

Dobbin & Ferrall,

123-125 Fayetteville Street.

At Tucker's Store.

LACES

For Commencements

Laces will be largely used this spring at commencements. Net top Lierre, Oriental, Repousse and Venice, as well as Chantilly D'Alencon and Valenciennes, are most wanted.

Fichus

Fichus made of Blonde Net, Chiffon, soure trimmed in Lace, others self-trimmed, will make very dainty accessories for school commencement dresses—can be interchanged from dress to dress and will make a beautiful effect.

Plaiting for Sleeves

Lace and Chiffon will be largely used. Ask for samples.

Gloves

Gloves—Kid and Fabric.

Laces Robes

A half-made Dress in White Nets, Blonde and Point D'Esprit—\$15.00, \$22.50, up to \$35.00.

Fans

Jap Fans, 10 and 50c.; White Gauze Fans, 50c. to \$5.00—a beautiful collection.

Hosiery

PLAIN WHITE LISLE and PLAIN BLACK GAUZE—thin as cobweb—the correct stocking for this spring. DROP-STITCH HOSE and LACE HOSE—thin as can be.

Ribbons

RIBBONS for Hair, RIBBONS for Sashes, RIBBONS for Girdles. All widths and all shades, as well as White.

Handkerchiefs

Sheer dainty Plain and Embroidered Handkerchiefs, 10c. to 50c., and upwards. NECKWEAR—Dainty Stock Collars in thin Lawn and in Lace, Collar and Cuff Sets, etc.

Shoes

We have the most stylish, up-to-date Shoes for Commencement Exercises.

COURT TIES, OXFORDS, LOW-CUT SHOES, THREE-STRAP TIES.

Stylish New Heels and Newest Toes, and made of Newest Leather.

Parasols

White Chiffon and White Habutal Parasols—just the idea for commencements.

GRADUATION DAYS

Are Already Very Near at Hand.

We are eminently prepared to supply the young ladies with an UNUSUAL, VALUABLE and "DIFFERENT" array of DAINY, SHEER WHITE COTTONS—unique in weave, quality and VERY LOW IN PRICE.

Pre-eminent are dainty soft-finished Organdies, Washable Chiffons, French Chiffons, Batistes, Swiss Muslins, Mouselines de Paris, Dotted Swiss and uncountable other original variations of standard summer weaves specially desirable for commencement dresses

Mouseline de Paris

A dainty, soft finished Organdie, admirably adapted to the clinging styles worn this season—2 yards wide 25c., 35c., 50c., 60c., 75c. and \$1.00 yard.

Real Swiss Muslin

A genuine Hand-Woven Swiss fabric—well known to the grandmothers of the present school girls.

This material being hand-woven will tear straight across the breadth—making perfect strips for flounces. It is an ideal fabric for the present full skirts, that have so many flounces.

It is perfectly trustworthy in the tub—in fact it rolls in the tub—and comes out the better for the washing. It irons perfectly—Talk to the old folks about it—they will give it the highest recommendation.

This material comes in Old White—just the same shade as in 1850—30 inches wide—20c., 25c., 40c., and 50c. yard.

Irish Dimities

Very good—15c., 20c., 25c., 35c. yard—30 inches wide.

Persian Lawns—48 inches wide—20c., 25c., 35c., 40c. yard.

Indian-Very Sheer—40 inches wide 10c., 12-1-2c. yard. Sheer Lawns and Organdies—31 inches wide, 10c., 12-1-2c., 20c.

French Chiffon

Finished Organdie

A beautiful white, sheer fabric. Very soft and filmy. Peculiarly applicable to the present vogue. 2 yards wide 25c., 35c., 50c., 60c. and 75c. yard.

French Chiffon

A new washable chiffon, sheerer than the usual wash chiffon.

No prettier Commencement dress can be imagined than one made of this material. 48 inches wide. 25c., 40c., 50c. yd.

French Batistes

A harder finished fabric—specially desirable for morning dresses. 48 inches wide 25c., 35c., 50c. yard.

Chiffon Mull

A new soft finished sheer cotton fabric—as filmy as cob-web—so light and sheer that it seems as if only a breath of air. Coming both in the mull and mercerized finish. 48 inches wide 40c. and 50c. yard.

