VOL. V.

DUNN, N. C., WEDNESDAY, NOVEMBER 13, 1895

NORTH STATE

OCCURRENCE WORTH NOTEING FROM ALL OVER THE STATE.

An Important Duty for the Clerks of Court.

The following is an important duty imposed upon clerks of the Superior Court: Section 5, chapter 159, of the Acts of 1895, is as follows: "That the clerk of the Superior Court of each ounty shall, within twelve months after the ratification of this act, establib. alter or create separate places of detion in their respective counties, sides to provide, as near as may be, at had one separate place of voting for every 350 electors in every sub-divistheir respective counties, whethch sub-division be a township, ge, city or ward; of which said ac on the said clerk shall give due noby advertisement in some public and published in the county, if and there be; otherwise in some pulled place within the boundaries of and of said voting places or precincts at the court house door in the

county." Ratified 8th of March, 1895, Untagged Fertilizer.

Some time ago Mr. Powell, a farmer, I mucht suit, at Raleigh, against Presiand Chamberlain, of the Caraleigh 14. phate Company, for selling him twenty bags of untagged fertilizer. The law requires \$10 fine for every unthe oil bag, half of this money going to the agricultural department and but to the man reporting the case. Total before a magistrate, the verdict was against Mr. Chamberlain. A compromise was agreed upon, and so the was not put on the court docket. Mr. Powell claims that Mr. Chamberin agreed to pay him \$100, his lawyer tees and costs in the case. Mr. thumberlain claims he only promised to pay \$100, so Mr. Powell brought suit in the Superior Court to compel the payment of court costs and lawyer On Thursday the court decided m Mr. Chamberlain's favor and orderof the \$100 debt cancelled. Thus Mr.

A Cotton Mill for Fayetteville.

Powell is out all but that amount.

Mr. L. W. Holt has placed a contract with Messrs, Poe & Broadfoot, of Payetteville, for 500,000 brick, with which he will erect a cotton mill at that place. The great enterprise (a tory of \$300,000 value) is an assur-I fact, as the deeds for the site have sen signed, and the work is virtually ommencell. The prespects for the stublishment of a large bleachery at avetteville are also bright. The amor of the streams in and around Payetteville, it is claimed, are absolately free of mineral properties.

\$20,000 for a Husband's Love. Announcement is made of the com-

tromise suit for \$50,000 damages Waterbury, against Miss Elizabeth Williams, of New Bedford, on a basis \$20,000, Miss Williams is a spinber of wealth, who is alleged to have he nated the affections of the husband Mrs. Hinds. The case has been in the court for two years.

Tobacco Factory Burned.

At Dalton, Thursday night fire destroyed a large tobacco factory containing 30,000 pounds of manufactur-I and leaf tobacco. The postoffice, storchouse and six smaller buildings were also consumed. The origin of the fire is unknown. Losses are heavy with but little insurance. The old bundy residence of Mr. Dalton was saved from destruction.

and tax and for bridges, held on lines lay last, resulted in the defeat of buth propositions,

Near Charlotte a 5-year-old child beft by its parents at home and they returned the child was mund to a crisp.

George Washington, Jr., who mur etal Charles Neville some time ago, was tried at Tarboro and convicted of nursler in the first-degree. The dethe offered no testimony.

In winding up the Hawkins case, at Raleigh, the widow receives \$50,000. Under the compromise she waives all other claims. Under provisions of the wall she would have received about

Loretta Hall's boarding house, at Hot Springs, twenty-five rooms, was burned the other day. The guests lost verything; some furniture was saved. we thousand dollars insurance on the ducted by Mrs. H. W. Swain.

ST FERAGE DISCUSSION ENDED.

Whole Matter Now Goes to Its Third Reading.

