

THE MORNING POST

RALEIGH, N. C. PUBLISHED DAILY BY THE NORTH CAROLINA PUBLISHING CO.

ROBERT H. FURMAN - Editor

SUBSCRIPTION PRICE: One Year \$4.00, Six Months 2.00, Three Months 1.00, One Month .40, One Week .10

OFFICE IN THE POLLEN BUILDING, FAYETTEVILLE STREET.

The Post will publish brief letters on subjects of general interest. The writer's name must accompany the letter.

Brief letters of local news from any section of the state will be thankfully received.

Merely personal controversies will not be tolerated.

Address all business letters and communications for publication to THE MORNING POST, 150 Nassau St., New York.

WASHINGTON BUREAU:

Hutchins Building, 10th & D. Sts. N. W. EASTERN OFFICE: 150 Nassau St., New York.

Subscribers to THE POST are requested to note the date on the label of their paper and send in their renewal before the expiration.

THE WEATHER TODAY: Fair.

SATURDAY, OCTOBER 27, 1900.

A STATE FAIR AND CARNIVAL NEXT YEAR

The State Agricultural Society closes its work for the last year of the Nineteenth century with the greatest success within its history.

On Thursday night preparations for the next year were inaugurated. It was universally regretted that Mr. McNamee could not continue as president.

The Post suggests to suggest to the officers and society that next year, being free from a political campaign and other disturbing agencies, preparations be made for at least a two weeks exposition and carnival.

The Post suggests this matter not only to the society, the people of Raleigh, but the people of the State.

Mr. Bryan bearded the lion in his denure enough Thursday, when he rolled up his sleeves and pitched into trusts at Trenton, New Jersey.

We are in receipt of the first number of the Youngsville Record, a new journalistic candidate just established at the thriving town of Youngsville.

The Chicago "Pingree Patch" is reported as turning out this year a fine crop of potatoes, turnips, beets and other vegetables.

All the bank looters who have not been captured will no doubt come in and surrender themselves in disgust when they compare the magnificent work of the New York teller with their own measly performance in the same line.

The Post regrets to learn of the accident to its friend, Colonel W. S. Pearson, but is able and eloquent Bryan elector for

The Eighth district. He had a fall a few days ago while on his canvass, injuring his knee-cap, and it is feared he will not be able to continue his canvass.

That able minister and true friend, Rev. Robert Strange, rector of St. James' (Episcopal) Church, Wilmington, is in demand now.

We are sincerely gratified that the great strike in Pennsylvania, involving not only the daily living of more than one hundred thousand human beings, but the comfort of very many more, has been declared off and the men returned to work.

Mr. A. J. Fields at Youngsville (Youngsville Record.) Mr. Alex J. Field, Democratic speaker of the National House, was here last Thursday evening.

The Open Door (Detroit Journal) The Empress Dowager trembled with rage.

Mourning (Detroit Journal) Man's inhumanity to man was making countless millions mourn good and plenty.

The Looting in Pekin (Frederick Palmer in Collier's.) Loot! Pekin was a carnival of it.

The Helping Hand The Chicago "Pingree Patch" is reported as turning out this year a fine crop of potatoes, turnips, beets and other vegetables.

That fellow Trayder is a hypocrite. The idea of his quoting "What's in a name?" "Why? What's hypocritical about that?" "Why, everything he's got is to his wife's name."

DIGEST OF SUPREME COURT DECISIONS

WHITTIED v. FUQUAY. New trial.

Any knowledge of a fact, the truth of which may be ascertained by a proper inquiry, is notice to the party and will deprive him of equities arising for the want of such notice.

Specific performance of a contract for the sale of land, though an equitable relief, will be enforced as a matter of course where a valid legal contract is established, devoid of fraud and unfair advantage.

Where, in an action against the wife and son of a deceased debtor to have his stock declared void as to creditors, while the cause is pending upon defendant's demurrer upon the ground that no cause of action was shown in the complaint, the administrator of deceased debtor and other of his creditors are made plaintiffs and the pleadings are reformed so as to turn the action into "a creditor's bill," and the original plaintiff takes a non-suit and withdraws from the action.

The Superior Court has inherent discretionary power to allow amendment to pleadings or to allow them to be filed at any time, unless prohibited by statute, or unless vested rights are interfered with.

In an action against a mortgage for wrongful sale and conversion of mortgaged property, the defendant has a right to prove upon the trial that the plaintiff mortgagee delivered the property to the defendant mortgagee's attorney to be sold and the proceeds applied to the mortgage debt.

When there is more than a scintilla of evidence about which reasonable minds may differ the question should be submitted to the jury.

In this action to have defendant declared a trustee for the benefit of plaintiffs, plaintiffs alleging that the land was conveyed to defendant to pay off incumbrances thereon and then defendant to divide the land between plaintiffs, the court held that the evidence, to the effect that defendant had stated his purpose to be to dismember the land and sell the portions to the plaintiffs, was sufficient to support the verdict.

Counties being a branch of the State government, can be sued only in causes authorized by statute, and an action cannot be maintained against the county commissioners to recover the penalty prescribed by section 711 of the Code for failure to establish hospitals under section 707 (22) of the Code.