WHITE THINGS

For Commencements Strictly New and Very Desirable...

Absolutely first quality. PRICES SO LOW THAT THERE ARE GREAT MONEY SAVING OPPORTUNITIES FOR YOU, AND THAT MEANS A RECORD-BREAKING BUSINESS FOR US. Send for samples and compare with any other house in the country. We are sure you will send us your orders.

WHITE HABUTAI SILKS—36-inch, 75c. and \$1.00 yard; 27-inch, 50c. yard. BLEACHED PONGEE—25-inch, 75c. and \$1.00.

WHITE CREPE DE CHINE—24-inch, \$1.00—the best value in the world. WHITE SATIN LIBERTY CREPE—24-inch, \$1.25—a Royal Dress, a luminous fabric not easily soiled.

WHITE MESSALINE SATIN—24-inch, 60c.; guaranteed to wear silk; new finish and very chic, making a lovely day dress in dull white, over which may be dropped a net dress for evening wear, making it serve as a dress and a foundation.

WHITE MOUSELINE DE SOIE—30-inch, 25c. WHITE SILK DOT MOUSELINES—29-inch, 25c.

WHITE POINT D'ESPRIT—very stylish—48-inch, 50c.; 72-inch, 75c. WHITE BLONDE NETS—decidedly stylish—36-inch, 35c.; 75-inch, 75c. WHITE VALENCIENNES LACE ALL-OVER NETS—48-inch, \$1.00, \$1.50 up to \$2.50.

WHITE LA TOSCA SILK NETS—48-inch, \$1.00, \$1.50. WHITE TULLES—72-inch, 75c. yard; 108-inch, \$1.00 yard.

WHITE MALINES—36-inch, 15c., 20c., 25c. WHITE SILK MULLS—48-inch, 25c. HEAVY, MEDIUM AND LIGHT WEIGHT LINEN SHEETINGS, 90 inches wide, \$1.00, \$1.25.

Old Bleach and Dew Bleach 45-inch Linens for Suits, \$1.00; 54-inch Old Bleach, 75c. Great values.

WHITE SILK WARP CREPE EOLIENNE—45-inch, \$2.25 yard. WHITE SILK WARP CREPE DE CHINE—44-inch, \$1.00 yard.

WHITE SILK WARP EOLIENNE—44-inch, \$1.00 and \$1.25. WHITE CHIFFON VOILE—45-inch, \$1.00.

WHITE SHEER VOILES—42-inch, 50c. and 75c. WHITE ETAMINE VOILE—29-inch, 20c.

WHITE CANVAS VOILE—28-inch, 15c.

WHITE MOHAIR—very high lustre—45 to 48 inches, 50c. to \$1.00. WHITE ALBATROS—38-inch, 50c.

WHITE BATISTE—34-inch, 50c. WHITE DANISH CLOTH—28-inch, 15c. WHITE FRENCH ORGANDIES—31-inch, 15c.

WHITE FRENCH ORGANDIES—72-inch, 25c., 35c., 40c., 50c., 65c., 75c., \$1.00. WHITE WASH CHIFFONS—48-inch, 25c., 35c., 40c., 50c., 65c., 75c.

WHITE FRENCH BATISTE—48-inch, 25c., 35c., 40c., 50c., 65c., 75c. WHITE PERSIAN LAWNS—48-inch, 15c., 20c., 25c., 35c., 40c., 50c.

WHITE SHEER LINEN LAWNS—36-inch, 35c., 40c., 50c., 75c., \$1.00. Sheer Organdies—31-inch, 10c., 12 1/2c., 15c. Real Swiss Muslins—31-inch, 30c., 35c., 40c. and 50c.

DIGEST OF SUPREME COURT DECISIONS

BEAN vs. BEAN, appellant, from Rowan. No error.

An executor's account filed, either in response to a citation or voluntarily, and audited by the clerk of the court is deemed prima facie evidence of correctness. Code, sec. 1399.

Such auditing is an ex parte proceeding and does not work an estoppel upon the parties. Allen vs. Royster, 107 N. C. 283.

