

LINNEY REPLIES TO SETTLE.

The Eighth District Congressman Makes a Weak and Evasive Reply to Mr. Settle's Unanswerable Arguments.

TAYLORSVILLE, N. C.,
Nov. 8, 1899.

Hon. Thomas Settle, Greensboro,
N. C.:

MY DEAR SETTLE:—I was glad to hear from you. I write, I hope, under an inspiration which the lofty language of that great sage, Dwarria, should awake in every bosom. If I can be of any aid to you, my dear friend, in directing you back into the paths of political righteousness, from which you have so recently wandered, I will say "amen" to the slaying of the fatted calf and rejoice in the return of the prodigal son to his father's house.

You have been correctly informed about the purpose of the Republican executive committee to test the constitutionality of the new election law. I do not know exactly the legal procedure to be adopted, and if I did, I would be slow to inform the enemy thereof. Not that I consider you a Democrat, but the published answer would avail our adversaries. General Otis would be court-martialed and shot were he to acquaint Aguinaldo with the plans of the American War department. Dreyfus served a term on Devil's Island for a similar offense. In this war of opinion it would be unprofessional for those who propose to fight the new election law in the courts to publish every step in contemplation. The text-books are full of remedies for all wrongs, and our own courts have in many cases passed upon the constitutionality of a statute. They have already adjudged that some of the acts of the present General Assembly are unconstitutional and void.

Is it not true that the statute book of the General Assembly of 1899 contains more than all the statutes for ten General Assemblies immediately preceding? Such is the perfection of the law that there is no mischief without a remedy. You, my brother Republican, do not pretend that the present election statute is constitutional. Speaking of the quo warranto action which is the remedy to try the title to an office generally you say: "Even if the courts should entertain such an action and decide the election law unconstitutional, etc., what benefit will it be to the Republican party? The Legislature is to meet in June next and would immediately pass an election law similar to the one we now have, so it would be labor lost." Did my friend think before he said that? Not with his usual sagacity. An unconstitutional act is a great public injury. My distinguished friend was once solicitor, and in my opinion one of the very best the state ever had. I once defended a poor reprobate whom he prosecuted for stealing a chicken. I think. Suppose I had then made the same argument in that case that my friend is making here, and had informed the court and jury that it would do nobody any good to convict this thief, because if he is convicted of stealing this blue hen, he will steal the red game rooster as soon as he gets out of the penitentiary next July? Will my friend be kind enough to tell me (in a private letter) exactly what sort of a reply should be made to that sort of argument? I do not believe the present Democratic Legislature, or any other body of men with intelligence enough to understand the legal consequence of a false oath, would attempt to re-enact such a statute which our Supreme court had adjudged unconstitutional and void. No, not even Aguinaldo's legislature would be guilty of such immorality and stupidity. Your letter implies that our General Assembly is totally oblivious to the idea of constitutional morality, as the late lamented Judge Jere Black called it. If the new election law is unconstitutional, it is void. How is that? Judge Cooley, in his treatise on constitutional limitations, which rest on the legislative powers of the states, fifth edition, page 774, teaches "that one entitled to vote shall not be deprived of the privilege by the action of the authorities, is a fundamental principle." And at page 758, "all regulations of the elective franchise, however, must be reasonable, uniform and impartial; they must not be for their purpose, directly or indirectly, to deny or abridge the constitutional right of citizens to vote or unnecessarily to impede its exercise; if they do, they must be declared void." But my friend says the old election law was destroyed by a separate repealing act passed more than a month before the new law went into effect. The new law has a sweeping repealing clause in the last section thereof, so that there was an

attempt to repeal the old law and all other election laws by two separate acts, something new under the sun, and therefore the argument is, we must, perforce, take the new law, or have none at all. I think, however, it is a principle of law that all statutes on the same subject by the same General Assembly are considered as one. It is also clear that if a statute repealing another is repealed (or is invalid,) the old law is thereby revived. I have a sort of lurking suspicion that this unusual proceeding of the General Assembly in passing a separate law to repeal the old law, and all other laws on the subject, was born of a doubt in the minds of the draughtsmen of the act as to its constitutionality. What else could have prompted this course? Possibly our Democratic managers dreaded the courts in prosecutions for violations of the old law at the last general election, about which so much was then being said. The repeal of an act creating a crime, or imposing penalties, prevents any prosecution for such crime. One or both these motives must have moved the draughtsmen. But which would any reflecting mind prefer, an unconstitutional statute or no law at all on any one subject? If a statute is unconstitutional, its enforcement breeds contempt for law and order and involves tyranny and perjury. Indeed, yellow fever and leprosy are tame agents of woe in comparison with the train of evils that spring from the arbitrary exercise of power under an unconstitutional statute. I cannot believe that any rational mind favors submission to an unconstitutional act.

