set in motion in the Thus, in both these phases, is seen the sided when it became known that it was latter body is about one half what it was in the last Congress. Defections or divisions would be ruinous, with a Republican Senate ready and anxious to tie the hands of the President and to sow the seeds of discord between him and his party at every opportunity. It is time for the Democratic leaders to close ranks. - New York

The Senate has the bad habit of considering, debating and voting on Presidential nominations in secret-in what are called executive sessions. This practice is bad because, as every Senator knows, it leads to collusion, bargain and intrigue. It has been the cause of more party demoralization for many years past than all other causes combined. A number of Senators of both parties are, it has been ascertained, in favor of reforming the evil by a change in the Senate rules making the discussion and vote on nominations in open session. Senators Allison, Logan, Ingalls and Van Wyck are asserted to favor this wholesome and long needed reform. Some Democratic Senators agree with them, and it is said that fully half the Republican Senators are of this mind. - New York Herald.

will make no foolish or factious fights. tricts; they would be laid off with some Where a man is appointed to an office by the President and there is nothing against of the people. his private character, the Senators will vote as readily to confirm a Democrat as a Republican. Every case is to stand upon negroes are in a large majority, is to give its individual merits. Where charges are us an incompetent man, to fill one of the brought it was generally agreed, through the unanimity of sentiment expressed, that the man against whom charges had been preferred should have a hearing before the committee specially charged with the consideration of the appointments in question. Where Republicans are removed on account of charges against their private char- right as the judge on the bench; he should acter the majority in the Senate will insist upon a careful investigation before con- and be thoroughly familiar with the pracfirming their successors. There was noth- tice in the criminal courts. These qualifiing indicated in the discussion which cations are absolutely necessary for the opposition to merely partisan appointments the laws of the State and for the protecwhere a Republican has been removed because he was a Republican or even an offensive partisan. The majority will permit the President to have his own way, teous in his intercourse with the members even if he has appointed in the place of of the bar and other officers of the court. the outgoing Republican an offensively and, so far as we know, is a gentleman of partisan Democrat. Gen. Logan repeated undoubted integrity and honor. But that the declarations which he made in his he is utterly incompetent to fill the imporspeeches in the campaign in New York. tant position he holds, no intelligent man He was for the confirmation of all the who visits the court house during the ses-President's nominations where the men sions of the court can conscientiously deny. presented to the Senate had nothing against | None but the baldest cases of guilt are their private character. He said his convicted without the aid of other counsel. course should be the same in considering The business of the court is often in conthe nominations of President Cleveland as it would be in considering the nominations of a Republican President. His speech incompetency much time of the court is was very brief and indicative of the char- wasted at the expense of the county, and acter of the general talk of the caucus .- our citizens are forced to employ counsel New York World.

CIVIL SERVICE REFORM. The President Thinks it Our Salvation.

[Message, Dec. 8, 1885.]

The report of the Civil Service Commission, which will be submitted, contains an account of the manner in which the civil service law has been executed during

the last year, and much valuable informa-

tion on this important subject.

I am inclined to think that there is no sentiment more general in the minds of the people of our country than a conviction the correctness of the princi-As the carriage disappeared around the ple upon which the law enforcing civil service reform is based. In its present condition the law regulates only a part be able to get off the old gibe-that the of the subordinate public positions Episcopai Church never meddles with poli-"Why, what's the matter, my dear?" throughout the country. It applies the tics or religion. The Advent Mission sertest of fitness to applicants for these vices just closed in this city prove that examination and many other matters con- their work been that it is likely to be re-

Raleigh's cotton receipts last week were with a hold owner have? Must be stand with a hold on protect his rights?

Raleigh's cotton receipts last week were that poor hunted-down and bedeviled door wear. The season receints are 18.538 bales:

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The season receipts last week were that poor hunted-down and bedeviled door keeper. Probably fity disappointed mothers are at this moment giving him just such the season of the second another execution of the mentioned in the bill of May preceding. These did pass into the possession of the second another execution again. The body was thence that poor hunted-down and bedeviled door taken to the Moravian Cemetery, of New failure to carry and deliver the ten bales mentioned in the bill of May preceding. These did pass into the possession of the second another execution again. ble. But of course no relaxation of the principle which underlies it and no weaken- to go to foreign lands for help to preach with and cowner have? Must be stand with another in hand to protect his rights? Year. The season receipts are 18,533 bales; a falling off of 6623 bales.

| Must be land-owner have? Must be stand with another creation in hand to protect his rights? Year. The season receipts are 18,533 bales; a falling off of 6623 bales.