Lee South Carolina Constitutional Conlation in session at Columbia has at last empl-ted the discussion of the suffrage arthe and the whole thing has now been sent to the third reading. A vigorous effort was hade to prevent the possibility of fraud in the handling of the registration books, but a provision looking to this was killed. After an extended debate the ordinance providing for an issue of state bonds to enable the sevstal mounties of the state to do business on a Cash basis was killed,

" avention took up the section of the aniple on jurisprudence allowing the state to changes of venue from one county to another in criminal cases, giving the state same right as is allowed the defendants. e real meaning of the proposition is that state wishes to try men charged with ons of the dispensary law in counties than their own. This was developed debate. All the lawyers were turned a the vital question and a lively de-

Tillman severely handles

I Bary law.

BATTLE OF THE BALLOTS.

Results of the November Elections in Various States.

SEVEN GOVERNORS SELECTED.

The Republicans Successful in Nearly all the States ... New York and New Jerrey Republican by Large Majorities --- A Republican Governor for Maryland ---Tammany Wins in New York City.

The November elections of 1895, although held in what is called "an off year," excited unusual interest in all the thirteen States, and in the one Territory in which the battle of the ballots was fought. In nearly every State there was a flerce fight within the party that is usually predominant, because of some local issue and this made it almost impossible to successfully forecast the results. Good weather prevailed all over the

New York.

The weather throughout New York State was fine and favorable to the Republican ticket. Full votes were polled in the cities, and about two-thirds of the vote seems to have been brought out in the country. Not liver. There was a real of which against him.

The Senate will remain Republican, as last year, and so will the House of Assembly. The Democratis made gains in the latt ter body. Last winter they had but six of the sixty members. Next winter they will have a membership of more than have a membership of more than the country will be sixty members. There was a membership of more than the country will be sixty members. River. There was a marked tendency to vote straight tickets in handling the blanket ballot. The number of spoiled ballot was surrisingly small.



SECRETARY OF STATE PALMER.

The State re-elects the present State of-fleers and elects Judge Celora E. Martin (the Court of Appeals by pluralities of about 70,000. The same ticket was carried in 189 by about 24,000 plurality. Rochester is the only city showing Democratic gains. Republicans carried Rensselaer and Alban Counties, electing Senators in each. Raines was elected to the Senate in the Forty-second District, and Coggeshall, independent was elected in Oneida. Nobody but Republicans were elected in Erie County.

Senator Clarence Lexow was re-elected in the Thirty-second District by a reduced majority. Westchester County went with the Republican wave. J. frying Burns was chosen Senator against Charles P. McClelland. The county went about 1750 Republi-

House the Republican majority has been largely increased. The New York State Senbrought by Mrs. Belle Hinds, of for a United States Senator in 1897, will probably stand: Republicans, 37; Democrais, 12; independent, 1; Republican majority, 24. The Assembly will stand: Republicans, 108; Democrats, 42; Republican majority, 66.

The Republican State officers were reelected by an average plurality of about

It is estimated that the proposition to expend \$9,000,000 upon canal improvements is carried. The measure is a Republican one, and it is believed the ticket carried it through. The canal vote was, however, very light in some parts of the State, and In New York City Tammany Hall elected county offices, ten out of twelve candidates candidates for the Assembly, and Amos J. Cummings, its candidate for the United States House of Representatives. Out of a total registration of 281,008, Horatio C. King, Democratic candidate for Secretary of State, received 138,961 votes, against 97,379 for John Palmer, the Republican candidate. The election in Craven county for | Of the entire vote for all the city and county officers Tammany Hall had a large majority. Tammany Hall elected its entire city and 18,000 to 23,000. It was estimated that the Steckler vote would not exceed 7500, and that the Good Government ticket vote would not exceed 1900. The plurality in New York City for Horatio C. King, Democrat, for Secretary of State, over John Palmer, Republican, is 43,000. For County Clerk, Henry D. Purroy, Tammany, has 17,000 plurality over Thomas L. iam Sohmer, Tammany, defeats Thomas F. Keating, Fusion, by about 25,000. Contrary to all expectation, the new ballot caused practically no trouble at all, and except in a few instances it seemed to give per-fect satisfaction. A unique feature of the day was the presence at some of the polls of women, who invited voters to cast ballots for some particular candidate.