Z. V. CLEGG vs. SO. RAILWAY CO., appellant, from Guilford. Affirmed.

Defendant received a car load of bananas consigned to a bank "to order, notify Z. V. Clegg" (plaintiff). The plaintiff was notified by the bank and several times demanded delivery of the goods to him, but a dispute arose about the amount of freight, the fruit was not delivered and was greatly injured by cold weather before the plaintiff got it. Defendant, after deducting the excess charges, demanded \$145, and plaintiff offered \$105, which was afterwards found to be the amount due. Defendant's agent told plaintiff he would have to get an order from the bank.

Held, the defendant having at the time of the several demands of the plaintiff, assigned no other reason for refusing to deliver the goods than the refusal to pay the excessive freight charges, cannot be allowed to defeat the plaintiff's right to recover the amount of his loss on the ground that he did not present the bill of lading or an order from the bank.

STATE vs. COOPER, appellant, from Washington. Reversed.

It was found by the special verdict, among other things, that the town of Plymouth passed an ordinance imposing a tax on liverymen, which included those "making contracts for hire in town or carrying any person with a vehicle out of town for hire." Defendant lived in the village of Roper and was a duly licensed liveryman, and, in obedience to a letter from a travel salesman, came to Plymouth and conveyed him to Roper and other points.

Held, not guilty. There is no allegation that he was carrying on the livery business in Plymouth. The court says: "It seems there is no harm in taking people into the town of Plymouth in a vehicle provided you put them out and leave them there."

BROWN vs. HAMILTON, appellant, from Randolph. Error.

A will speaks as of the date of the testator's death in the absence of a contrary intent clearly shown by the will itself. Code, sec. 214. Hence a devise of "all that tract south of a line" designated by description given, carries with it adjoining land south of said line bought by the testator subsequent to the date of the deed.

STATE vs. LILES, appellant, from Union. Affirmed.

The paternity of a child born five months after marriage is not conclusively to be in the husband but is a matter of proof. Proceedings in bastardy are not criminal but civil in their nature, intended solely to protect the public from the cost of maintaining the child, the criminal proceeding for punishment being by indictment for fornication and adultery. State vs. O'Neil, 118 N. J. 1208, and cases based on it are overruled, and the court returns to the former rulings that bastardy is a civil proceeding.

IN RE BRIGGS, appellant, from Wilson. Affirmed.

Section 1215 of the Code provides that "no person shall be excused on any prosecution from testifying touching any unlawful gaming done by himself or others; but no discovery made by the witness upon such examination shall be used against him in any penal or criminal prosecution, and he shall be altogether pardoned of the offense so done or participated in by him."

Held that this act is constitutional and furnishes full protection as to such offense previously participated in by the witness, and hence he cannot refuse to testify as to such transaction on the ground that his reply will tend to criminate him. If such witness refuses to testify when required by the court he may be imprisoned for contempt.

GUANO CO. vs. MARKS, appellant, from Stanly. New trial.

Action upon notes executed by defendant to plaintiff. Defendant admitted execution and hence burden was upon him to prove payment. For this purpose he offered letters of plaintiff acknowledging receipts of checks enclosed, and plaintiff objected. The court then said that it would permit defendant to tender the receipts and see if he could make them competent by showing what debts the remittances were applied to by agreement of the parties, and told the jury if they believed the evidence they should find for the plaintiff—allowing full amount demanded. Held, error. The receipts furnish some evidence of payment and were competent for the jury to say whether the amount had been applied to the payment of the notes.

BAINES vs. COMMISSIONERS, appellant, from Wilson County. Error.

The court, by mandamus, can compel county commissioners to act in the matter of granting license to sell liquor but cannot control their discretion. It was therefore error to render judgment commanding them to issue a license to an applicant provided he is a proper person and the place of sale a suitable one.

This has been the law in North Carolina since the decision in Attorney General vs. Justice, 27 N. C. 315, except during the time between the act of 1893, ch. 294, sec. 33, and its amendment by the act of 1897, ch. 183, sec. 34. Chapter 232, acts 1903 ("The Watts Law") does not deprive county commissioners of their discretion in granting license to sell liquor.

