

# NORTH CAROLINA CITIZEN.

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ASHEVILLE, N. C., THURSDAY, APRIL 19, 1877.

NO. 13.

## LOCAL.

Bear it in mind—that all work done in the CITIZEN'S Job Office is strictly cash on delivery.

W. S. Barnett, on Patton Avenue, guarantees first-class board on satisfactory terms.

Parties wanting job work, of any character or description, or of any style and price, should remember that the CITIZEN'S office is thoroughly prepared to do the same at the shortest possible notice. Blanks of all kinds a specialty.

The Bank Hotel dwelling, in this place, is for rent. See advertisement.

"Legislative Record," by Capt. Atkinson & Shortwell, for sale at Bearden, Rankin & Co's., at 50 cts.

The Rev. Mr. Atkins will deliver a temperance address at the Methodist Church on Friday evening.

Mrs. W. H. Thomas, of Jackson, sister of Mrs. Dr. Hilliard, of this place, died on Sunday last.

Mr. L. Chapman is this week receiving a large and elegant stock of new goods, embracing everything wanted by the general trade.

The first shot for the municipal government of Asheville during the ensuing twelve months will be found in a communication in another column.

Two wagon loads of public documents arrived here Tuesday, consigned to Honorable R. B. Vance, who will distribute the same throughout this District.

There are no less than four distinct patent chain dusters now on our market. We wish-hall of the inventors a plentiful return.

By underground telegraph we learn it was a boy—an eight-pounder. We congratulate our "other man on the advent of this heir to his name and fortune.

A "walloon," whatever that is—a sea-fowl—was found and killed in the river near this place a few days since. How he came in these waters we are not prepared to say.

An interesting revival of religion closed at Berea Baptist Church, in this county, on Sunday last, at which thirteen persons were baptized. Elders Stradley, Jordan and Mitchell had been in attendance.

"The beautiful snow," &c., was in our midst on Friday last, the mountain tops throughout this locality being covered to the depth of one inch or more, presenting a beautiful view in the spring sunshine that followed the storm the next day. No damage was done to fruit as far as we have heard.

The "Knights of Honor" is the name of a new benevolent order about to be organized in this place. This order possesses peculiar merit and is highly appreciated whenever understood. Twelve lodges have already been organized in the State.

Mr. W. B. Gwyn, of Wilkes county, has located in this place for the practice of law, his office being situated in the new Carter building. Mr. Gwyn is a young man of fine talents, of good business qualities, and we bespeak for him a share of the patronage of this section. See his card in another column.

The Raleigh News announces the presence in that city on Friday last of R. M. Furman, the "other man" of this establishment, who has been since the adjournment of the legislature at his old home in Lenoir engaged in indexing the Senate journal. We expect him home some time this week.

Madison court is in session this week, Judge Furches presiding. Only one week is allowed to that county under the recent legislative enactment. There are two or more capital cases to be tried, one being a murder case removed to Madison from Yancey, and it is thought in consequence the civil docket will hardly be reached during the week.

The Grand Jury of the Superior Court for this county, in a report to the Court, called the attention of the Court to the defacing and otherwise injuring the entrance doors to the Courthouse by nailing, and disfiguring the same with public notices. They suggested that bulletin boards be used for this purpose.

MUNICIPAL ELECTION.—The election for officers for the town of Asheville for the next twelve months takes place two weeks from Monday next, being the first Monday in May. As yet no steps have been taken by our citizens to place a ticket in the field for Mayor and Aldermen. This matter should be looked into at once, as unity of action is necessary in all such matters for the good of a community. Let a nominating convention be held, and let the attendance be general in order that no dissatisfaction may be occasioned.

BUNCOMBE AND THE W. N. C. RAILROAD.—Gov. Vance has written a letter to the Chairman of the Board of Commissioners for this county explaining the necessity of funds being raised to furnish the necessary mules, carts and other implements for the prosecution of the work on the Western N. C. Railroad, as it is held that none of the \$70,000 appropriated by the Legislature can be used for this purpose. The Governor asks that Buncombe pony up \$25,000 towards this purpose, in order that the road may be brought to the French Broad at the earliest possible moment. We are not advised as to the action that may be taken in the premises.

REGENERATION.—On Sunday night last the pulpit of the Baptist Church of this place was filled by Elder J. K. Connally, his subject being Regeneration, his text being the last clause of the 7th verse of the 3d chapter of John: "You must be born again." The sermon was a most powerful argument in favor of the necessity of regeneration, and the speaker warned the members of the churches of the great danger of being deceived as to the fact of having been born in Christ. Subsequently the ordinance of baptism was administered in the baptistry by Elder Jas. Mitchell.