Brooklyn and Kings County gave the head of the Democratic State ticket, General Horatio C. King, a resident of Brooklyn, about 9000 majority. Fourteen out of twenlican candidates for Senate were elected. The Republicans, it was said, had elected a majority of the Board of Aldermen. milding, which was owned by the Edward M. Grout, the Democratic candidate, Suthern Improvement Company, and was elected Mayor of Brooklyn by a small piurality. The vote for Shepard was smaller than was anticipated. Later the authoritative statement that the entire regular Democratic city and county ticket had been elected in Brooklyn and Kings County was made by John L. Shea, Chairman of the Campaign Committee. In Long Island City corrected returns showed the election of Patrick J. Gleason's friends by a plurality of about 200.

Pennsylvania.

Pennsylvania has elected Haywood, R publican, for State Treasurer, by a majority approximating 175,000, against 135,146 mg jority in 1893 for Jackson, Republican, State Treasurer. The six Republican candidates for Superior Judges are elected by majorities slightly below that for Haywood.

Kansas. The only State contest in the election in Kansas was for Chief Justice of the Supreme Court to fill the unexpired term of Chief Justice Horton. The election of David Martin, Republican, is conceded. In the county elections generally through-

out the State the returns so far indicate Republican success and show that the Populists have lost ground. New Jersey. For the first time since 1865 New Jersey

elected a Republican Governor. John W. Griggs, of Paterson, was victorious over Chancellor Alexander T. McGill by a plural-

ity estimated at a late hour from fairly com-plete returns of about 20,000.

Hudson County, the home of the Democratic

State. Campbell's hopes of gains in the cities of Cincinnati, Cleveland, Toledo and Columbus were dissipated by the first re-



GOVERNOR-ELECT GRIGGS, OF NEW JERSEY.

Baltimore will be nearly 10,000.

Lowndes ran ahead of his ticket, but the others are not as far behind as it was be-

lieved they would be. Senator Gorman's own county—Howard—has gone against him. The Republican majority there will probably reach 500. In 1891 it gave Brown, Democrat, about 400.

The Herald (Ind.) concedes the election of Lowndes, Republican, and says his majority in the State may reach 20,000. It also con-ceds the election of a Republican Legislature, which means a Republican successor to Senator Gibson, and says the entire Republi-can State and city ticket is elected by good

majorities.

Lowndes carried Allegheny, his own county, by a majority of about 1500, an increase of 1000 over Van Nortz's majority over Brown in 1891. Caroline County, which gave Brown (Dem.), a majority in 1891, has given Lowndes a majority.



OVERNOR-ELECT LOWNDES, OF MARYLAND

The Senate and Assembly are now Republican by good working majorities. In each for Governor, and Hooper (Rep.) for Mayor

Massachusetts. A very large vote was polled in Massa-chusetts and Frederic T. Greenhalge was reelected Governor by a plurality estimated at 70,000, against 65,000 last year. The vote in Boston gives Greenhalge 3),-86 and Williams 33,287; Williams's plurality.

The defeat of the woman suffrage referendum is pronounced. The cities and towns are both arrayed against the movement. Ninety-one towns out of 353 voted as folows: Yes, 12,505; No. 22,202. Wellesley College favored woman suffrage. Three hundred and ten votes were cast in the affirm-



ative, 149 in the negative, and 98 of those registered did not vote. Of the forty Senators, not more than five are Democrats, and of the 240 Representa-

tives all but about fifty are Republicans.

Ohio is Republican by a big majority. The Republican State Committee claims 90,000 The Republicans will have a large major-



GOVERNOR-ELECT BUSHNELL, OF OHIO.

of a Republican United States Senator to suceed Calvin S. Brice. This will be the first me in many years that the Republicans ill have both Senators. The size of the vote was surprising to all parties, being the largest ever polled in the

candidate, gave him a plurality of about turns. These cities more than equalled their 6000; but Essex, in which is the city of Newed little change.