Your suggestion, my dear friend, that if the "grandfather clause" of the proposed constitutional amendment is held to be void by the courts, that the Republican party will be derelict in duty, is unworthy of so pure a mind and heart as you possess. That man who slays a mad-dog and prevents the spread of hydrophobia is a public benefactor. There, at most, only a few are in danger. An unconstitutional law is the tooth that may pierce and poison the vital spark in the body politic. That man or organization of patriots who have the courage to stop this most dreaded mischief, are the republic's most loyal and valued citizens. Are they not? Then why do you send out to our political adversary, to be used by them, such faulty arguments and questionable ethics under the mark and brand of a Republican? I confess I dread the power of the label, "Hon. Thomas Settle," although the argument is at best an awkward makeshift for a powerful, young and ambitious man, who has sinned, grievously sinned, touching this great war of opinion, in which the honor and life of his political opponents may be involved. Tested by the elementary principles of election law, so clearly stated by Judge Cooley, who dares maintain the constitutionality of this new statute? The mere recital of some of its provisions proves its purpose. Suppose my brother Settle and myself—Republicans—had locked ourselves up in a cage of wrought iron so thick that the vigilance of the angels could not break through to disturb us in our mean designs to draught a statute that would enable us to cheat Democrats and others who did not agree with us politically; could we have better accomplished that end than by passing a law similar to this new law, and placing such a machine in the hands of our friends? In that dark hole of disloyalty to truth and patriotism I will imagine the following exchange of thought:

"Well, Tom, we want a statute that will make certain our victory at the polls in all future elections. How will it do to make a law that places the power to have all the registrars selected by the Republican organization?"

"Well," says Tom, "that will do pretty well."

"We may be able to find blind partisans enough to use the registration books to our advantage, and if we will have a new registration of all the voters of the State, and can give the people only twenty days in which to register, I think we can keep out at least one-tenth of our political adversaries."

"But," says Tom, "how will it do to strike out of the old law all of the two righteous provisions which allows each party the right to select its registrars and election judges, and which requires the election precincts to contain not more than 350 voters, so that all the good and lawful men would have an opportunity to vote, and let us Republicans have the right to select all the registrars and judges and alter the voting precinct, so that 3,000, in our discretion, may be forced to vote at one voting precinct?"

"This would be a little wicked, would it not?"

"You see, my friend, the mother is naturally the best witness. Who knows as much of the day of the birth of her son as a good mother? You know, Tom, that King Solomon gave the most righteous judgment ever recorded in human affairs in the contest between the two harlots about 'whose was the dead baby.' This ancient judge analyzed a tear on the cheek of the true mother and founded his judgment on a principle of natural law—maternal affection. But we will render all mothers incompetent to testify. How many Democrats could we exclude by this means? Well, I should say this now completes our work."

"No," says Tom, "it will be a great thing to give to our loyal registrars judicial powers. I know that a discretion has been criticized by some of the old black-letter law writers, as a crooked and roguish thing, so let us lodge with our loyal registrar, the adjudge at his discretion that the trembling applicant, who has just passed through a fiery ordeal, has the right to vote."

And here the force of draughting a fair election law ends. Now does not my dear friend, I ask in all candor, know that all this is made possible by section 11 of the new election law? Gird up now thy loins like a man and answer your former political associates before you slaughter them. There are more necessary averments to be made in an application for registration under the new law than are found in an ordinary complaint for divorce or slander. And never before since the morning stars sang together did it enter the mind of man, a citizen of a republic, that after all the facts are in, to use, the exact language of an eminent Democratic lawyer who wrote me on the subject yesterday: "That an ass of a registrar, who is himself not sworn, could stand mute and refuse to adjudge, as the new law requires, and thereby rob an American freeman of his high prerogative—the election franchise. The only protection we have in this new election law is that the seven men who compose the State board of elections and the three who compose the county board of elections, are to be discreet men. Thus this whole scheme of fraud and shame is to be wrapped up in the word 'discreet.' Have you not noticed that when men contemplate an act of villainy, they get awful pious in spots? I can find no definition of the word 'discreet' in the law books. In St. Mark, 12th and 13th, 'a discreet man' is defined to be 'one that is not far from the kingdom.' But how long will these discreet men remain near the kingdom under this new statute, which presses day and night with temptation to do wrong? Suppose the English Commandment should read:

