

Watauga Democrat.

VOL. XVIII.

BOONE, WATAUGA COUNTY, N. C., THURSDAY JANUARY 31, 1907.

NO. 39

PROFESSIONAL.

L. D. LOWE,
ATTORNEY AT LAW,
BANNER ELK, N. C.
Will practice in the courts of Watauga, Mitchell and adjoining counties. 7-6-'04.

Todd & Ballou,
ATTORNEYS AT LAW,
JEFFERSON, N. C.
Will practice in all the courts. Special attention given to real estate law and collections. 6-15-'06.

J. E. HODGES,
Veterinary Surgeon,
SANDS, N. C.
Aug. 6. 1y.

F. A. LINNEY,
ATTORNEY AT LAW,
BOONE, N. C.
Will practice in the courts of the 18th Judicial District in all matters of a civil nature. 6-11-1906.

EDMUND JONES,
LAWYER,
LENOIR, N. C.
Will Practice Regularly in the Courts of Watauga, 6-1-'06.

J. C. FLETCHER,
Attorney At Law,
BOONE, N. C.
Careful attention given to collections.

E. F. LOVILL
ATTORNEY AT LAW,
BOONE, N. C.
Special attention given to all business entrusted to his care. 1-1-'04.

A. A. Holsclaw,
ATTORNEY AT LAW,
Mountain City, Tennessee.
Will practice in all the courts of Tennessee, State and Federal. Special attention given to collections and all other matters of a legal nature. Office north east of court house. Oct. 11, 1906, 1y.

E. M. MADISON, D. D. S.
BALDWIN, N. C.
I am now located here for the practice of Dentistry, and am making Bridge and Crown work, the most intricate work known to the profession, a specialty. My work is all done under a positive guarantee—no satisfaction, no pay. Nothing but the best material used in the execution of any of my work.

E. S. GOFFEY,
ATTORNEY AT LAW,
BOONE, N. C.
Prompt attention given to all matters of a legal nature. Abstracting titles and collection of claims a specialty. 1-1-'07.

W. H. BOWER,
ATTORNEY AT LAW,
Lenoir, N. C.
Practices in the courts of Caldwell, Watauga, Mitchell, Ashe and other surrounding counties. Prompt attention given to all legal matters entrusted to his care.

WASHINGTON LETTER.

From Our Regular Correspondent.

Everything points to a demand for further railroad legislation by Congress when the present investigation of the Harriman and Hill lines shall have been concluded. No one can tell yet what remedial form such legislation will take for the government is bound to confess that it is confronted with a very serious situation. Much has been made over the government's victory in the Northern Securities case, but all reports indicate that it was a hollow victory, and while the Northern Security Company was officially dissolved, its effects have remained, and Mr. Hill's two railroads, the Great Northern and the Northern Pacific, are working in just as close community of interests, and as effectually avoiding all competition, as though their stocks were actually in possession of a holding company.

The distress of the communities served by these two roads is shown by the fact that another investigation of their relations is now projected by the Interstate Commerce Commission. All of the facts too, brought out by the investigation of the Harriman line, so far as that investigation has proceeded, indicate that they are working in complete harmony and swatching the whole territory they are supposed to serve, as effectively as though they were being operated by a holding company.

The worst of the situation is that the government does not know exactly what to do about it. If winning a suit and getting an offending company dissolved does not remedy matters, something radical will have to be done to make the federal government master of the situation. It can hardly go to work and confiscate a railroad or any other property that a man owns and yet it would seem from the present outlook that nothing short of confiscation would meet the requirements in the case. There is a great deal of discussion as to whether or not government appointed freight agents would act as a remedy, and yet this leads very strongly in the direction of ultimate government ownership.

The same situation is being faced in connection with the standard oil suits, and the question has been seriously raised by the Department of Justice as to whether the Standard could be dissolved in a practical way that would be of any benefit to the consumer.