Governor McKinley said that Ohio had given 100,000 plurality to General Bushnell. General Anderson, Chairman of the Democratic State Committee, admitted that upon the face of the returns it looked like a plurality for Bushnell of at least 40,000. Campbell admits his defeat.

Campbell admits his defeat.

Coxey, the Populist candidate for Governor, polled 60,000 votes, many more than either party credited to him. Chairman Anderson, of the Democratic State Committee, attributes this as one of the causes of Democratic defeat.

James B. Garfield, son of President Gardeld, is elected State Senator by 13,000 in the Akron District. the Akron District.

Colorado. The elections in Colorado were for county fficers. A light vote was cast in many counties, due to a snow storm lasting most of the day. In the three large counties, Arapahoe, El Paso and Pueblo, the Repub-lican party seems to be defeated.

In Denver the interest in the election was intense, and the fusion ticket will probably win. Armstrong for Sheriff is certainly elected over Webb, the Republican candi-date. The women voted about as generally

Mississippi. Mississippi has elected ex-Senator A. J. McLaurin, with small opposition from the



People's party candidate, Frank Burkitt. There was no Republican candidate. The

Democratic majority will be about 35,000 in

Illinois. Returns indicate that W. F. Hadley, Re publican, has carried every county in the Eighteenth Congressional District of Illinois over Edward Line, Democrat. His majority will be at least 2500, which is nearly 1000 greater than of Remanns, Republican, a year ago. Lane ran on a free silver platform, and

the Democrats cut him mercllessly. Republicans have carried the election by pluralities of about 30,000 on the entire ticket. Ball, the Republican candidate for Judge of the Supreme Court, has defeated Morrison, Democrat, by 49,500. The Republieans elected five of the trustees for the \$50,000,000 drainage canal.

fows. The Iowa Republican State Committeee claim the election of their ticket by a plurality of 75,000, while the Populists double

The Legislature, which will elect a Senator to succeed Allison, will be strongly Republiand 35 out of 50 Senators. Late newspaper estimates, based upon returns from all over the State, place Drake's plurality at 30,000, with the rest of the ticket running from 5000 to 10,000 ahead of him.

The contest was for the Legislature and State officers, the successful ticket being as follows: Governor, Francis Marion Drake; Lientenant-Governor, Hatt Parrott; Superintendent of Public Instruction, Henry Sabin; Railroad Commissioner, George W. Perkins; Supre ne Court Judge, Josiah Given.

The election in Virginia was for members of the House of Delegates, and for half of the State Senators, the Democrats, and the Republicans combined with the "hones ectionists" having tickets in the field. The returns show that the Democrats will have a three-fourths majority in the Legisla-

Kentucky.

Louisville has gone Republican by 6000. Bradley (Rep.) has carried Kenton County, and Republicans have elected a Mayor in

Returns from ninety-five counties and towns, mostly incomplete, give Hardin 32,-155, Bradley 28,536; Hardin's majority, 3619. The Legislature is Democratic.

It is conceded that the Republicans have elected their State ticket in Nebraska. A Regents of the State University were the offices to be filled. The successful candidates are T. L. Noval for Justice, and Charle H. Morrill and H. S. Gould for Regents. The Republicans carried Omaha by about Michigan.

Mayor Pingree carried Detroit, Mich., by

10,000 majority, an increase over his last vic-tory. He is the only man to be elected Utah.

indications pointed to a Republican success

in the Territory and the election of two Re-

publican Senators from the new State. A \$2,000,000 BLAZE.

Fire destroyed \$2,000,000 worth of property it Bleecker street and Broadway in New S. T. Moffitt (appellant), vs. George H. York City on Election night. The Manhattan Savings Institution Building and the Empire State Bank Building were consumed. Several firemen and citizems were injured by falling timbers, and there were many narrow escapes and thrilling rescues.