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| Must be land-owner have? Must be stand with a stand of the bill of May preceding. These did pass into the possession of the ablowing up as did this one. Poor man, the family mausoleum. ing of the safeguards which surround it the Gospel in America.

utes public positions as purely rewards for partisan service. Doubts may well be en tertained whether our Government could survive the strain of a continuance of this system, which upon every change of administration inspires an immense army of claimants for office to lay siege to the patronage of Government, engrossing the time of public officers with their impor-

air with the tumult of their discontent The allurements of an immense number of offices and places, exhibited to the voters of the land, and the promise of their be stowal in recognition of partisan activity, debauch the suffrage and rob political accession bill. A number of verbal changes the multiplication of offices consequent upon our extension, and the mania for gence, would pervade our population . generally that patriotic purpose, the sun good, and solicitude for the nation's well fare, would be nearly banished from the activity of our party contests and cause them to degenerate into ignoble, selfish, and disgraceful struggles for the posses. sion of office and public place.

Civil service reform enforced by law came none too soon to check the progress of demoralization.

One of its effects, not enough regarded who, in fear of the confusion and risk attending an arbitrary and sudden change in all the public offices with a change of party rule, east their ballots against such chance. Parties seem to be necessary and will

long continue to exist, nor can it be now

denied that there are legitimate advantages, not disconnected with office holding to sentiment and action, it is not fair for hold public officials, in charge of important trusts, responsible for the best results in the performance of their duties, and yet insist that they shall rely, in confidential and important places, upon the work of those not only opposed to them in political affiliation, but so steeped in partisan prejudice and rancor that they have no loyalty to their chiefs and no desire for their suc cess. Civil service reform does not exact this, nor does it require that those in subordinate positions who fail to yield their best service, or who are incompetent should be retained simply because they are in place. The whining of a clerk dis charged for indolence or incompetency, who, though he gained his place by the worst possible operation of the spoils system, suddenly discovers that he is entitled to protection under the sanction of civil service reform, represents an idea no less absurd than the clamor of the applicant who claims the vacant position as his com-

pensation for the most questionable party The civil service law does not prevent the discharge of the indolent or incompetent clerk, but it does prevent supplying benefit to the public service. And the people who desire good government having secured this statute will not relinquish its benefits without protest. Nor are they unmindful of the fact that its full advantages can only be gained through the complete good faith of those having its execution in charge. And this they will insist upon.

I recommend that the salaries of the Civil Service Commissioners be increased to a sum more nearly commensurate to their important duties.

THE BLACK DISTRICT Asks for a Much Needed Change.

[Newbern Journal.] The manner of electing solicitors for the judicial districts in North Carolina ought to be changed, and that speedily. These officers should be elected by the entire State as the judges are, or they ought to be elected by the General Assembly. It was the fear of making Republican districts that caused the last General Assembly to lay off the judicial districts without regard to the interest and convenience of the people or the judges holding the courts. If these officers were elected by the State The Republican Senators, so the caucus at-large or by the General Assembly, no political advantage could be gained by manipulating and gerrymandering the disregard to common sense and the interest

The effect of erecting a black district out of a few eastern counties, where the most important positions in the State Our tax payers are suffering on account of it. It is the duty of the State to protect its citizens in the enjoyment of their rights and privileges, and to do this an officer is provided to prosecute all violations of law. This officer should be as honest and upunderstand the criminal law of the State,

tion of its citizens. The solicitor of the Second Judicial District is polite, attentive to duty, courfusion on account of his inefficiency and lack of business tact. On account of his to prosecute cases that the State alone ought to prosecute, or violators of the law

will go unpunished. We have no unkind feelings toward the solicitor of this district. He is probably doing the best he can; but the best thing he can do for the tax payers of Craven county is to resign, and let the Governor appoint a solicitor who is competent to prosecute crime and save the tax payers many dollars. And to prevent the election of incompetent solicitors the law ought to be changed so as to elect them by the Gen-

eral Assembly. Meddling With Religion at Last.

[New York Tribune.] Irreverent "dissenters" will no longer

this season may be expected in the future when the class of "missioners" has been The people may well trust the Commisincreased. Revival work of this kind needs special abilities and training, and

sion to execute the law with perfect fair- an increased demand for such preachers

"A pretty thing in gloves," said she.
"I wish to get a perfect glove." "The prettiest thing in gloves," said he.
"Are those white hands of yours, my love. -New York Sun.