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## COTTON FUTURES ACT IS UNCONSTITUTIONAL

Suit Was Brought by Hubbard Brothers to recover \$1,000 Paid Under Protest.

The cotton futures act of August 18, 1914, known as the Lever law, was declared unconstitutional by Federal District Judge Hough of New York because, as a revenue measure, it originated in the senate instead of the house of representatives as the constitution required.

The decision was rendered in a test suit brought by Samuel T. Hubbard, of the cotton brokerage firm of Hubbard Brothers and others to recover \$1,000 paid under protest to John Z. Lowe, Jr., collector of internal revenue, under the provision of the law. Judgment was rendered in favor of the plaintiffs.

The suit alleged the act was unconstitutional, first because it originated in the senate, and second, because the law taxed the manner of performing the transaction instead of the transaction itself.

Judge Hough sustained the first contention, but gave no finding on the second. He said:

"The bill known as the cotton futures act, approved August 18, 1914, was and is not a law of the United States and therefore as a proposition it is no longer open to discussion.

"This is one of the legislative projects which, to be a law must originate in the lower house. The constitution provides that all bills for revenue must originate in the house of representatives. It is not seen how this court can disregard information furnished by Congress itself.

"It is most unsatisfactory to ground decision upon so technical a point, but such as it is; this finding disposes of the case, and I must leave undiscussed the arguments equally able and instructive upon the other and permanent branch of the litigation."

Concerning the contention of government attorneys that the act was designed primarily to prevent speculation in cotton futures. Judge Hough said it was immaterial what intent was behind the act so long as Congress had labelled it a tax measure.

After reports of the decision reached cotton traders there was a sharp break in the market. Until then cotton had been firm, with January contracts selling more than \$1.50 a bale over Monday's closing, but news of the decision carried prices down almost to Monday's levels.

Later the opinion was expressed that the decision would not effect existing contracts, and rallies of from 10 to 15 points followed. The market remained unsteady until the close, however, and opinions upon the effect of the decision were divergent.

The cotton futures act became operative February 18, and if the higher courts sustain Judge Hough, or if the government does not appeal, all the money collected under the law will have to be refunded.

Although the act placed a tax of two cents a pound upon all transaction in cotton for future delivery, it was openly avowed by its sponsors as being a measure designated to prevent speculation in cotton futures. This form of trading formed a considerable portion of the business done between cotton brokerage firms in the United States and Liverpool. When it became operative trading in futures was curtailed. The business done by two or three large New York and New Orleans firms rapidly dwindled, and several prominent cotton brokers prepared to retire.

Plies Cured in 6 to 14 Days  
Your druggist will refund money if PAZO OINTMENT fails to cure any case of itching, blind, bleeding or protruding piles in 6 to 14 days. The first application gives ease and relief.

## Casualties in Dardanelles 96,899.

The total of British casualties of the Dardanelles up to October 9, according to official figures was 96,899.

The number killed was 18,957, of which 1,185 were officers.

Casualties of the Australasian contingents were 29,121.

Announcement of the great losses of the British forces at the Dardanelles follows the sensational speech in the house of lords of Lord Miller, who is said to have characterized the expedition as hopeless. He suggested withdrawal of the troops from Gallipoli peninsula and their transfer to some other front.

Lord Lansdowne responded for the government that it was impossible for any member of the government to give an undertaking that the troops would continue in the Dardanelles operations or would be withdrawn.

The figures do not tell the full story of what it has cost the allies to attempt to force the Dardanelles. In addition to the British casualties are the losses of the French, concerning which no reliable information is available.

The British total, however, bears out despatches from correspondents on this front, who have described the loss of life as frightful.

In some instances, according to these advices, trenches and gulleys have been choked with the dead. Turkish losses also have been described as very heavy.

## Father of Mrs. Geo. Yoder Dead.

The many friends of Mrs. G. C. Yoder of this city deeply sympathize with her in the death of her father which occurred suddenly at his home in Wilmington Saturday night.