When Policeman Walsh turned in the alarm the flames were bursting from a dozen windows. The fire attained wonderful headscene their coats were badly burned, so intense was the heat. There was a loud explosion in the build-

ing occupied by the Empire State Bank soon after the flames were discovered. Firemen, and citizens who were aiding them, were thrown half way across the street. A mass of timber followed them, and they were all The flames quickly jumped across the

Both buildings were destroyed.

Acknowledged Brazil's Right. The British naval commander in Brazilian waters has been informed that the English Government acknowledges Brazil's rights in the Island of Trinidad. The British fleet left

Rio Janeiro for Montevideo, Uruguay.

SUPREME COURT DECISIONS. Digest of the Opinions Handed Down During the Past Week.

[Reported by Perrin Busbee, Esq., of the Raleigh W. H. Johnston, Ex'r, (appellant) vs. W. T. Knight et al., from Vance county. Opinion by Faircloth, C. J.

1. If the donee of a power intends to execute that power, that intion valid and operative.

2. A residuary devise will operate as an execution of a power to dispose of a property by will, unless there is something to show that such was not the testator's intention. 3. As there is nothing to show a

contrary intention, the fact that the donee of the power devises to the identical persons and no others, who were designated in the will giving the power intended thereby to exercise the authority given her; and as the donee could not have devised the property to any one else, a rasiduary clause in such will includes all the property which the devisor could dispose of.

4. Where a will provides "that the balance of my estate be equally divided between A, B, and the children of C and D, and the children of E;' Held, that these words require a distribution per capita, as any other construction would do violence to the apparent intent of the will. Affirmed.

A. W. Shaffer vs. Bryan Gaynor (appellant), From Beaufort county. Opinion by Avery,

I. Testimony tending to locate the boundaries of land by the general reputation in the neighborhood is admissible under any circumstances.

2. Where the acts of dominion conisted in cutting timber some time durwoodland, but there was no evidence as the face of the indictment goes. to show that the acts were continuous, | 2. Where sufficient matter appears or that the land, though while covered in the bill to enable the Court to proother use and might not have been cteared and cultivated, regardless of its capacity for profitable production: Held, that such acts are not such assertions of ownership as would ripen

8. Parol proof is not, as a general rule, admissible to vary or contradict a plain written description, but it is always competent to show where the parties to a deed located the lines and corners by a contemporaneous survey in order to define more exactly what was intended to pass. Hence it is competent to prove that a contemporaneous, but not a subsequent survey, located a corner at a place different from that ascertained by following course and distance.

4. Where declarations are made by one in possession of land, characterizing or explaining his claim of ownership, or in disparagement of his own can in both branches. The Republicans not only against the declarant, but back stretch in particular being heavy. claim at least 70 out of 100 representatives against all persons claiming under him. Mr. Curry, Patchen's driver, rated the But such declarations, when offered to contradict a plain, unambiguous description, are incompetent.

5. Where the defendant, with a view of showing damages, offered to show that one Linke prevented the sale of the lumber cut by him on the land in dispute; Held, that it was not error to was the agent of the plaintiff.

6. Where the executions under which the land was sold issued upon debts created before the year 1868, title passed to the purchaser discharged of all liability to allotment as a homestead. Aftirmed.

Howell & Jeffreys vs. J. B. Coleman and wife (appellants) from Edgecombe county. Opinion by Faircloth, C. J. 1. Where it was admitted that when

the mortgage for \$1,000 was signed by the defendants it secured only \$500. and that in that condition the defendant, J. B. Coleman, carried it to the store of the plaintiffs, the mortgages, and where there was conflicting evidence as to the time when the change was made in the mortgage; Held, that the one issue submitted: "Is the mortgage and crop lien for \$1,000, dated July 27, 1891, and probated Sep tember 9, 1891, the deed of the de fendants?" together with his Honor's charge that the change being admitted, the burden was on the plaintiffs to satisfy the jury that such change was made with the consent of the defendants, or was known and approved by them at or before the acknowledge-Statehood has been secured in Utah. Early ment for probate and registration, was sufficient both in form and substance.