Where, in an action for mandamus to compel county commissioners to issue

license to sell liquor, the commissioners averred in their answer that they had in good faith exercised their discretion and that each application for license was fully and fairly investigated and carefully considered and that applications were not arbitrarily refused, but were only refused in the just and reasonable exercise of their legal discretion, and the plaintiff demurred to the answer: Held, that as the demurrer admits the truth of facts pleaded it will be assumed that the averments in the answer are true and from this assumption it follows that the commissioners have done their full duty. Plaintiff having elected to demur to the answer the court follows the rule laid down in Commissioners vs. Commissioners, 107 N. C. 335, and dismisses the action. (The cases of Bridgers and Howell against Commissioners of Wilson, at this term, involve the same point, and are controlled by the above).

CHAFFIN, appellant vs. MFG. CO., from Davie. New trial.

In an action to recover permanent and annual damages to plaintiff's land caused by water being ponded thereon by reason of defendant's dam, the judge correctly charged the jury that the measure of damages was the difference in value of the land with the dam standing and the value without the dam. In such case the reference of the court to the "erection" of the dam without using the words "and maintenance" was not misleading when the context showed that plaintiff was entitled to recover damages for both the erection and maintenance of the dam.

The defendant in this case not being a public or quasi public corporation and therefore not having the right of eminent domain, no question is presented as to the right of acquiring a perpetual easement by payment of permanent damages.

It is sufficiently responsive to prayers for instruction if the court gives the substance of the prayer and the party has thereby the full benefit of the principle of law he seeks to have applied to the facts.

The charge of the court in a civil case that the jury must be satisfied by a preponderance of the evidence, or that plaintiff must prove the case to the satisfaction of the jury, does not require any greater degree or intensity of proof than is necessary in civil cases, is held to mean no more than that the jury must come to a conclusion which is satisfactory to them (discussion by Walker, J., of degree of proof in criminal and civil cases).

Where, in an action for permanent and annual damages to plaintiff's land caused by ponding water thereon, it was error to charge that plaintiff would be entitled to recover nominal damages if water had been ponded on his land "to any appreciable extent," plaintiff would be entitled to nominal damages, as in case of a distinct legal wrong, if water was ponded on his land to any extent, as this would constitute the invasion of the right of another, and in such case the law presumes that some damage follows as a natural result, and the wrong fixes the right of action and plaintiff need not go further to show right of recovery, though the extent of recovery may depend upon the evidence.

It is the technical injury to the right, however small the damage, that gives the right of action. Little vs. Stamback, 63 N. C. 285, approved as to rule of damages and principle relation to nominal damages discussed by Walker, J.

CORPORATION COMMISSION vs. SO. RAILWAY CO., appellant, from Guilford. Affirmed.

A state court is not bound to surrender its jurisdiction on a petition for removal unless a case has been made, which on its face shows that the petitioner has a right to have the cause transferred.

Where the defendant appealed to the Superior Court from an order of the Corporation Commission compelling the defendant to deliver on a side track cars containing freight consigned to the complainant, and appealed to the supreme court from an order to grant the motion to remove the cause to the federal court, it was held that the petition for removal was properly refused, as no cause involving \$2,000 was alleged.

GRAVES vs. COMMISSIONERS OF MOORE, appellants. Modified and affirmed.

Where bonds were issued pursuant to an act of the General Assembly not passed in accordance with section 14, article II of the constitution, they can not be sustained under section 1996 of the Code, where the recitals in the bonds make no reference to such section. This court adheres to the construction placed by it in former decisions upon section 1996. The word "completion" used in the section can not be construed "construction."

Services will be held at the Tabernacle Baptist church today as follows: Sunday school at 9:15 a. m.; preaching at 11:00 a. m.; baptismal service at 3:00 p. m.; preaching again at 8:00 p. m. The pastor, Rev. J. C. Masse, will preach at the morning service and Rev. G. C. Tullar of New York will conduct the evening service.

CHURCH OF THE GOOD SHEPHERD. Rev. I. McK. Pittinger, D.D., rector. Third Sunday after Easter. Sunday school at 9:15 a. m. Service and sermon at 11 a. m. and 8 p. m. Service on Wednesday at 10 a. m. and on Friday at 8 p. m. Monday—St. Mark's Day—Holy communion at 10 a. m. The seats are all free and strangers and visitors are cordially invited.

PRESBYTERIAN CHURCH. Rev. Alfred H. Moment, D.D. Services 11 a. m. and 8 p. m. Sunday school 9:30 a. m. Seats are all free. A

"77" Cures Grip and COLDS

Humphreys' Specifics cure by acting directly on the sick parts without disturbing the rest of the system.

