LAW DEPARTMENT.

our opinion that the milroad lobbyists would stiffe it almost before it drew a breath. The railroads did try to do that very thing, and we suppose that no one will censure them very severely for their effort; but we are much pleased to see that they were not successful, and we are more than gratified at the announcement that the bill has passed the House by a unanimous vote, We beg to submit our humblest apology for what was said heretofore, and we desire to say that no bill passed by any Legislature for a decade is more to be commended. If the Senate will pass the bill and it shall become a law, as we now believe it will, then the railroad employes will

LIENS OF MECHANICS AND CONTRACTORS.—In the case of Cummings vs. Bloodworth, 87 N. C. 83, the Supreme Court of North Carolina held that where a lumber dealer furnished lumber for building a house, although the dealer was entitled to a lien for the material—by virtue of section 1801 of the Code—yet that this lien could not prevail over the homestead, or in other words, if the lumber was used in building a home on the purchaser's homestead, then the debt or lien could not be enforced by a sale of the homestead.

\*\*The Marriage Ciff of Mrs. McCormick.\*\*

The Rev. Dr. J. H. Thernwell and

stead. Under the decision in this case, we Under the decision in this case, we think that it was the common impression of the legal profession that where a contractor built a house the lien for the labor performed in erecting the house would be preferred to the homestad right, but that the lien for the lumber or other material would not it is a matter of gratification, however, that our Supreme Court has seen its that our Supreme Court has seen its way clear to distinguish the case of Cummings vs. Bloodworth, and to hold that a contractor's lien for material as well as for labor is in many cases to be preferred to the homestead.

We refer to the case of Brayhill va. Gaither, 28 S. E. 31, decided at the last term of our Supreme Court. This is the most important and beneficial decision to the mechanics that has been rendered in many years. The case decides in the first place that where the contractor makes a single and indivisible contract to furnish material and the necessary labor to erect a house on a man's land, the whole amount of the contract price both for material and labor, constitutes a lien on the homestead. If the debt is not paid, the homestead can be sold to satisfy it. In the next place, the court holds in this case that where a house so built is well as for labor is in many cases to be case that where a house so built is erected upon an eighty-scre farm the lien for erecting the house is upon the entire eighty acres, and especially where it is shown that the house would be worth comparatively little spart from the land. we understand the law announced As we understand the law announced by these two decisions, a lien of a lumber dealer who furnishes lumber cannot avail against the homestead, but the lien of the contractor who builds the house will prevail over the homestead for the whole amount of the contractor price. It would seem from this that the only way that a lumber dealer could work out a lien and make it good against the homestead would be through the contractor.

through the contractor. VENUE DOMESTIC CORPORA-TIONS HAVE NO RESIDENCE.—Unless an action be one concerning a cer-tain class of property or be against certain officials, the plaintiff, who is a resident of this State, if he wishes to sue a defendant residing in another opinion of the legal profession in this State that a domestic corporation or ganized before the clerk of the Superior Court, under our wintute, and having its place of business in the county where it was organized, is a resident of such county, within the meaning of section 192 of The Code. It was rather startling to us to learn that this was not true. In Farmers' State Alliance vs. Murrill, decided in October last, and reported in the 25th S. E. 785. Mr. 192 tice Furches, for the court, says: "The plaintiff being a domestic corporation it is not a resident, as described under section 192, of The Code. To the same affect was the prior decision of Cline."

Coddle Creek. N. C.

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CARSON CITY THE PLACE.

the seems will pass the bill and it became inverse as we took believed. When the seems will pass the bill and it became inverse as we took believed and the time in the past yearlief to be seemed it the time party entirely to pure of the past of t

con his wife's land. In the case of Cobb vs. Rasberry, 116 N. C. R. 137. our Supreme Court held that where the marriage took place, and the land was acquired by the wife before 1868, the husband's mortgage of the crop was valid. It would be best, however, as stated above, in every instance to have the wife to sign the mortgare with the husband, and then here would be no question about the validity.