2. The fact that the feme defendant admitted that she read and examined the deed when she acknowledged it for probate is sufficient evidence of knowl-The Biggest Fire in New York City for edge and approval of the change to go

Glass, et. al., from Wake county. Opinion by Faireloth, C. J. *

In an action for damages for breach of contract in building a house, where the issue: "Did defendant, Glass, The fire started at the southwest corner of make the contract with the plaintiff as Crosby and Bleecker streets at nine o'clock. | alleged?" was answered "No;" Held, that the plaintiff's right to a quantum mernit inquiry does not depend solely way, and when the first firemen reached the upon the contract, but upon the ground that he rendered service in work and labor performed, and that question should have been heard under the issue: "Was the building accepted by defendant or his agent?" and "Was the building completed according to contract?" New trial.

street, and in a few moments the Manhattan Savings Institution Building was in flames.

M. E. Brassfield, Administratix, vs. W. C. Powell & Co., (appellants) from Wake countty. Opinion by Furches, J.

Where B, being indebted to the plaintiff's estate, executed to him a mortgage on his crop to be grown in | jet in a hall on the ground floor. 1894, which mortgage was registered on January 15, 1894; and being also indebted to defendants to the amount of \$126.18, and desiring to obtain

from them advances to the amount of \$185, to enable him to make and gather his crop, executed to defendants an agricultural lien under the statute to the amount of \$185, and in the same instrument made a chattel mortgage on his crop and other property to secure the \$126.19 which instrument was registered on Jan. 1884; Held, that the clause in the instrument executed to the defendants: tention, however manifested, whether "There is no incumbrance on said perdirectly or indirectly, positively or by just implication, will make the execupay J. S. Brassfield out of crop \$116, and interest on same from Dec. 25th, 1893," makes a lien on the crop to be paid out of the crop, and when the defendants accepted this conveyance with this provision in it, they accepted it as trustees and are bound to carry out the trust.

In re the will of Frank Palmer, from Wake

county. Opinion by Montgomery, J. 1. After a will has been admitted to probate in common form and letters testamentary issued to the executor, the Clerk of the Superior Court cannot remove such executor and appoint a collector for the estate without a hearing based upon notice to show cause why he should not be removed.

2. In such case it is the duty of the Clerk, upon the caveators giving the bond required of them by law, to transfer the case to the Superior Court for trial, and also to issue an order to the executor, requiring him to preserve the property and collect the debts of the decendant until the issue of devisavit vel non should be determined. No error.

State vs. George Darden et al, (appellants) from Pitt county. Opinion by Clark, J.

1. Where an indictment on its face was good and sufficient as a charge for stealing the temporary use of a horse, the addition of the buggy does not vitiate the indictment as to the horse, but ing a particular year on a piece of was simply harmless surplusage so far

with timber, was not susceptible to ceed to judgement, the code, sect. 1183 forbids an arrest of judgment. No error.

In re Jas. S. Caldwell, from Guilford county.

Rule to show cause why order to grant license to practice law should not be revoked because of his failure to pay the tax due the State. Rule discharged upon payment of costs, it being made to appear that the said State tax was paid since the issuance of the notice to show cause.

GENTRY WON THE RACE. He Took Three Straight Heats from

Patchen at Reidsville. Lowering clouds, a misty, milky atmosphere and a cold wind served to keep hundreds away from the races at Reidsville on Tuesday, but despite all this a good crowd was present and the racing excellent. Owing to the recent title, they are competent as evidence, heavy rains the track was slow, the not only against the declarant, but back stretch in particular being heavy.