- No. 1 for Fevers.
- No. 2 " Worms.
- No. 3 " Teething.
- No. 4 " Diarrhea.
- No. 5 " Neuralgia.
- No. 6 " Headache.
- No. 7 " Dyspepsia.
- No. 8 " The Skin.
- No. 9 " Rheumatism.
- No. 10 " Malaria.
- No. 11 " Whooping Cough.
- No. 12 " The Kidneys.
- No. 13 " The Bladder.

At Druggists, 25 cents each, or mailed, Cloth Bound Book, mailed free. Humphreys' Med. Co., 77 Nassau St., New York.

cordial invitation is given to attend all services.

FIRST BAPTIST CHURCH (Corner of Edenton and Salisbury streets). In the absence of the pastor, who is engaged in a meeting in Goldsboro, Rev. Hight C. Moore will preach at 11 a. m. and 8 p. m. Sunday school at 9:30 a. m., superintendent T. H. Briggs. Prayer meeting Wednesday evening at 8 o'clock. Pews free and all are cordially invited.

EDENTON STREET METHODIST CHURCH. Rev. R. F. Bumpass, pastor. Services at 11 o'clock a. m. and 8 p. m. Sunday school at 9:30 a. m. W. J. Young, Jr., superintendent. Epworth League meets every Monday night. Prayer meeting every Wednesday night at 8 o'clock. Seats all free and visitors in the city will receive a cordial welcome.

CENTRAL M. E. CHURCH, SOUTH. Preaching at 11 a. m. and 8 p. m. Sunday school 9:30 a. m. M. M. Johnson, superintendent. Preaching every night during the week at 8 o'clock.

HILLSBORO STREET CHRISTIAN CHURCH. Services at 11 a. m. and 7:45 p. m., conducted by the pastor, Murdoch W. Butler. Sunday school at 9:30 a. m. John A. Miles, superintendent. Evening subject: "Walking with Christ." This service will be illustrated with African views. A church conference will be held at close of morning services.

EPWORTH CHURCH. Rev. J. Marvin Culbreth, pastor. Sunday school at 9:45 a. m. Sermon at 11 a. m. and at 8 p. m. by the pastor. Epworth League meets every Wednesday evening at 8 o'clock.

Another North Carolina Book (Raleigh Christian Advocate). Dr. Charles Lee Roper, Associate Professor of Economics and Associate Professor of History, in the University of North Carolina, has lately brought out a most valuable historical work which has been favorably received in England and Germany. It is entitled, "North Carolina: A Study in English Colonial

SEABOARD AIR LINE RAILWAY.

Short Line to principal cities of the South and Southwest, Florida, Cuba, Texas, California and Mexico—400 North and Northwest, Washington, Baltimore, Philadelphia, New York, Boston, Cincinnati, Chicago, Indianapolis, St. Louis, Memphis and Kansas City.

Trains leave Raleigh as follows: No. 50. 1:20 a. m.—"SEABOARD EXPRESS" for all points, Raleigh to North, Northeast and North Portsmouth, Richmond & Washington, Baltimore & Philadelphia, New York, Boston and all points west.

No. 51. 11:00 a. m.—"SEABOARD LOCAL MAIL" for all points, Raleigh to North, Northeast and North Portsmouth, Richmond & Washington, Baltimore & Philadelphia, New York, Boston and all points west.

No. 52. 11:35 a. m.—"SEABOARD MAIL" for Richmond, Washington, Baltimore, Philadelphia, New York, at Richmond with C. & O. for Cincinnati, Chicago & St. Louis, and 9 A. O. for all points.

No. 53. 4:15 a. m.—"SEABOARD EXPRESS" for Charlotte, Atlanta, Columbia, Charleston, Savannah, Jacksonville, Tampa and all points South and Southwest.

No. 54. 6:00 p. m.—"SEABOARD LOCAL MAIL" for Charlotte, Atlanta and all local points, connects at Atlanta for all points south and Southwest.

No. 55. 7:10 p. m.—"SEABOARD MAIL" for Southern Pines, Pinebluff, Atlanta, Columbia, Charleston, Savannah, Jacksonville, Tampa and all points south and Southwest.