Another question which it is understood will shortly be treated by the President in a special message, is that of forcing the railroads to move coal cars through the fuel famine districts of the northwest. President Hill of the Great Northern, has solemnly assured the Government, that he is doing everything in his power to help the situation, but it is claimed that 1,500 coal cars are being held up in Minneapolis as the result of a minor quarrel between the railroads and the shippers over demurrage charges. The President wants the Interstate Commerce Commission given authority to deal with car shortage as rigorously and as promptly as it may now with rate complaints, and it is understood a bill to this end will shortly be introduced in Congress.

There is scarcely any longer an effort to conceal the fact that the Brownsville riot dispute has ceased to be anything other than a stalking horse for an attack on the President and his supporters in Congress. The matter was brought to a sharp issue this week by Senator Blackburn, who

introduced a resolution presumably at the instance of Senator Culbertson specifically exempting the President from any responsibility in the proposed Congressional investigation of the Brownsville affair. This resolution was putting in black and white what many of the republican members wished to do quietly, and that was to leave out of the question the constitutionality of the President's action. But by making it a specific part of the resolution, Senator Blackburn was able to line up the supporters and opponents of the President very neatly. It is not believed that the Republican managers will allow the matter to come to a vote, but it is thought they will settle the resolution with amendments, and then lay the whole thing on the table.

Mr. Crumpacker, this week, introduced a bill which if passed will open the door to all sorts of get-rich-quick schemes which depend for success on a free use of the mails. There seems to be no logical reason for the enactment of this bill. As the case stands now, when the Inspectors of the Post-Office Department discover that a fraudulent scheme is being worked through the mail, they so report the case and the fraud order is issued against the offending party or parties. Since the law permitting this procedure has been in force 2,400 fraud orders have been issued, and in only 30 of these cases has action of the Post Office Department been contested in the equity court. The bill now introduced proposes to shift the scene of the contest from Washington to the residence of the party against whom the fraud order is issued, and give him access to the law side of the courts in fighting the ruling of the Department. This will vastly increase the expense of sustaining the Departmental ruling and will make it much easier for fraudulent schemes to be carried on while the Post Office is fighting to suppress them.

A bill has been reported to the Senate which is intended to remedy a serious defect in the patent laws. It provides that the owner of a United States patent shall be allowed to sue the government in the court of claims and recover damages for use of the patent, even though no contract shall have been proved. This defect in the law was brought out in a recent decision of the Supreme Court, and this defect the bill is intended to remedy.

The meeting of the National Board of Trade failed in one of the essential points which the delegates believed would be carried when the convention first assembled. That was in failing to recommend the establishment of a parcel post in this country. It had been held that such a post would be an immense advantage to retailers and consumers all over the country, and would relieve them from the tyranny of the express companies.

A Western Wonder.

There's a hill at Bowie, Texas, that's twice as big as last year. This wonder in W. L. Hill, who from a weight of 90 pounds has grown to over 180. He says: "I suffered with a terrible cough, and doctors gave me up to die of consumption. I was reduced to 90 pounds, when I began taking Dr. King's New Discovery for consumption, Coughs and Colds, and now, after taking 12 bottles, I have more than doubled in weight and am completely cured." Only sure Cough and cold cure. Guaranteed by all druggists, 50 cts, and \$1 Trial bottles free.

There never are two talents given to those who are unwilling to invest the one.

Landmarks for Rate Bill.

(News and Observer.)

It is a gratifying fact that in the passage of a bill to establish passenger rates, the present Legislature has in several decisions of higher courts the means of knowing with certainty how a law can be drafted which will be operative.

So far from causing the uncertainty which the railroad interests are urging upon the legislators in the interest of a half-way measure, these decisions make the question one of plain spelling where otherwise it would be better with doubt and difficulty.

Judicial decision has blazed the path of the principles involved; it now remains for the Legislature to draft a law which shall recognize the principle indicated and at the same time the circumstances of the need in this State.

