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WOULD TAKE OUT TIME.

Mr. Gaines Favors Enforcement of Statute not Allowing Congressmen Pay While Absent.

Washington Dispatch, 10th.

Now that the House has decided against raising the salaries of members of Congress, John Wesley Gaines is determined that those who fail to attend to their duties shall not even be paid the money they now receive. He is in favor of enacting a new statute providing that each member shall forfeit \$13.70 for every day he is absent; or of enforcing section 40 of the Revised Statutes, which provides that this shall be done unless members are ill. He has already introduced a bill providing for the former.

Mr. Gaines has been digging among the old documents at the Capitol and has found some information which he expects will make absent members sit up and take notice. He has found that the present statute, passed in 1856, has never been repealed. Until 1816, the statute was that each member shall be paid per diem. After that time it stipulated that members should be paid a salary of \$1,600, to be reduced in case members were absent. In 1818 this was repealed. In 1856 the law relating to absent members was resuscitated. In 1862 a further restriction was placed on the collection of mileage if the members were absent, but the law of 1856 was not repealed and still remains.

The oldest inhabitant does not remember of the law being carried out, with the exception of the Fifty-second Congress, when it was enforced to the financial discomfort to members that a strenuous attempt to repeal it was made in 1894, when the Democrats had control of the House.

In that year the Appropriations

Committee tacked to the legislative bill an amendment to repeal the obnoxious section of the statutes. But the House decided otherwise by a vote of 104 yeas to 128 nays. The Republicans voted in the affirmative and the Democrats against repeal.

The judiciary committee then took up the matter and brought in a majority report in favor of repeal. Section 40 states that any member shall not be excused except on account of sickness, and if away for any other causes his salary for the time absent shall be forfeited. Of this the majority report said:

"It is apparent that the excuse of sickness is one easily made, and it is suspected that it is sometimes assigned as a reason for absence without any diagnosis of ailments by medical experts. In other words, the enforcement of this section practically makes every member a pathologist on the subject of disease, which is not a qualification of service mentioned in the Constitution, and so for this reason, the law is plainly unconstitutional. It is believed that each House of Congress, by an appropriate rule, can better enforce the attendance of members than by a statute operative as a penal statute and evaded by easy subterfuge.

"Many members of Congress believe that section 40 has already been repealed by existing law, and many others believe it is still in force. But practically all of them wish to have it removed from the statute books. The practical construction for nearly thirty years has been in the same direction. Obviously, the manly way to get rid of objectionable legislation is to repeal it, and in this case such repeal will manifestly improve both the health and morals of this body."

Mr. Gaines declares there was at first considerable disposition to look with favor upon this report, but that the House again declined to repeal the statute, the vote standing about the same as before. He says this was due to a scathing minority report submitted by Mr. De Armond, of Missouri, now a member of the Committee on Rules.

The Tennessee Representative says the minority report should be read carefully by every member of the House today.

"Section 40," said Mr. De Armond, "rests upon the proposition that members of Congress are paid for their attendance upon sessions of the body to which they respectively belong, and for a discharge of their representative duties. Whenever, on account of sickness of himself or of a member of his family, a Congressman is absent from his post of duty in the House of which he is a member, the law, as a matter of grace rather than of right, permits him to draw his salary without diminution on account of his absence.

"But when absent otherwise than on account of sickness, the law requires a surrender of the compensation to which the Congressman would be entitled at present. If a member of Congress chooses to neglect his public duties to attend to private business or for personal recreation and enjoyment, there does not seem to be any injustice in requiring him to forfeit the salary which he might earn and which he is entitled to, but which he prefers not to earn and to which he certainly is not entitled."

In regard to the alleged false declarations of sickness, Mr. De Armond declared that "if members are taking unearned money from the Treasury by a sacrifice

of veracity and a violation of law, the cure for so gross an evil should be found in a more rigid enforcement of the law and not in its repeal."

In conclusion Mr. De Armond, in his report, makes the following observation, which Mr. Gaines says is very apropos:

"Too many members are away generally and regularly, though they visit the House occasionally. We do not believe they should have the same pay as other members who lay aside private business and deny themselves the attractions of the seashore and of mountain resorts, in order that they may be in the House, as a proper discharge of their duties requires.

"Nor do we believe the present or other sessions should be prolonged at the expense of the public, to the inconvenience of the public, and for the benefit of delinquent members. So long as the philosophy that 'the laborer is worthy of his hire' holds good, section 40, or something practically equivalent to it, may well have a place in the law and be enforced, without apology or concealment."

The report was signed by Joseph W. Bailey, now a United States Senator, who, by the way, has not been in his seat during the present session. Mr. Gaines intends after the holidays to have these reports spread on the record for the edification of the Fifty-Ninth Congress.

Death from Lockjaw

Never follows an injury dressed with Bucklen's Arnica Salve. Its antiseptic and healing properties prevent blood poisoning. Charles Oswald, merchant, of Kew-Forest, N. Y., writes: "It cured Seth Burch, of this place, of the ugliest sore on his neck I ever saw." Cures Cuts, Wounds, Burns and Sores. 25c at all drug stores

Preparation For Fort Fisher Re-Union.

Wilmington Messenger.

A meeting of the central committee which has in charge the arrangements for the reunion of Blues and Grays to be celebrated at Fort Fisher next month, on the 41st anniversary of the historic battle that occurred there, was held last night at the city hall and plans for the reunion were discussed. It was declared that everything is getting along in fine shape, and that numerous responses from many camps in the north and south, and from distinguished citizens from all parts of the country, show that there will be a tremendous gathering in this city at the time of the reunion. Railroad all over the country are offering reduced rates and the occasion will be the means of attracting one of the largest and most representative gatherings of civil war veterans that has ever gotten together.

The Utica, New York, camp will come to Wilmington on a special train, coming through Washington. A letter from a man, way in Greeley, Col., tells that he is planning to take the trip and responses are being received daily to the hundreds of invitations sent out.

Cordial letters will be directed shortly to the governors of New York, Virginia, South Carolina and Georgia, urging them to come and it is believed that probably all of them will accept.

After the meeting of the full committee last night, the members of the finance committee got together to lay out their plans for canvassing the city. The city was apportioned into certain districts and different members of the committee placed in charge of the work of soliciting contributions in their respective districts.

Southern Pays for Not Heating Cars.

Winston-Salem Dispatch.

In Forsyth Superior Court this afternoon Mrs. R. E. Lassiter was given a verdict for \$1,066.66 against the Southern Railway. The plaintiff's allegation was that her health was permanently injured by the negligence of the defendants; that while going from Greensboro to Washington on one of the Southern trains in March, 1905, the coach was not provided with heat, and as a result she was taken with a severe chill which lasted several hours, and that since that time she has been under the care of physicians nearly all the time. Mrs. Lassiter's claim was for \$1,900.

Xmas Eve.

On this date amid the chilling wind, our house was entered by quite a number of the members of the Lumberton Baptist church and Sunday school, both men, women, and children with their pastor and wife bringing with them "Santa Claus," quite a quantity of real substantials for the pantry, additions for the china closet, wardrobe and library. The children were dumb with astonishment, and when the crowd dispersed wanted to know if it was Santa Claus that had come, we told them no, "It was a pounding." Our joys were equal to theirs, yet with an appreciation that was not theirs to express, and through these columns we wish to try to express our appreciation to these generous hearted people, whose many kindnesses we have shared.

May a kind Providence smile upon them, their church; their pastor and wife.

I. P. Hedgpeth.

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