Mr. and Mrs. Yoder left for Wilmington Sunday morning to attend the funeral.

The following account of his death is taken from Sunday's Wilmington correspondence of the Charlotte Observer.

"J. J. Hopkins, a well-known business man of this city, died suddenly at his home last night of heart trouble. He had attended to business as usual during the day and apparently as well as usual but was stricken soon afterwards and died in half an hour. He was 56 years old and was a native of Fayetteville. He came to Wilmington early in life and was successful in the conducting of an extensive meat marketing business. He was a director in a number of big enterprises, a member of the First Presbyterian Church and several fraternal orders.

Surviving him besides his wife are six children as follows: Mrs. George C. Yoder, Hickory; Mrs. C. S. Paris, Norfolk, Va.; Mrs. D. N. Chadwick, Misses Marie V. and Ailene and Mr. Cliff S. Hopkins, this city."

## The Young Gardener.

In a corner of the orchard  
Is my garden, mother dear.  
I'd a peanut planted in it;  
One that papa raised last year.  
It was planted quite since Monday;  
And 'tis Tuesday now, you know,  
But 'twas not the least bit rooted.  
For I looked awhile ago.  
'Mong the mosses soft I placed it,  
In the best place to be found;  
Then I poured some water on it  
Till the grass was wet all round.  
When I saw it had not sprouted,  
With my little drinking cup  
I washed off the muddy peanut;  
Then I ate the goody up!  
—Selected.

## Recommends Chamberlain's Cough Remedy.

"Last winter I used a bottle of Chamberlain's Cough Remedy for a bad bronchial cough. I felt its beneficial effect immediately and before I had finished the bottle I was cured. I never tire of recommending this remedy to my friends," writes Mrs. William Bright, Ft. Wayne, Ind. For sale by Menzies Drug Co., and Lutz's Drug Store.

## HAPPENINGS IN AND AROUND THE CITY

Local News, Social and Personal Paragraphs of Interest.

Mr. Manly McDowell of Morganton, was in the city Saturday on business.

Messrs. Julius Abernethy and L. S. Sherrill of Newton, were Hickory visitors Sunday.

We are glad to say that Mrs. Alice Council is able to be out after several weeks' illness.

Hon. A. A. Whitener is at Statesville this week attending Federal Court.

The first meeting of the creditors of the Brookford Mills, bankrupt, will be held here October 22, at noon.

Mr. H. A. Bolick of Charlottesville, Va., spent several days last week in and near Hickory and while here paid The Democrat office a pleasant call.

Miss Bessie Thomason of Gastonia, the popular sales lady, formerly with W. T. Sledge has returned to Hickory and holds her same position with him, where she will be glad to meet her friends and patrons.

Miss Gertrude J. Crompton, who has been visiting Mrs. J. A. Johnson the past month, is visiting in Johnson City, Tenn., Washington and New York, after which she will return to her home in Providence, R. I.

Robinson's circus gave two exhibitions here Thursday to good sized crowds despite the threatening weather. Many new acts were on the programme and the performances were highly enjoyable both afternoon and night.

Mr. C. F. Stroud of Mocksville, editor of the *Davie Record*, was in Hickory Thursday. Mr. J. F. Click, his father-in-law, returning with him to spend a few days in Davie county with his daughter and other relatives. They motored through the county.

October 16 Mrs. Joe Abernethy entertained The Embroidery Club, 12 members responding to roll call with anecdotes. During the hour devoted to needle-work the hostess read the opening chapter of "Martha by the Day," which the Club has decided to use for club reading. Before adjournment dainty refreshments in two courses were served and all lingered long with the hostess in her lovely suburban home.

The twenty-fifth anniversary of the Dr. J. L. Murphy's pastorate of Corinth Reformed Church will be held Sunday November 7, with a reception at the church on Friday, November 5. An anniversary sermon will be preached by Dr. Murphy on Sunday, November 7, his subject being "Twenty-five Years in Hickory," in the afternoon persons who have united with the church during Dr. Murphy's pastorate will have charge of the services, and at night the Pastors' association will conduct the services. This celebration will prove very interesting in many ways.