DEBT OF OVER 110 FOR LIQUOR ROTO ONLESS SIGNED.—In chapter 34 of The Code, which is entitled. "Fraudatt Conveyances, there is a curtour cut Conveyances, there is a curtour cut. Conveyances, there is a curtour of an inn, tavern, or ordinary or retailer of liquor by the small measure shall sell any person or credit, liquors to a greater amount than 310, unless the person credited signs a book or note, in the presence of a witness, in acknowledgment of the debt, under penalty of losing the money so credited; and in any action brought for the recovery of such debt, the matter of difference allowed by his section may be set up in answer and given in as evidence."

It appears from the foregoing law that no liquor bill for a greater amount than 310 can be collected unless the party owing the bill has bound himself in writing in the presence of a witness to pay for it. The reason for the law which is doubtless a good one, is to put a check upon the liquor dealers in selling to men who are disposed to make the latter doubt that the preliminary work on the liquor dealers in selling to men who are disposed to make the latter of the whole he was all of the business, and there can be no doubt that the preliminary work on the liquor dealers in selling to men who are disposed to make the party owing the bill has bound himself in writing in the presence of a witness to pay for it. The reason for the law which is doubtless a good one, is to put a check upon the liquor dealers in which we had the latter being the work of the hands of a skillful butcher. One had been compared to the business of the business of the business of the busi

To the Editor of the Observer:

"The Rev. Dr. J. H. Thernwell and the Orphanage, at Clinton, S. C." like appropriate, very historic and well, written address, delivered "at the corner-stone exercises of the Edith Home" we should have acknowledged before this. The reason for delay was simply and candidly this. We just felt that we could not do justice to it. But for the benefit of a few of our friends who may not have seen the excellent address, we will note some facts and recite some of the sparkling words the author utters, preparing the reader for his stirring and enquent conclusion.

"Our hearts are full of loy to-day that God has spared the life of his plous steward dirs. McCormick; we are glad God has given her a son who is a joy and comfort to her heart; we rejoice that this young man in selecting a bride, has chosen a suitable companion for his godly mother as well as an helpment for himself. There have been many notable marriages since the first in Eden. Royal houses have been united, thrones inherited, war sverted and family feuds buried in the union of hearts and swords, kindly spoken at the marriage altar. There have been many and family feuds buried in the union of hearts and words, kindly spoken at the marriage altar. There have been many presents given to bride and groom. Kingdoms and dominions have changed hands, but the doctor had no hesitation in speaking of the houses of McCormick and Rockefeller as worthy a place alongside of the most historic of weddings. Crowns and dominions may perion, and the names of great warriors of furgotten, but this union at Harrid McCormick and Edith Rockefeller is recorded in heaven as well as an earth. a noble woman to commerce a marriage of her son. Surely Edith no present which can compare this and when time shall have crobled into dust the jewels of gold sliver and preblous stones that giver and preblous stones that giver and when the wife and hust themselves shall have crossed the presting under

county, has the option, under section groom and when the wife and husband police say that, masmuch as the order themselves shall have crossen over the county where the defendant resides the river and are resting under the shade of the trees, still on, and on and on and on and on an one of this section of this section. The county where the defendant resides of the trees, still on, and on and on and on an one of this section of Edith and her happy marriage will be standing at the option.

New York, Feb. 12.-In the

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son slides to the left, rises on the toes and clicks the heels together with a sharp noise. The most effective figure was where each lady rose on her toes before each gentleman and clicked her heels before turning them.

Such were the three "exhibition dances" at the Martin ball. And then came Elisha Dyet and the cotillion, and a colock in the morning. The very fact that the hour for the cotillion was set at a m. is conclusive proof that this ball was for real swells who don't work.

THE COSTUMES AND JEWELS. In the very magnificence of its Setting and the gorgeousness of the costumes this ball surpassed the power of language to describe. If the reports of it is true, no imagination could picture if in richness more dazzing than the reality. A great throng of heirs and relivence of courtiers of long ago, in silks and velvets of glorious color, adorned with rare old lace and costly jessis, dancing together on the glassy floor of a ball-room magnificent in size, whose walls are hung with masses of beautiful flowers, the air laden with their odor and the sweet scent of delivate perfumery, and the music of a stringed orchestra of fifty instruments. Such was the Bradley-Martin ball roows his stetched.