The leading case, generally recognized as such, in the matter of rate regulation is that of Smyth vs. Ames in the 169 United States Reports, from Nebraska.

In that case the power of the State to establish the rates is conceded, subject "to the fair value of property used and the services rendered and not merely to pay expenses, interest and dividends, nor in order to realize profits upon an expensive valuation or a fictitious capitalization." It is also fixed as a principle by this and other cases that the rate to be fixed by the State is limited only by the consideration that it must not be so low a rate as to prevent the earning of a fair return upon the real value of the property from inter-state shipments or passenger fares, and that it is competent for the rate-fixing power to put in effect differing rates on different roads upon an equal ratio of rates to earnings.

The Virginia decision, so much talked of and so widely used as a threat, has no application, either to North Carolina conditions on the main question or the bill demanded in this State on the subsidiary question. The Virginia law attempted to provide a two cent mileage book in addition to a maximum rate of three cents determined by the act for ordinary travel. This the court declared to be unconstitutional as in violation of the principles announced in R. R. vs. Smith, 173 U. S. 684, (the Michigan case) in which the Supreme Court held to be unconstitutional a bill designed to compel railroads to keep mileage books on sale at a lower price than the otherwise established maximum rate. In the Virginia case, also, it was held that under the new Virginia constitution, the sole power to establish and regulate rates was vested in the Corporation Commission, an attempt of the Legislature in that respect being therefore ultra vires.

In drafting a bill for North Carolina, therefore the Legislature should have no trouble in establishing a rate upon roads earning so much a mile and another rate upon those earning a larger sum. The rate so fixed would have raged to ascertained facts with respect to earnings, and should be safe from attack. On the North Carolina railroad for instance, with its million dollars profit, a two cent rate would clearly leave a sufficient profit from operation.

The Right Name.

Mr. August Sharpe, the popular overseer of the poor, at Fort Madison, Ia., says: "Dr. King's New Life Pills are rightly named, they act more agreeably, do more good and make one feel better than any other laxative. Guaranteed to cure biliousness and constipation, 25 cts. at all druggists."

Seeking to Banish God.

(Charlotte Observer.)

What the New York World calls "the most radical anti-Christian innovation made by a European state since the revolutionists banished 'year of our Lord' (Anno Domini) from the calendar for 'year of the republic' is the recent action of the French Minister of France in directing the mint authorities to drop from the coins the motto, "God Protect France" and substitute for it the words, Liberty, Equality, Fraternity." This is one of a number of developments which are making it impossible for any except the most wilfully blind to deny any longer that it is a wave of the animosity toward religion inherent by the Third Republic from the French revolution, and not mere anti-clericalism, which has swept over France and culminated in the recent breach with Rome. However ill-advised the Vatican's extreme attitude toward the enforcement of the separation law may have been, the motives actuating the dominant element in France have been clearly revealed. And now comes a demand from one of the leaders of "anti-clericalism" for what he regards as "true religious liberty." From the Paris correspondence to the New York Evening Post we take the following about him and his ideas:

"M. Aulard is professor at the Sorbonne; the municipal council of Paris founded his professorship of French revolutionary history, and chose him for the post. He demands in the name of the separation law that Notre Dame and the other churches shall be left open to the worship of any and every religion. Because they were built by Catholics is not a reason why "Papists, the most unassociable of all religious sects," should have the sole use of the churches. The state has no right to choose among the different sects which ask for the use of the church buildings; it has no means of deciding which is best; therefore it ought to open the churches of all religions. This is the way they did during the great French revolution when the Theophilanthropists held their worship in Notre Dame cathedral, although Catholics then as now showed their ill-will.

"Professor Aulard explains what he understands by religious liberty. It belongs to the municipal authorities to see that the Roman sect has no privilege of exclusive use of the churches, and that, by distributing equitably such use, true liberty of worship be secured. As any new churches which Catholics might build for themselves would equally fall under this interpretation of the law, it follows that Catholics would never have any church of their own."