Mr. John Lanier, a well known citizen of the county, living two miles east of Hickory on the Lincoln road, became suddenly insane Friday night and caused considerable trouble and anxiety before he was finally taken into custody by officers and taken to Newton jail to await admittance to the State Hospital at Morganton. Armed with a repeating rifle, he frightened his wife and baby away from home and threatened to kill himself. When captured he had to be securely bound to prevent him doing violence. He is said to have been subject to spells of deep melancholy and it is thought one of these brought on insanity, which it is hoped by his many friends is only temporary. He was taken to Morganton Monday.

## Rev. A. L. Crouse Dead.

In the death of Rev. A. L. Crouse, which occurred at his home in Charlottesville, Va., last Wednesday afternoon, the last of the three movers in the founding of Lenoir College passed away.

Rev. Crouse was formerly pastor of St. Stephen's congregation near Hickory and a professor in Lenoir College. About eight years ago he accepted a call to the pastorate of a church at Charlottesville and removed to that place.

The remains were brought to Hickory for burial arriving here Friday morning on No. 15. They were taken from the station to Christ's Evangelical Lutheran church, corner Ninth avenue and Twelfth street, where they lay in state until 10:30 when they were removed to St. Stephen's church where the funeral and burial took place. Rev. H. B. Hemmeter, president of Concordia College, conducting the services.

The deceased was 66 years of age and is survived by a son and daughter—Mr. Carl Crouse and Miss Lula Crouse.

The news of Mr. Crouse's death brought sorrow to many hearts here where he was known and beloved by a host of friends and followers. He had been in failing health for some time.

## Keeping Young.

There is no scientific evidence to show that late youth and middle age are the periods of commencing decrepitude and "old age." Man grows old because he is injured; because his body cells are poisoned and not because he has lived just so many years. There is no relentless law determining when a man shall grow old. The tradition "three score years and ten" are conditioned mainly on the manner of living and not by any natural law. But man has it in his power to modify these conditions either for better or for worse.

Probably a greater luxury of living which is not balanced by proper physical exercises is a primary condition to be reckoned with. But temperance all along the line—in eating, drinking, working, playing and even in resting has been suggested as a wiser principle to hold to. This avoids the possibility of rusting out on the one hand or of wearing out on the other.

Yet there is another way and a more worthy reason for retaining youth and deferring old age—cultivate health for the love and pleasure of it. The monthly letter of the Life Extension Institute says of this suggestion: "It is not a fear of illness or of death that we should encourage, but a love of health, a sense of responsibility for the care of our bodies, a desire for bodily endurance and efficiency and full achievement. If the mind is fixed on these ideals and the already known means of approaching them are utilized, heart disease, kidney trouble, and the needless miseries that embitter the lives of so many may be left to take care of themselves. It is not so much necessary to fight disease as to cultivate health for the happiness, contentment and moral gain that it brings."

## Big Trees.

It is reported that the tallest tree in the United States is a yellow poplar in North Carolina, which measures 198 feet in height and 84 feet, 6 inches in circumference. This fact reported by the government, may help some of our readers to believe that we have, in Jackson county, a good sized Methodist church, which was built entirely, including the shingles on the roof out of one poplar tree. Talk about the big trees of California! North Carolina has had and still has some big trees. The fact is, it is hard to get ahead of the Old North State in anything.—North Carolina Christian Advocate.

## MOST UNIQUE FAIR EVER HELD IN STATE

Caldwell County Pulled Off Splendid Affair Last Week.

(By JAMES A. ROBINSON.)

Lenoir, Oct. 19.—Caldwell county in her first county fair, held at Lenoir last week, turned the trick, and turned it well, in having one of the most unique fairs ever held in the state. It was new and novel in several particulars. Instead of loud shows, skin games, and fake contrivances, and betting on horse racing, Caldwell's fair was a county fair pure and attractive, with religious services daily at noon hour, and the people were attentive and interested in all these services—something we never saw before at fairs. It gave the fair a moral uplift, that is an innovation on fairs, and is recognition of the course of all blessings, and in this Caldwell county blazes the way to a new line of thought and endeavor in connection with agricultural and industrial work. The beauty of it is, the people liked this feature, and were loud in their praises of this feature of their first fair, which is a record maker.