MUNICIPAL OWNERSHIP.

That portion of the mayor's message sent to the board of aldermen this week which relates to the water supply is a powerful argument in favor of municipal ownership of all public franchises. The city supplies its own water and water rents are paid into the city treasure. The mayor's message says that least year the money from these rents paid for the entire outlay of the department of public works. "To express it in another way, our water rents paid for road pavements street lighting, care of and repairs to public buildings, care of and repairs to the entire water system, salaries, wages and other administrative expenses." This shows how wealthy any corporation would soon become that owned the city's water works. Yet the water rents are very low; nobody complains of them. Of course they would be twice as high if a corporation turnished the water. No doubt our great grandsons will wonder much that we were such asses as to allow private parties to supply our gas and electric lights and own and operate our street railways.

DAVID T. DUNCAN. MUNICIPAL OWNERSHIP

VAIN MAN, CLOVES AND MUFPS, MATERIAL FOR REFORMATORY, REVIEW OF BOOKS AND PAPERS.

calmiy the causes for the existence of that class known as young criminals. I am of the opinion that, as a general proposition it is sound reasonand good sense to prevent an evil, instead of trying by quack remedies to regulate the svil after it has been allowed to make considerable progress. make considerable progress.

The causes which produce that class known as young criminals are many, but I think they may be grouped under three heads:

I All parents do not train their childer property Solomon said: "Train dren properly. Solomon said: "Train up a child in the way he should go, and when he is old he will not depart

from it."

2. The churcels are at fault.

3. The State has not done what it should do for the education of the masses and the obliteration of ignomanacultinic good accesse. It should be regordeed, that, that there seem to misses and the obliteration of the
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supplementary of the street in the street in the street in the
supplementary of the street in the street in the street i rance. It is said that there are large num-

let us stop to think where we are drifting!

LOCAL TAXATION AND ITS DIFFICULTIES.—By local taxation for public schools, some understand district taxation. I have my doubts whether such a system can ever be pas into force in rural districts in North Carolina. Why? We must remember that schools for both whites and blacks must be maintained in this State. We must remember that the colored districts and the white districts are not always identical; they hardly ever occupy the very same territory. We must remember that no law taxing all the property of a school district to maintain a white school of said district without giving the colored Dopulation of said district equal benefits with the white population, would giand a ghost of a show in the courts. Then, we are confronted with this difficulty: It local taxation is to prevail in any district, the white and the colored districts must be made identical in all the districts which desire to resort to local taxation. This will make it especially burdensome to maintain the schools for the colored children of such districts. Practically it will amount to maintaining two schools in every district which resorts to local taxation. This will make it especially burdensome to maintain the schools for the colored children of such districts. Practically it will amount to maintaining two schools in every district which resorts to local taxation. This will make it especially burdensome to maintain the schools for the colored children of said districts could draw their per capita and use it outside of said districts.

It seems to me, therefore, that local taxation in this State will have to foliow the lines of the act establishing the city graded schools or will have to contarge itself so as to include a whole county. The race problem will come up at every turn. We may as well resolve to tax outside of said districts.

It seems to me could be done. I am a county to be carried out successfully in the South. In this way the mainternance of negro schools will entail the unalless poss

A Coffee Pill.

call gossip; in interacting gossip; in interacting sonal reminiscenses, and there is nothing more entertaining to us or valuable to the historians. The future chronicler with a genius for generalization who will work on broad ines and condense the story of an era into a score of pages, will fill one demand. The easy prattler who will follow the statesman into his bed-room or the general into his tent and test us how they looked and what they said there, showing just what kind of human belings they were as they dropped occumolous robes on a chair or sword and belt in a corner, will fill another and far more imperative one. We are all of the temimperative one. We are all of the tem-per of Carlyle, who scouted ponderous essays on public deeds. He cared for none of that; he wanted to knew what was the color of the great man's

none of that; he wanted to knew what was the color of the great man's breeches.