In this action to have a deed, absolute on its face, declared a mortgage, the defendant's contention was that the deed was not intended by the parties to be a mortgage; that the redemption clause had not been carried by the mortgagee, and that the plaintiff occupied the land as defendant's tenant.

Secretary John A. Mason was busy the other afternoon at the Democratic State headquarters in the St. James Building, when he was interrupted by Abraham Lincoln Myers, the handsome and discreet douter.

"Gentleman named Jones from Chicago wants to see Mr. Mason about some campaign matter," said Myers. "I certainly-most certainly," ejaculated Mr. Mason. "We've been waiting for the last six weeks for Jones of Chicago to make his appearance with a catchall feeling like Chicago poetry."

"They're been singing some hot stuff in the music halls in Chicago, and I've made a cooking good parody on it," said Jones of Chicago.

"The Republicans paraded at Cripple Creek one recent afternoon. "Fury darned long feet, guess it came from Chicago all right enough," mumbled Mr. Mason.

"Did you say anything?" asked Jones. "Oh, no," said Mr. Mason, "don't stop your Cripple Creek parade. Go on. And as it passed a woman on the street displayed a Bryan banner."

"Bully for her," ejaculated Mason. And quickly down beside her jumped a rough rider. Who snatched it in a very violent manner.

"I trust the son of a gun was promptly put out of business," said Mr. Mason with feeling.

Jones of Chicago looked as if he didn't like to be interrupted, but finally resumed reading: Then that woman's husband came with a scintilla in his hand. And jumped into the warrior fresh from Kettle Hill.

"Good! Good!" said Mr. Mason; "now you're getting action in it. That's what I like to see. Give us some cantalings and Kettle Hills! Go on, Jones, go on."

are well on the way to practical extermination. It is a poor policy, if the rights and interests of later generations deserve any consideration.

Rev. J. H. Rich, traveling representative for the North Carolina Baptist, is in the city and will preach at West End church tomorrow morning and evening.

Special Rates Via Southern Annual Meeting North Carolina Christian Conference (colored), Haw River, N. C., Nov. 14-20, 1900.

On account of the above occasion the Southern Railway will sell round trip tickets to Haw River at reduced rates, tickets on sale Nov. 12 to 14, inclusive, with final limit Nov. 21, 1900.

Piedmont Horse Show, County and Street Fair, Gala Week and Semi-Centennial, Winston-Salem, N. C., October 30 to November 3, 1900.

On account of the above occasion the Southern Railway will sell round trip tickets to Winston-Salem, N. C., and return, at the rate of one first-class fare for the round trip, plus 60 cents for one admission to the fair grounds.

KIRK'S ELEGANT SILVER WARE. MANUFACTORY ESTABLISHED 1817.

DIAMONDS, PEARLS, AND OTHER GEMS, WATCHES. SMITH'S Book Exchange FURNISHES

School Books at Half Price Law, Medical, Theological, Historical and Scientific books, both new and second-hand; cheaper than you can get them elsewhere.

126th N. C. Report now on sale \$1.50. Slip Amendments to the N. C. Code, complete, \$1.50. Prepaid.

Pemberton & Jerome's Criminal Code and Digest, 1896, new, best law sheep binding. Prepaid, \$2.50.

Remington's, Barlock's, Hartford's, Bickensdenter's, Caligraphs, Hammonds. Your choice \$3.00 per month—Rent or installment, \$5.00 per month.

Southern Book Exchange RALEIGH, N. C. THE LARGEST STOCK OF BOOKS IN THE SOUTH.

STIEFF PIANOS - Founded 1842 - "Sing The Own Praise"

Don't fail to see and examine our Beautiful Exhibit of Artistic Pianos at the Great State Fair. Each Piano is a gem.

Our desire is to sell every Piano on exhibit. Stieff Pianos will interest all lovers of music. We will interest you as much in prices and terms. If you are tired call at our booth and rest.

CHAS. M. STIEFF, Piano Manufacturer, Baltimore, Md. North and South Carolina FACTORY BRANCH WAREROOM, 213 North Tryon St., Charlotte, N. C. C. H. WILMOTH, Manager. Fine Tuning and Repairing. Bell Ph one 196

THE Carolina Cook Stove Only Cooking Stove manufactured in North Carolina. Every Stove absolutely guaranteed.

G. T. Glascock & Sons, FOUNDERS AND MACHINISTS, GREENSBORO, N. C.

The White Star Coffee You see advertised in all the periodicals of the day and on the boards of the city, is sold by

J. R. Ferrall & Co. TELEPHONE 88, 222 Fayetteville Street.

QUALITY, AS WELL AS A PERFECT FIT, Is essential to a well-dressed man. J. E. CARTLAND, Merchant Tailor.

A Large Stock of Fall Goods to Select From. Send your orders to GREENSBORO, N. C.

Watson's Photograph GALLERY 121 Fayetteville Street, RALEIGH, N. C. The Fair People are cordially invited to CALL and have a FIRST-CLASS PHOTOGRAPH MADE.

POPULAR PRICES RULE. MR. A. MICHELOW, Operator.

VISITORS TO THE STATE FAIR Are cordially invited to make our exhibit at the Fair their headquarters. When in the city call at our Store. The Royall & Borden Furniture Co., Corner Wilmington and Hargett Streets