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FRIDAY, MAY 31, 1901.

A CAREER OF EMPIRE.

The recent decision of the Supreme Court of the United States in the insular cases will be far-reaching in its results. By this decision the United States Congress may have the right to pass a tariff law imposing a duty on goods shipped from Oklahoma into Arkansas; a duty may be imposed on goods shipped from any territory of the United States into another territory or State.

By this decision Porto Rico is an integral part of the United States, yet does not come under the Constitution as far as it concerns the levying of tariff. Porto Rico is, in one sense, a part of the United States. Porto Ricans are citizens of Porto Rico; yet our Supreme Court says they are not citizens of the United States. The Supreme Court stood five to four in this decision. Four Republicans and one Democrat upheld the Republican administration. Two Republicans and two Democrats filed a dissenting opinion.

The Philadelphia North American, a Republican newspaper, closes an editorial on the subject as follows:

"Regret it as conservative Americans may, the nation has entered upon a career of empire. The Constitution is no longer the anchor of universal freedom under the flag. We are drifting full in the tide of European imperialism. Even the Supreme Court refers approvingly to a form of government for our new possession 'bearing great analogy to a British crown colony.' Henceforth our government takes on a change of form. We shall be prosperous, powerful, surpassing even Rome in our imperial grandeur, but we shall no longer be the simple Republic that the fathers founded. We may delude ourselves with euphemistic names for our policy toward the Porto Ricans and Filipinos, but the fundamental fact remains that they are to be our subjects and their islands our dependencies so long as we shall choose to hold them as such, and that we recognize no inalienable right of theirs to become citizens of the United States as we are ourselves."

A sensation has been sprung in the Superior court at Statesville. In a suit against the Southern Railway it has been charged that efforts have been made to corrupt the jury. J. A. Gorham, law agent of the Southern Railway, was found guilty and fined \$50 and sentenced to 20 days in jail. J. H. Brown, the juror whom he sought to influence was fined \$50. R. A. Ramsey, who sought to influence another juror was sentenced to 20 days in jail. They each appealed to the Supreme Court. Judge Brown is a firm and able judge and his summary dealing with those who attempt to corrupt his court will be hailed with delight by all honest citizens throughout the State.

A large stock of Summer Coats, extra length, at Grantham, Austin & Co.'s.

No Check on Expansion.

The decisions rendered by the Federal Supreme Court yesterday in the Porto Rican cases sustain the Administration in its contention that "the Constitution does not follow the flag." The hopes of the anti-imperialists that the tribunal of last resort would negative the proposition that Congress has despotic power over our new possessions have been utterly overthrown.

To be sure, the Court holds that Porto Rico, upon the ratification of the treaty of Paris, ceased to be foreign territory and that, therefore, the Dingley duties did not apply and may be recovered by those who paid them. But the Court also holds that the moment Porto Rico became ours, Congress had the constitutional right to levy such duties upon the commerce of the island as it saw fit.

On the general question of the constitutional power of the Federal government to legislate specially for newly acquired territory the Court says:

"Patriotic and intelligent men may differ widely as to the desirability of this or that acquisition, but this is solely a political question. We can only consider this aspect of the case so far as to say that no construction of the Constitution should be adopted which would prevent Congress from considering each case upon its merits, unless the language of the instrument imperatively demanded. A false step at this time might be fatal to the development of what Chief Justice Marshall called the American Empire. Choice in some cases, the gravitation of small bodies toward larger ones in others, the result of a successful war in still others, may bring about conditions which would render the annexation of distant possessions desirable. If those possessions are inhabited by alien races, different from us in religion, customs, laws, methods of taxation and modes of thought, the administration of government and justice according to Anglo-Saxon principles may for a time be impossible; and the question at once arises whether large concessions ought not to be made for a time that ultimately our own theories may be carried out and the blessings of a free government under the Constitution extended to them. We decline to hold that there is anything in the Constitution to forbid such action."

Thus chartered, the American Republic is free to extend its authority wherever it may find it feasible and expedient to do so, and bestow upon annexed territory any form of government not specifically forbidden by the Constitution. Practically we are now under no more restrictions than is the British Empire.—Philadelphia North American.

The Constitution Does Not Follow The Flag.

The Philadelphia North American thus summarizes the recent decisions of the Supreme Court of the United States as touching the States of our new possessions: "The Supreme Court holds in the De Lima Case which involved the importation of goods into the United States from Porto Rico after the ratification of the treaty of Paris and before the passage of the Porto Rican act:

"That the territory acquired by the United States is a part of the United States and not foreign territory, and that such import duties could not be levied.