The number opens with likenesses of Lincoln in 1847-%, and Grant in 1863. Both, especially when studied in the light of what has happened since, very good character skeiches. The wise, kindly, humorous wace of the lawyer even then showed that shadow which deepened as the fateful year went by, the foreboding of a great burden to be borne; the other is the face of a soldier, who has schooled himself to silence and calm until the time to act has come, then to strike swift as light. The eyes of both these masterful men show little but self-control, indeed one thinks of that wise old phrase, "cor inscrutabile regum" as that steady look masks the inner soul.

Gen. Porter's "Campaigning With Grant," now a vanced to the first place, takes us from Spotsylvania to North Anna; better than other war histories I have seen, it portrays the daily life of a famous captain; there is no waving of swords or leading desperate onsets, but we see and follow the steady handling of the mightiest fightnig machine of the age, s "e to understand how every unit of the huge mass told with all its force in that relentless push.

"The Battle of Copenhagen" is anoth-

of a great magazine worthy of better things.

Stillman's "Story of Two Squirrels," a cool, sweet idyl, is inexpressibly refreshing, after the lurid emanations above fisted, and the other fiction, with the poetry, is of the lash tone usually maintained in this e-cellent periodical. The Century Company, New York.

Godey's fer February.—Godey's Magazine for Februar— is especially strong in the variety of its topics. Its make-up is also very attractive, the reading matter being interspersed throughout with thustrations, among them several full-page portraits of types of handsome women. Among the striking articles of this number is the "Three Sultans," by Emma Faddoc.. Telford, who reviews the history of "the unspeakable Turk" with a vigor and a tense fidelity to the truth. Grace E. Drew continues her "Modes and Manners of Seventy Years," bringing the majesty of fashion to the year 1856. The reproductions of the old fashion plates which accompany the article are plentiful, quaint and interesting. A very timely article in this issue is Mrs. Martha McCulloch Williams' contributions on the marvels of orchid culture, which is illustrated with many pictures of famous specimens of those strange flowers. The pictures themselves are worth having, apart frem anything else, and are especially attractive. Under the heading, "A New Profession for Women," Marion Foster Washburne contributes an interesting article concerning the work of women who have made photography a business, with many beautiful pictures. Walter Clark, Associate Justice of the North Carolina Supreme Court, writes or "The Physical Napoleon," and Rupert Hughes describes the work of the New York Colony of Musicians.

nappening to be out on a large that particular night, and, his would not have that particular night, and, his would be started of that other yarm, about the sared greese of Rome. His ashes (i. .e.u. the of that other yarm, about the sared greese of Rome. His ashes (i. .e.u. the particular night) and the particular night of the there is a started greese of Rome. His ashes (i. .e.u. the particular night) and the particular night of the third night of th

actic and searching than the dog of the Turk' within a traces. B. Frew continues he "Modies and Manners or Seventy Years" bringing the majesty of fishtion to the year 1856. The reproductions of the did fashies plates which accompany the stricte are plentiful, quality and the strict are plentiful, quality and the strict are the stricte and the plentiful and the

Take a pill from your pocket, drop it into a cup of hot water and in the twinking of an way you have corries as back as your hat, and as strong as you can drive it. That sounds like a fairy take, but it if the twinking and class to do away with the boling and class to do away with the boling and class to do away with the way if you wanted to, but that was make to go through the place more than I do the people in it. I have preparation of call twink it. That sounds like a fairy take, but it was very had three mental quarter make to do away with the way if he could. But often an alker was in the place would not be the same with different people in it. I have very back three mental quarter make to do away with the way and others whould take their places; I should have to go through the place arisin; but I would rather than make way if he could but often an all over again; but I would rather than to follow the first and you could throw it all.

Still, our out-door life was conducted to put that was all over again; but I would rather than to follow the first and you could throw it all.

Still, our out-door life was conducted to put that was all.