What would any or all the religious denominations of the United States think if government action of this nature should be seriously threatened against them? It will be observed that the demand applies to new churches which may be erected in France as well as those toward whose cost of erection the State in the past contributed a part. The apologists of the French government in this country have a task too great for mortal men,

How to Cure Chilblains.

"To enjoy freedom from chilblains," writes John Kemp, East Otisfield Me., "I apply Bucklen's Arnica salve. Have also used it for salt rheum with excellent results." Guaranteed to cure fever sores, indolent ulcers, piles, burns, wounds, frost bites and skin diseases. 25c at all druggists.

A man isn't necessarily absent-minded because he mistakes his confidence.

When You Take Cold

One way is to pay no attention to it; at least not until it develops into pneumonia, or bronchitis, or pleurisy. Another way is to ask your doctor about Ayer's Cherry Pectoral. If he says, "The best thing for colds," then take it. Do as he says, anyway.

Ayer's

When the bowels are constipated, poisonous substances are absorbed into the blood instead of being daily removed from the body as nature intended. Knowing this danger, doctors always inquire about the condition of the bowels. Ayer's Pills.

BANK STATEMENT.

Following is the report of the condition of the Watauga County Bank at Boone, N. C., in the State of North Carolina, at the close of business Nov. 12, 1906:

RESOURCES.	
Loans and discounts	\$26,716.10.
Overdrafts unsecured	273.46.
Overdrafts secured,	475.23.
Banking house	1,211.41.
Furniture and fixtures	400.00.
Due from banks and bankers	6,988.03
Gold coin,	690.00
Silver coin, including all minor coin currency.	511.04.
National bank notes and other U. S. Notes	1,749.00.
Total.....	\$39,014.36.
LIABILITIES	
Capital stock	\$10,000.00.
Undivided profits less current expenses and taxes paid	3,539.10.
Bills payable	3,546.00.
Time certificates of deposit included in bills payable	
Deposits subject to check	23,600.51.
Cashier's ck's outstanding	328.75.
Total.....	\$39,014.36.

State of North Carolina, Watauga county, ss: J. E. S. Coffey, Cashier of the above named bank, do solemnly swear that the above statement is true to the best of my knowledge and belief.

E. S. Coffey, Cashier.
Correct—Attest: W. C. Coffey, N. L. Mast, Directors.
Subscribed and sworn to before me, this 22nd day of Nov. 1906.
J. M. May, Register of Deeds.

A GUARANTEED CURE FOR PILES. Itching, Blind, Bleeding, Protruding Piles Druggists are authorized to refund money if PAZO OINTMENT fails to cure in 6 to 14 days. 50c.

A woman doesn't greatly object to confessing her age if she doesn't look it.

The Cause of Many Sudden Deaths.

There is a disease prevailing in this country most dangerous because so deceptive. Many sudden deaths are caused by it—heart disease, pneumonia, heart failure or apoplexy are often the result of kidney disease. If kidney trouble is allowed to advance the kidney-poisoned blood will attack the vital organs, causing catarrh of the bladder, or the kidneys themselves break down and waste away cell by cell. Bladder troubles almost always result from a derangement of the kidneys and a cure is obtained quickest by a proper treatment of the kidneys. If you are feeling badly you can make no mistake by taking Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy.

It corrects inability to hold urine and scalding pain in passing it, and overcomes that unpleasant necessity of being compelled to go often through the day, and to get up many times during the night. The mild and the extraordinary effect of Swamp-Root is soon realized. It stands the highest for its wonderful cures of the most distressing cases. Swamp-Root is pleasant to take and is sold by all druggists in fifty-cent and one-dollar size bottles. You may have a sample bottle of this wonderful new discovery and a book that tells all about it, both sent free by mail. Address, Dr. Kilmer & Co., Binghamton, N. Y. When writing mention reading this generous offer in this paper. Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