The exhibits were creditable throughout, and embraced agricultural products, good stock and cattle, manufactures, and the handwork of the good women of the county along all lines of art and science. The displays by the ladies were a revelation to the fair visitors. We venture to say it could not be excelled in any fair of ten or twenty years standing. It was a great stunt for Caldwell county. The first effort was a gratifying success, and an augury of what is to come upon a greater scale in future years. The first move in this fair was a meeting called by Mr. G. H. Goforth, the county demonstrator, on the first Monday in August, and what the determined men accomplished in that time was wonderful. It marks an epoch in the history of this historic old county that is destined to work wonders. In making J. H. Beall president they put the right man in the right place. By his efforts, and those of his associates, he has carried the fair through in a blaze of glory and enthusiasm.

The attendance was remarkable for a first fair. Senator Lee S. Overman was the principal speaker, and he warmed the hearts of his hearers and set the fair going in happy manner. The fair did not lack for interesting features, and something doing all the time. There were stock displays, tournaments, baseball, basket ball, declamations, recitations by young people, cake walks, band concerts, negro songs and melodies, and many other things in which the people took a lively interest. The last night reached a climax with a great display of beautiful fireworks, and a balloon ascension.

The Caldwell county fair is now an established fact and will hereafter take its place in the fair world with something along new lines. Caldwell wishes her neighboring counties to rejoice with her in her new achievement, and wants them to come and see her at her next fair which will be something worth coming miles to see.

## Watch our Words.

We all should watch our words home and abroad. Too many of us at unguarded moments, let out zeal and feelings run away with our better judgment.

The other day a traveling man read where President Wilson said that foreigners in this country, who had more sympathy for their mother country than for America ought to be ostracized, or words to that effect.

This travelling man jumped to the conclusion—as too many do—that he meant it all for the German sympathizers only, which he did not; for he is too intelligent for that.

So the traveling man went away up in hot air, and 'lowed that "all German sympathizers ought to be took out and hung." Now that man is too crazy to be running at large. He is about as big fool as a German sympathizer who would say that "all Allied sympathizers ought to be carried out and hung. There is no difference. And to our country's hurt we have too many such fools running at large.

## "Jim Dyke" No Matrimonial Tyro.

When "Jim Dyke" a colored employe of the Hickory Furniture Company, whose real name is James Jones, announced a few days ago his intention to get married, the entire force of employes got together and offered to buy the necessary licence and present him with one of the finest beds made by that concern, also to provide an automobile for the use of him and his affinity, provided he would get married at the factory. All arrangements were made Saturday afternoon and just before quitting time the automobile was dispatched for "Jim," his fiancée, Mary Jackson, and the colored minister, who was to perform the ceremony.

If the employes were expecting some fun at Jim's expense as a reward for their trouble, they were sadly disappointed for he did not become the least bit nervous, not even batting an eye, taking his medicine like a veteran, for such he was as he had been there before—this being his second embarkment upon the sea of matrimony—although some did say they saw him indulge in some osculation just after the benediction.

When the car drove up just before the whistle blew, Jim jumped out and exclaimed:

"Whar's dat bed? I'se gotter see hit." It was promptly displayed to his satisfaction and the ceremony took place immediately afterward in a grove in front of the office building in the presence of some 75 or 80 people.

Jim looked extremely happy wearing a tall beaver hat, and his bride was smiling with childish confidence, her teeth gleaming from within a frame of ebony and old rose.

## Resolutions of Respect.

It is with a feeling of deep sorrow that we, The Woman's Missionary Society of the Hickory Methodist Church, must record the departure of one of our most loyal members, Mrs. J. M. Campbell.