In the Downes Case the United States Supreme Court decides, in an opinion by Justice Brown, that while Porto Rico is a territory of the United States, it is not such for tariff purposes, and that the Foraker act is constitutional.

In the decision the following propositions are established:

1. That the District of Columbia and the Territories are not States, within the judicial clause of the Constitution giving jurisdiction in cases between citizens of different States.

2. That Territories are not States, within the meaning of Revised Statutes, Section 709, permitting writs of error from this court in cases where the validity of a State's statute is drawn in question.

3. That the District of Columbia and the Territories are States, as that word is used in treaties with foreign powers with respect to the ownership, disposition and inheritance of property.

4. That the territories are not within the clause of the Constitution providing for the creation of a Supreme Court and such inferior courts as Congress may see fit to establish.

5. That the Constitution does

not apply to foreign countries or to trials therein conducted, and that Congress may lawfully provide for such trials before Consular tribunals, without the intervention of a grand or petit jury.

6. That where the Constitution has been once formally extended by Congress to Territories, neither Congress nor the Territorial Legislature can enact laws inconsistent therewith.

The court has sustained the Government's contention that the Constitution does not follow the flag—that is, not all parts of the Constitution. The lay mind, and, as we may judge from Justice White's bewilderment, the legal mind also, will find it hard to recognize the consistency of Justice Brown's reason in the Downes case, upholding the lawfulness of duties under the Foraker act, with the opinion in the De Lima case, denying the duties collected prior to that enactment were lawful.

The popular effect of these opinions of the court and in some measure their legal weight will be diminished by the number and ability of the dissenting opinions. A court divided five to four does not speak with quite the same authority as a court that is unanimous. And Justice White's majority opinion is historically and we think, legally, much sounder than that of Justice Brown, in whose conclusion he concurs. Nevertheless, the decisions are binding so long as they shall be upheld by subsequent opinions of the same tribunal.—New York Times.

The constitution does not follow the flag. So says the Supreme Court and its decision is the law of the law.

A warm fight is on in South Carolina. Senator Tillman and McLaurin have both resigned and will go on the stump and canvass the entire State. The Senate is not big enough to hold them both, so they will leave it to the people of their State to say who shall represent them in the United States Senate.

The President Arrives in Washington.

Washington, May 30.—The train bearing the President and Mrs. McKinley arrived here on schedule time at 7:30 o'clock this morning. Mrs. McKinley was immediately removed to the White House in a carriage. She looked pale and worn, the natural result of the grave ordeal through which she had passed. Secretary Cortelyou stated that she was bearing up well and was gradually improving. The President will today attend the memorial day exercises at the National Cemetery Arlington, if there is no change for the worse in his wife's condition. No demonstration marked the early morning run to Washington. A few people gathered at points along the way, but the greeting was in accord with the spirit which has prevailed since the start homeward last Saturday. In Washington several hundred people lined the sidewalks. The police cordoned the station and at intervals along both sides of the track reserved for the train. Among those present were: Second Assistant Postmaster General Schallenberger, Major Pruden, Assistant Secretary to the President, President McFarland of the Board of District Commissioners, and Colonel Bingham, Superintendent of Buildings and Grounds. The President was on the platform when the train rolled in and bowed to a few who lifted their hats in salute. Mrs. McKinley was removed from the private car Olympia in a chair borne by the President and Dr. Rixey, assisted by several others. A meeting of the cabinet will be held tomorrow.

Negro Burned at the Stake.

Bartow, Fla., May 29.—Fred Rochelle, a black negro, 35 years of age, who at noon yesterday criminally assaulted and then murdered Miss Rena Taggart, a well known and respectable white woman of this city, was burned at the stake here early this evening in the presence of a throng of people. The burning was on the scene of the negro's crime, and within a hundred yards of the principal thoroughfare of this city.

The assault was one of the boldest and coldest blooded ever committed in Florida.

SPRING GOODS.

SPRING GOODS.

My stock is complete in each department. You are cordially invited to call and look through my new spring stock of goods.

IN MY Dress Goods Department

I have a beautiful line of Worsteds in all the newest spring shades.

—MY STOCK OF—

Pique, Dimity, Percales, LAWNS, PRINTS,

Silks, Ribbons, Laces, Hamburg, Belts, Ties

AND LADIES' COLLARS

is full and complete.

Ladies', Misses' and Children's SHOES.

In this department I have a nice line in Button, Lace and High Cuts. Also

Oxford Ties,

Oxford Button and Strap Sandals, in all styles, sizes and prices of

Zeigler Bros.' Fine Shoes.