course at least five seconds slow. The following is a summary of the

First, race, 2:20 class, purse \$300. Panstone 1, 2, 2, 1, 2. Time, first heat, 2.23. Billy Ackerson 4, 6, 6, 6, D. R. Time, two heats, 2:211. Maggie Campbell, 3, 3, 3, 3, 3. Time, exclude such evidence, as there had three heats, 2:21 1-4. Miss Thompbeen no testimony to show that Linke | son, 2, 4, 5, 4, 4. Time, four heats, 2:234. Clipper, 5, 1, 1, 2, 1. Time, 5 heats, 2:25. Billie Wilkes, 6, 5, 4,

5., 2:25 D. R. Second race, Patchen and Gentry, purse \$2,000. Gentry drew the pole. Gentry, 1, 1, 1; Patchen, 2, 2, 2. Time, first heat, 2:10; time, second

heat, 2:09; time, third heat, 2:09. The three-minute race was post-

poned a day. The Rockingham County Fair Asso ciation closed their fall racing events on Wednesday. The attendance was small but the racing was very good. The great pacers, Patchen and Gentry, are to night quartered in their palace car awaiting a train to Richmond,

where they are to race to-morrow. While the association has had a most disheartening misfortune in the way of weather and in consequence will lose some money, yet it remains a fact that they have the finest mile race course in the South, and it is bound to be a source of profit eventually. Below is summary of the second and last

First race, 3-minute class; purse \$200-Princess Eulalia, 1, 1, 1; time 2:24; Queen Bess, 2, 2, 2.

Second race, 2:25-class; purse \$250-Archie, 1, 1, 3, 3, 3, 2, 3; Albert C, 2 2, 1, 1, 2, 4, 2; Kitty B, 4, 4, 4, 3, 1, 1, 1; Musyneton, 3, 3, 2, 3, D. R.; General Dashwood, 5, 5, 5, 5, 5, D. R. Time, 2:23 1-4: Third race, 2:45-class, purse \$150-

Pepper Sauce, 1, 1, 1; Lady May, 2, 2, 2. Time, 2:30. Match race, purse \$50-Entries, Nelly Jewett, Laura C. Won by Laura C. in 2:29 1-4.

A Negro Elected as a Democrat. James C. Matthews, colored, formerly recorder of deeds at Washington, D. C., under President Cleveland's first administration, has been elected judge of the Recorder's Court, of Albany, N. Y., which office carries with it the powers of a Supreme Court judge. His majority is over 2,000. He was nominated and elected on the regular Democratic ticket. It is the highest judicial office

ever held by a man of his race in this

Six Persons Burned to Death. Six members of one family perished by fire in their home on the top floor of the four-story tenement house at 311 Van Brunt street, Brooklyn, N. Y., at 1 o'clock Friday morning. The names of the dead are: Chas. Rvan, his wife, Ellen, and their daughters, Johanna, 20 years old; Sarah, 17; Maggie, 14, and Lizze, 12. The fire started from a gas-

Bernard Wise, the most talked-of-politician in New South Wales, is only thirty-four years of age. At twenty-seven he was Attorney-General

STATUS OF BUSINESS.

\$1.00 Per Year In Advance.

The General Elections Temporarily Cheek Trade, Unseasonably Warm

Weather South. Bradstreet's report for the past week says: The interruption of general trade throughout the country, incident to election, has been emphasized by unsually mild weather, which checks demand for clothing, heavy-weight textiles and other seasonable goods. But there is little reason for the the reaction in sentiment by many who discuss business conditions. Every wave of increased demand since the tide began to rise in March has resulted in net again. The sentiment of to-day generally is that the outlook promises an active spring trade, and that the holiday season will prove satisfactory.

Bank clearings throughout the United States this week aggregate \$1,121,000,000, a gain of 3.5 per cent. over last week.

The feature of the week among larger Eastern cities is an improved demand for textiles, with increased strength in iron at Pittsburg after the recent reaction. At cities in the Central and Western States a large volume of business is reported without mathere is little reason for the the reaction in

volume of business is reported without material change, numerous complaints being made from Cincinnati. A fair business is reported from Chicago in shoes and rubbers, owing to the weather conditions St. Louis reports a larger volume of trade, while at Kansas City the opposite is true, owing to the consequences of prolonged dry weather last month. Similar advices are received from Omaha. At Milwaukee, Minneapolis and St. Paul general trade is quiet. Gain continues to move freely to Duluth and lake traffic continues active.