"Thou mayest steal," what would this world have been if managed by the discreet at the end of the first century, of the Christian Era? That is just what this statute does touching the subject of elections. It strikes out the word "not" in the Eighth Commandment and inserts the word "mayest." And this is the new election law under which the free American citizen is expected to vote for that which is still more objectionable, the proposed constitutional amendment. If this statute is valid without the constitutional amendment, what sort of law can be made with it? Under the proposed amendment, an educational qualification can be required, and that brings about the necessity of having a board of election officers to be selected by the discreet (I suppose) to pass upon the educational qualification of the citizen, by a sort of civil service examination. Sir, you know the Republican party always turns a face of flint against all forms of wrong and oppression, and they will struggle as with beak and claw against the attempted enforcement of this invalid statute. Your letter clearly shows a disposition of submission on your part. You seem to think that we are bound hand and foot and are without remedy. The spirit of patriotism and martyrdom, which alone gave men liberty, and which is all that can perpetuate that liberty, condemns, with burning indignation, this disposition to submit to the dictates of tyranny. But, sir, we are not remediless, even if the courts shall not declare it void; we may still defeat it. I have hope in the common honesty of the people. Look at Kentucky; many noble men like the Hon. ex-representative Owens, declared from the stump, we are told, "I am a Democrat, but I am not a thief." Allow me to make simple illustration: In the late war between the States William Millstead, James Miller and I obtained permission to go out of camp to hunt some refreshments. We came to a house where we saw two ladies and some small children. They gave us a morsel to eat which only sharpened the appetite for something good. We observed two gray caps hanging on the wall. When we left we drove away three large, fat turkeys; when we reached the top of a mountain these turkeys flapped their wings from heat. We caught the turkeys and sent Comrade Miller to the camp to bribe a sentinel to let us in at night. Millstead said to me: "What do you think of the moral quality of the act? Did you see the Confederate caps hanging on the wall? These are the caps of our brethren in arms?" "Yes," said I, "and these sweet little children are theirs. Is it right to rob them in this way?" Here our moral manhood asserted its dominion, even against the demands of hunger. We turned the turkeys loose.

In doing so, you degrade yourselves. There are thousands of honest men in all parties, like the great Democratic lawyer who wrote me yesterday, who will help us "break the jaws of the wicked."

It is no excuse for you, Brother Settle, that I and others of the Republican party favored the limited coinage of silver in opposition to the national Republican platform, if such be the cause. Our offense is but a simple assault compared to murder in the first degree. To give aid to those who stand armed with a dagger to inflict the mortal wound with malice aforethought upon that organization, to which your politician comrades belong, is the greatest political crime. Our Democratic friends want to disfranchise the Republicans and Populists, because, they say, we are unworthy. Ignorance and poverty must not govern. They then unjustly attempt to assail the men who have honored you and me. The largest percentage of white voters are in Mitchell and Wilkes counties, where the largest Republican majorities are given, while in counties like Halifax, where the largest negro majority exists, the returns show great Democratic strength.

In a letter written recently by the chief of the clausmen, Chairman Simmons, and which appeared in The Observer, he complains of the wealth of the Hon. Richmond Pearson, the Republican candidate for Congress in the ninth congressional district, and bewails the poverty of the Democratic candidate. It is comforting to a Republican to record the fact that the Democracy has at last squealed on the score of poverty. Add to this the fact that one Republican, Mr. Duke, has probably given more to the educational interest of the State than any other man in the State, and we make a fair showing towards sustaining the allegation that we have, in our party organization quite as much intelligence and wealth as our haughty and intolerant political adversaries.

My dear Tom, you cannot afford to join the Democrats in this unholy war against right at the ballot box. I know that you have the courage to do what you think is right, and that if you believe that any good can spring out of this new election law and the proposed amendment, you will advocate them. Many strange things, however, happen in this world of strife. In 1888 I believe it was, that Hercules in the Republican camp, the late Judge Thos. Settle, whose labors for the Republican cause in North Carolina constitutes no small part of the social and intellectual wealth of the State, pointed out to me in the presence of his talented son, that part of the Settle mansion in the city of Greensboro which an intollerant foe, the night of his defeat for Governor, begrimed with black crepe.

It may be your duty now, in your opinion, to join the calumniators and detractors of the Republican party for a season, but you will kindly permit one who loves you to turn sorrowfully from the contemplation of such a performance.

Sincerely yours,
R. Z. LINNEY.

A Hundred Thousand Dollar Gift.

New York, Nov. 11—It is reported that Col. John Jacob Astor has given \$100,000 for the Dewey arch. This makes a half million dollars subscribed, about a third of the sum necessary.