Millinery Department.

In this department we have one of the most complete lines we have carried any season heretofore. Our trimmed hats are up-to-date and we invite you to call and take a look at as neat a line as you will find in most of the cities, and much cheaper. We have a full and complete line of

Flowers, Berries, Braids, Chiffons, Foliage, Buckles and Fancy Ribbons

Also a full line of nice Sailors and Walking Hats. Latest styles in black and white. Misses' and children's hats and caps in nice shapes and fancy colors for spring and summer. Come to see us for your hats, and if we should not have one to suit you Miss Beckwith would take pleasure in trimming one up to suit you.

Gents' Furnishing Goods Department.

In this department I have put in a full stock that is up-to-date. I have a beautiful line of men's, youths' and boys' suits in all of the latest styles and cuts. Black, Brown, Blue, Grey, and Checks. Also a nice line of Men's and Boys'

Thin Coats and Vests for Hot Weather

WEAR VERY CHEP.

Also nice line of fancy DRESS SHIRTS, CUFFS, COLLARS AND TIES.

Nice Line Fur and Fancy Straw Hats.

Men's and Boys' Fine Hand Sewed Shoes in Calf and Vici from \$2 to \$3.25. Also a large stock of men's and boys' Dress Shoes very cheap.

Trunks, Valises and Umbrellas.

Come and look at my prices before you buy, and I am sure I can save you some money.

Very Respectfully,

W. G. YELVINGTON,
SMITHFIELD, N. C.

SPECIAL BARGAINS.

Just received 10 dozen \$1.00 shirts to sell at 85 cents each. 10 dozen 75 cent shirts to sell at 50 cents each.

Grantham, Austin & Co.

PARIS GREEN.

Lowest prices in 5lb and larger quantities. See me before you buy if you want to save money.

ALLEN LEE, Druggist,
Smithfield, N. C.

L. M. Reynolds' fine shoes are sold by Grantham, Austin & Co.

Gents, when you wish to buy a nice spring dress suit, summer coat, fine pair pants, nice straw or fur hat, and fine shoes at rock bottom prices call on W. G. Yelvington.

Arrow Brand Collars and Cuffs at Grantham, Austin & Co.'s.

COTTER, UNDERWOOD & Co. will have on hand fertilizers for tobacco and cotton all during the season.

Nice Tennessee Mules and Horses for sale cheap, for cash, or on time at Gardner's Stables.
W. R. LONG.

Battle Axe shoes at Grantham, Austin & Co.'s.

We have commenced work at brick yard and will have plenty brick soon. W. M. SANDERS.

Grantham, Austin & Co. sell Hay, Corn and Feedstuff.

The Best 10c coffee in the world at N. B. Snipes & Bro., Selma, N. C.

Grantham, Austin & Co. carry a large line of Gents' Furnishing Goods.

Grantham, Austin & Co., sell ready-made clothing.

The Smithfield Hardware Co. wants to buy 500 pounds nice hams and 500 dozen eggs. They will pay highest market price.

THE HERALD and Home & Farm one year for \$1.25.

THE SPRING SEASON IS NOW

OVER

and the dull summer months are making their appearance. It is not my policy to stand still and do nothing. So I will for the month of June mark down lots of goods to prices that will astonish you.

5c. Lawns for 4c. 6c. Lawns for 5c.
8 1/3 CENT LAWNS FOR 7 CENTS.

A beautiful line of Lawns, Dimities and Organdies at 10c., 12 1/2c., 15c., and 20c.

A nice line of Suitings for full suits or skirts, worth 10c., now marked down to 8c.

Crash for Skirts, plaids and stripes worth 12 1/2c., now 10c.

A full line of Percales for Ladies' Shirt Waists, Boys' Waists and Men's Shirts, 10 and 12 1/2c.

Gents, see my line of

WHITE AND FANCY SHIRTS.

New and Up-to-date Styles, 50c., 75c., and \$1.

Don't forget my **2 SPOOLS CLARK'S COTTON FOR 5C.**

10 Cent Stockings Umbrellas
for Misses and children—the best ever sold for the money. for 40c., 50., 75., \$1, \$1.25 to \$2.50.

ALL TRIMMED HATS,

Ladies', Misses', and Children's, at greatly reduced prices. A nice line of

Babies' Lace and Embroidery Caps.

Also Tams and Cloth hats for children.

W. L. WOODALL.

Smithfield, N. C.

Bill Files, Letter Files,

LEGAL AND FOOLSCAP PAPER, PENS and Penholders for Sale at Herald Office.