At the South unseasonably warm weather is complained of, and in some instances there are reports of increased demand for staples, but on the whole, the prospect fovors an active spring trade. Mercantile collections are the prospect of increased and in a number of in-

tions are improved, and in a number of in-stances large standing accounts are paid.

Many woolen mills are also closing to wait for orders though the demand is fairly satisfactory for some dress goods and worsteds and the Washington Mills open clay worsteds at 10 cents advance. But prices of this and most qualities of woolens are still unsteady for manufacturers do not yet know what they have to meet. Cotton mills do well, as the half and hasitation in cotton the halt and hesitation in cotton does not stop buying of goods and many believe goods safe at current prices even if cotton is not.

GOMEZ'S PROCLAMATION

Congratulating the Cubans Upon the Formation of a Government.

At New York, Senor Tomas Estrada Palma, plenipotentiary delegate of the Cuban revolutionary party, announced on Saturday that he had just received the proclamation of General Maximo Gomez, which confutes the statement that he (Gomez) intends to withdraw from the field. The proclamation is as

"To the officers and Soldiers of the Army of Liberty: We have just achieved a great work, a monster work, the installation of the government, which has thrown from my shoulders and conscience the burden of the great responsibility of being the chief executive of the army of liberty,
"I consider this beautiful work of the constitution of such magnitude and transcendency that I see in it an assurance of the life

and final establishment of the Cuban repub-lic. I always nourished the hope that from the soil where the remains of Agremonte lie would come forth a new legion of enthusi-astic patriots to put an end to the enterprise started in 1868, carrying it to a successful "My hopes are being realized. Of those patriots who are here around me some are lighting the Spaniards, the others are formulating the laws which will guide the destinies of the infant republic. Soldiers, I swear by my sword and by my honor to be a faithful

guardian of the constitution of the republic, its government and your country's interest. "MAXIMO GOMEZ, ... "Com. in Chief of the Cuban Army." Lieutenants Cæsar A. Salas and Alfred A. Sanchez, who came to New York as emissaries from General Maximo Gomez with \$160,-000 for the Cuban junta, said that they left General Gomez on October 17th at the plantation of Cavito. They were escorted by Colonel Rodriguez and 250 men to La Principal plantation, where they had a fight with the Spaniards, lasting three hours, when the Spanish troops were routed. The emissaries then proceeded to the coast without escort and escaped in a sponge diver's boat. When they reached the Bahama Islands they met an Englishman in a smack boat who took them to Nassau, and there they embarked on board the steamship Antillar for New York.

AVERAGE WEIGHT OF BALES. Port Receipts and Overland for Two

Months. New Orleans cotton exchange statement says: Actual average weight 1,773,769 bales of the cotton crop, embracing port receipts and overland for two months ending October 31st, 513 50-100 pounds per bale, against 519 69-100 pounds per bale last year. Detailed averages are as follows: Texas, 540 68-100 pounds, decrease under

last year, 4 10-100 pounds; Louisiana, 520

20-100, decrease 4 24 100; Alabama, etc., 505,

increase 15; Georgia, 490 8-100, decrease 13

35-100: South Carolina, 501 51-100, decrease 8: North Carolina, 498 54-100, decrease 44-000; Virginia, 489 96-100, increase 2 60-100; Tennessee, etc, including Memphis, St. Louis and overland, 513 90-100; decrease 90-100. Net decrease for whole as compared with the close of September this year 3 73-100 pounds per bale, and compared with October last year it shows a decrease 6 19-100 bales. An eighty-year-old fisherman o.

Amesbury, Mass., caught a lobster four feet long and weighing twentyfive pounds at Salisbury Beach a few days ago.



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