We thank our Heavenly Father for the few years she lived in our midst and we do pray that more of us may be like her, ever faithful to duty and willing and anxious to help send light to those in darkness. Her's was a life so pure, so good and so full of love and devotion to her God, and we realize the fact that we have lost one whose presence and guidance will be greatly missed.

Therefore, let it be resolved: First: That we bow most humbly to Him in whom she trusted so implicitly.

Second: That we extend to the husband and family our deepest sympathy, and

Third: That a copy of this be sent to the family, one to each of the local papers and that they be recorded in the minutes of our Society.

MRS. R. J. FOSTER  
MRS. G. F. IVEY  
MRS. J. F. PETERSON.  
Committee.

## Typographical.

To print a kiss upon her lips  
He thought the time was ripe;  
But when he went to press she said:

"I do not like your type,"  
—Boston Transcript.

A kiss he printed on her lips  
And showed her no contribution,  
Because the artful mix inquired:

"Well, when's the next edition?"  
—Birmingham Age-Herald.

A kiss he printed on her lips,  
And she made this oration:  
"Please, please, continue doing that!"  
It boosts my circulation!"  
—New York Evening Sun.

For croup or sore throat, use Dr. Thomas' Eclectic Oil. Two sizes, 25c and 50c. At all drug stores. adv.

## W. N. C. CONFERENCE TO MEET AT REIDSVILLE

Some Figures of Years Work Among W. N. C. Methodists.

The Western North Carolina conference, which meets in Reidsville soon, the largest in the connection in point of membership, except two, includes 100,000 Methodists. This organization of Christians according to figures furnished The Democrat raised last year more than half a million dollars (to be accurate \$584,652.) They own probably (churches, parsonages and schools), valued at \$6,185,892. Each individual Methodist may be said he owns \$61.85 worth of church property.

The church paid last year its 246 ministers in salaries \$216,176; the average being \$882. Ten years ago 211 ministers received \$127,330, an average of \$603. The average increase in ten years 45 per cent.

Pastors and presiding elders receiving as salaries \$1,500 or more have grown from eight in 1904 to 31 in 1914. Only two charges, West Market Greensboro, and Central Asheville, paid their preachers then as much as \$2,000, and no districts; now there are five districts and eight charges that equal or surpass that figure. Four of the latter, West Market (Greensboro), Centenary (Winston), Central (Asheville), and Trinity (Charlotte), paying \$2,500 and Tryon street \$3,000.

At the bottom of the column, however, there are eight preachers, who received less than \$400 each, last year.

The property holdings during the decade have advanced 160 per cent, from \$2,385,802 to \$6,185,892. Per capita giving has gone from \$4.15 to \$5.85. North Wilkesboro stands easily at the head here. Each of her 240 followers of Wesley, under the head of that financial wizard, Parker Holmes, gave an average of \$40.80 to all purposes. West End (Winston Salem), stands next with an average of \$25.50. In contrast of these, the members of three charges, Ararat, Mars Hill and Glenville, fell below \$1 per capita for all purposes. Last year the largest total was raised by Centenary (Winston-Salem) \$21,647. West Market and Tryon Street (Greensboro) came next with \$19,629 and \$17,021, respectively.

The Missionary giving, home and foreign, plus the work of the women has grown in the ten-year period from \$34,273 to \$81,204, which is 136 per cent. This increase is to be accounted for largely by "specials." The fact is, that the number of charges paying in full assessments for foreign and domestic missions has fallen from 173 in 1904 to 88 in 1914. In other words, 146 charges now appear black on the conference chart, against 27 charges ten years ago. For this period 40 pastors achieved an unbroken series of successes in paying missions in full. With a similar uniformity 15 others have met failure.

Toward the end of each conference session, a chart exhibiting the standing for the current year of each charge on salaries and missionary collections is displayed on the conference wall.

Rejects Bids.  
After much discussion and study of the question the city council last Wednesday night decided to reject both bids made by the A. A. Shuford Mill company and the Southern Public Utilities company for the light and power franchise for the city of Hickory.

The City Manager will readvertise for bids at some future date.