Still, our out-door life was conducted to present the place would not be the same with different people in it. I have the place would not be the same with different people in it. I was made for a target for sticks and stones. I like the place and stones. I like the place would not be the same with different people in it. I have the place would not be the same with different people in it. I was made for a target for sticks and stones. I like the place would not be the same with different people in it.

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THE VANDERBILT BUTLER.

Forward they press, both high and low,
And rich and poor and gay and staid,
Some climb where Fame's high mountains glow.
While others grovel in the glade;
But when at last the sexton's spade.
Hath built the bed to which they orawl,
Where requiems roll, and prayers are
prayed.
The man is nothing the work is all.

he to more de- WINSTON'S FINE COL

want in the rail cut reverse was all the man be delivered the was a second to the court of the c There are four entrances, the main entrance being on the west side. That is the side on which the magnificent tower is built. It is 138 feet high. It gives the building a unique and picturesque appearance. To the right of this tower the open-vestibule entrance is the opening to the main entrance.

trance is the opening to the main enentrance.

Steppling away from the building and
viewing it from a distance from the
ground up one will be impressed with
the three main elements in the atructure of the building: First, near the
ground, extending upward of about
3 feet you see a layer of gray granite,
gotten from the quarry near Mt. Airg,
this State; is in large blocks. Above
this the main body of the building is
made of bur colored brick, from Alexandria. Va., and the trimming of the
building is buff sandstone from the
eastern part of the State. These three,
buff brick and buff sandstone blend together in one grand and imposing pleture.

gether in one grand and imposing picture.

In the inside of the building the main wood is oak, and the doors are of pine. The ceiling overhead throughout the building is of sheet steel.

The building was planned by Mr. Frank P. Milburn, now of Charlotte. A turn-key job of the building cost \$55,000. Charlotte may surpass Winston in many respects, but it is hard to believe that she will have a better court house. The writer is satisfied that the Charlotte court house grounds are not half so roomy and beautifully located as the ones here. After all, it looks rather hard to allow such a building to be used by lawyers juries, clients, etc. It looks more suited to a dignified preacher than a lawyer.

er than a lawyer.

Winsten can certainly boast of the prettiest court house in the State, and if a count was taken she could show up well with any other town on auburn haired girls and gray horses.

H. E. C. BRYANT. OLLA PODRIDA.

Written for the Observer

The arbitration tre ty may, or it may not be ratified, but in either event Charlotte will be safe, as work on the coast defenses along Irwin's Creek, west of the city, is being pushed forward as rapidly. I the weather will allow, and the work is not of a provisory character; it is intended to be permanent.

If the new battleships continue to induige in the sub-marine antics which some of them seem addicted to, people will begin to think that the designs from which they were built were plagarized from a work entitled "Twenty Thousand Leagues Under the Sea." by a certain Frenchman named Verne. The trouble with the new ships seems to be that the "water-tight" compartments are only water-tight on the blue prints and in the minds of the designers and constructors. This f ult should be remedied, for the United States Navy has never yet taken water and should not do so now.

Judging from the reports coming from India, the suffering in that country must be terrible indeed, but the charitably inclined should not overlook the fact that there is great desticution right here at home. There are many good American citizens right here in Charlotte who have not the requisite means to purchase bandoline for the fringe on the bottom of their trouser legs; and to add to the general distrems, the State is threatened with a bachelor tax law.

All that is necessary now to make the proposed reforms in Cuba effective

All that is necessary now to make the proposed reforms in Cuba effective is to get the consent of the Cubans. In the meantime General Weyler is keeping up the practice of breaking the backbone of the rebellion and says he "confidently hopes to crush out the insurrection before the rainy season sets in." Present indications, however, point to a long, dry spell in Cuba.

Psople who think ex-Queen Lif. late of Hawaii, but now of Washington, D. C., is black, are laboring under a wrong impression. She is not black, but a life by any other name would be several

impression. She is not place, out lify by any other name would be several shades lighter than her ex-majesty, and judging from the pictures of her published in several papers, one would not think that she would be cast for the part of "Putterfly," in "An Hour in Fairyland."