Tickets on sale to all points, full rates reserved.

UP-TOWN TICKET OFFICE. Yarbrough House Building. C. H. GATTIS, C. T. and F. A. C. H. 117. Raleigh, N. C.

DOBBIN & FERRALL.

ODD FELLOWS CELEBRATE TUESDAY

Big Preparations for Anniversary—Orations, Barbecue and Games

Elaborate preparation for the celebration of the 56th anniversary of the Independent Order of Odd Fellows has been made by the Odd Fellows of Raleigh.

The celebration will take place next Tuesday and everything has been done to make it the most successful ever given by the Raleigh lodges. Hon. Jas. H. Fou will deliver an address at 12:30 o'clock in the fair ground grand stand on the principles and teachings of the order, its aim and objects, the work it is doing in the state and elsewhere and its accomplishments from its birth up to the present.

Barbecue and Brunswick stew will be served at feral hall at 2 o'clock. The cooking and stewing will be done by Messrs. Doo Blake and Robt. Watkins. These gentlemen are genuine artists at the business and inward satisfaction

is guaranteed to all who avail themselves of the opportunity of partaking of the eatables that will be served.

The menu consists of roasted pig a la Brunswick stew, with potatoe salad and pickles on the side, which will be served up in superb style and to suit the taste of the most fastidious epicurean

The base ball game which promises to be a hot number will take place at 4 o'clock. The following have consented to perform in the interest of their respective lodges. Manteo line up: W. W. Wilson pitcher, catcher W. M. Russ, first base C. F. Lumsden, second base W. N. H. Smith, third base Woods White, short stop W. E. Faison, center field A. B. Glenn, right field C. F. Farmer, left field Geo. L. Tonnofski. Seaton Gales line up: T. P. Sale pitcher, Dr. T. M. Jordan catcher, Jos. E. Pogus first base, E. S. Cheek second base, T. C. Powell third base, Phil Thiem short stop, E. A. Wombles center field, L. S. Ellison right field, Paz Ray left field. These gentlemen are unknown quantities on the diamond, but are said to be genuine artists at the business, and will no doubt make a record that professional ball players would be proud of. W. C. McMackin will act as umpire.

The anniversary ceremonies will take place at Odd Fellows Hall at 5 o'clock. Short addresses will be made by prominent members of the order. After which light refreshments will be served by Raleigh's noted caterer A. Dughi. Odd Fellows and their invited friends will meet promptly at 11 o'clock at Odd Fellows Hall, where street cars will be in waiting to take them to the fair grounds. Admission will be by badge. All Odd Fellows who are members of the local lodges and visiting and transient Odd Fellows will be entitled to one badge free. Should any member of the Raleigh lodges desire to extend invitation to friends he can procure as many badges as desired for fifty cents each. Badges can be secured by calling on Mr. T. C. Powell at 111 Fayetteville street. The committee on arrangements request all Odd Fellows to assist them in making this a memorable occasion.

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A Thoughtful Man. M. M. Austin of Winchester, Ind., knew what to do in the hour of need. His wife had such an unusual case of stomach and liver trouble, physicians could not help her. He thought of and tried Dr. King's New Life Pills and she got relief at once and was finally cured. Only 25c. at all druggists.

SPECIAL CAMPAIGN OFFER

WE WILL SEND THE MORNING POST UNTIL AFTER THE NATIONAL CONVENTION IN JULY FOR \$1.00.

FOR \$2.00 WE WILL SEND IT UNTIL AFTER THE ELECTION IN NOVEMBER.

ALL THE NEWS ON TIME.

Township Bonds for Sale. Sealed bids will be received by me at the treasurer's office of Wake county until 12 m., May 4, 1904.

For \$25,000 30-year (5) five per cent. Raleigh Township Bonds. \$5,000 St. Matthews Township Bonds. \$3,000 Mark's Creek Township Bonds. No safer, better 5 per cent. bond than this, as an annual tax is levied each year to pay the interest, and create a sinking fund to pay the principal at maturity. These bonds are sold for account of the Raleigh and Pamlico Railroad, and are issued to aid in its construction.

B. P. WILLIAMSON. Raleigh, N. C., April 17, 1904.

Mrs. J. M. Gardner of Warrenton is visiting her daughter, Mrs. Thornton Rowland.