Scrap Iron Wanted.

We will buy all your old castings, wrought iron, plow steel, brass and copper. Will pay highest prices.
G. T. GLASCOCK & SON,
Greensboro, N. C.

Fine Figure

Many women lose their girlish forms after they become mothers. This is due to neglect. The figure can be preserved beyond question if the expectant mother will constantly use

Mother's Friend

during the whole period of pregnancy. The earlier its use is begun, the more perfectly will the shape be preserved. Mother's Friend not only softens and relaxes the muscles during the great strain before birth, but helps the skin to contract naturally afterward. It keeps unsightly wrinkles away, and the muscles underneath retain their pliability.

Mother's Friend is that famous external liniment which banishes morning sickness and nervousness during pregnancy; shortens labor and makes it nearly painless; builds up the patient's constitutional strength, so that she emerges from the ordeal without danger. The little one, too, shows the effects of Mother's Friend by its robustness and vigor.

Sold at drug stores for 25¢ a bottle.

Send for our finely illustrated book for expectant mothers.

THE BRADFIELD REGULATOR CO.
ATLANTA, GA.

WEALTH IDEAS

Can you think of something to patent? Protect your ideas; they may bring you wealth. Before applying for patent, get our liberal offer. Inventor's Assistant and handsome views of public buildings, statues, etc., in Washington City sent free on request. Write us to-day. We can help you.
COPP & CO., Patent Attorneys, Washington, D. C.

RECEIVED LAST WEEK!

254 SAMPLE OVERCOATS

One Hundred Odd Coats and Seventy-five Odd Vests,

BOUGHT AT 50c. ON THE \$1.00

If you want some good goods at Half Price come and see them and judge for yourself. They are bound to sell with a rush.

G. M. VANSTORY & CO.,

Wholesale and Retail Clothiers.

J. W. FRY, President. J. S. COX, Vice-President. W. E. ALLEN, Sec. and Treas.

GREENSBORO LOAN AND TRUST COMPANY.

CAPITAL STOCK, \$100,000.00.

Does a General Banking Business. Makes Loans on Improved Real Estate. Negotiates Mortgages on Real Estate. Acts as Trustee. Negotiates the Sale of Bonds on Manufacturing Plants. Acts as Guardian, Executor and Administrator of Estates.

A LEGAL DEPOSITORY OF COURT AND TRUST FUNDS.

DIRECTORS:
John Gill, Baltimore, Md.
W. H. Watkins, Rameur, N. C.
O. H. Cox, Cedar Falls, N. C.
W. F. Williams, Red Springs, N. C.
J. A. Hadley, Mt. Airy, N. C.
S. Bryant, Hardeman, N. C.
J. Elwood Cox, High Point, N. C.
R. F. Mebane, W. L. Grison, W. D. McAdoo, R. P. Gray, J. W. Fry.

Our Fall Stock! IS NOW IN.

It is the largest and most complete line of SHOES IN THE SOUTH. Prices as low as are consistent with good quality. Call and see our stock.

Carolina Shoe Company

312 South Elm St., Greensboro.

ARE DOLLARS WORTH 100 CENTS TO YOU?

We Handle Auction Goods of All Grades, and Make a Specialty of FURNITURE and HOUSE FURNISHINGS.

We can sell you these articles—good goods in first-class condition—at from 1/3 to 1/2 off dealers' prices, and sometimes at less price. We buy all kinds of above goods when in good shape and will be glad to see anyone having same to sell. See us when you have anything to sell of value.

E. D. GOLDEN & BRO.,
103 E. Market St., Greensboro.
Next door to Pickard's.

IF YOUR Teeth or Eyes TROUBLE YOU GO TO DR. GRIFFITH, DENTIST AND OPHTHALMIST.

20 years experience with the Teeth and 8 years with the Eyes. Glasses furnished. Consultation FREE. Satisfaction guaranteed. Office in K. of P. Building, South Elm Street.

NEURALGIA cured by Dr. Miles' PAIN PILLS. "One cent a dose." At all druggists.



LENEX
Copyright 1898
Fischler, Fisher & Co.



Styles and Seasons Change
But my method of doing business never changes. I buy the best goods at the lowest prices and sell to my customers the same way. I do not claim to carry the biggest stock of Furniture, but I have durable goods that will be sold as low as the same goods can be bought anywhere. Don't forget to call on me when you get ready to do your fall trading.

W. J. RIDGE,
330 South Elm Street.

GO TO BOYCOTT'S Seed Store!

FOR SEED WHEAT, OATS AND RYE...

116 West Market Street.