COUNTY ITEMS.—Our Glencoe correspondent, under recent date, sends us the following items:

"The recent freshets have done some damage in this section. The bridges on Honey Creek are damaged, one (Henry's) being entirely destroyed.

"The measles are prevailing quite extensively in this section.

"The Rev. Jas. Ammons, pastor of the Baptist Church at Bent Creek, resigned his pastorage last Saturday. The reasons for such resignation will be given hereafter. Brother Ammons is a good man, an excellent preacher, and the people of this community regret having to give him up.

"The late tournament at Candler's College resulted in Mr. Eugene Thrash being the successful Knight.

REVENUE RAIDS.—The Raleigh Register, a Republican paper, speaking of the large number of revenue raids which has recently occurred in this and other sections of the State, hits the nail squarely on the head in the following utterances:

"These raids are very odious to our people, and we long to see the day when the entire system will be superceded by some other mode of raising taxes for the National government. In common with *The Danville Glomer*, we say that the law should be obeyed; and that officers who are charged with its execution should not be treated as outlaws, so long as they do not abuse their authority. There is nothing more galling to a free man than abuse and harsh treatment by one in authority, when neither are necessary. If there are officers who exceed their authority, they should be reported to the Judge of the district and to the appointing power. We should be glad to see every revenue offender amnestied and a new start taken."

SOMEBODY TO WALK THE PLANK.—The Raleigh Register (Republican) has the following bit of information:

"It is currently reported upon the streets that the President has determined to make a change in the offices of District Attorney and Marshall of the Western District of this State. It is reported that there is a general desire for a change among the people of that District, and in deference to that desire, a change is to be made. There are no charges of dereliction of duty on the part of Messrs. Lusk and Douglas, so far as our information extends. We give this report for what it is worth—not vouching for its truth or falsity."

The Raleigh News says of the same matter:

"Interesting news of political intrigues comes to us from the west. It is stated that Maj. Marcus Erwin is making a desperate war upon Virgil S. Lusk, United States District Attorney for the Western District of North Carolina, and that in this war he is backed up by nearly all the prominent Republican officials in that section of the State. It is said further, that ex-Judge George Washington Logan, of the Charlotte District, is waging war upon Robert M. Douglas for the United States Marshalship of the Western District."

The News adds in another article on the same subject:

"It is stated that the reason for this is the fact that the bearing of these two officers and their subordinates towards persons charged with illicit traffic in whiskey in the West has been such as to bring the Republican party into great disrepute, and that for this reason the administration has determined to throw them overboard."

Workingmen! Look to your interests and save doctor bills by using Dr. Bull's Cough Syrup.

OFFICERS OF THIRD BATTALION STATE GUARDS.—Representatives from a number of the military companies composing the Third Battalion of State Guards met at Salisbury recently and elected W. A. Ellison, of the Fredell Blues, Lieut. Colonel, and W. A. Graham, of the Lincoln Southern Stars, Major. The Asheville military company belongs to this battalion, but was not represented in the meeting.

HARD ON 'EM.—Dr. Mott, the Internal Revenue Collector for this District, has issued the following circular to his deputies:

U. S. INTERNAL REVENUE. Collector's Office, 6th District N. C. Statesville, 30th March, 1877.

SIR:—The growing disposition of illicit Distillers, in this District, to resist the enforcement of the laws, backed as they are by public opinion, which enables them to outrage the officers of the Revenue Service by slanderous statements, together with the actual misconduct of men in the service, which has been lately brought to my notice, compels me to adopt the rule, which will be strictly adhered to, that I will keep no one in the service who takes a drink of liquor. If you are willing to conform to the rule, you can write me a letter to this effect, otherwise I will ask that your commission be revoked.

Respectfully, J. J. MOTT, Collector.

THE SPARTANBURG AND ASHEVILLE ROAD.—The Charleston News and Courier gives the following particulars concerning the work on this road and the rapid progress being made in its construction. Our people feel a deep interest in this work, as it will unquestionably reach Asheville from six to twelve months before the W. N. C. Railroad, and thus give us railroad communication with the outside world some time next winter. Says the News and Courier:

We have already announced that the iron had been laid on seven miles of the Spartanburg and Asheville Railroad. This sounded well; but it gave a very inadequate idea of what has been accomplished, nor did it show what little effort, and in how short a time, the first locomotive from South Carolina can now cross the Blue Ridge.

The due of the Spartanburg and Asheville Railroad is graded and ready for the iron to a point thirty-two miles from Spartanburg, or two or three miles beyond Cold Spring Gap. From this point to Pace's Gap and beyond, the heaviest work on the line, the grading will be finished by July 1st. The road is under contract from Pace's Gap to Asheville, and is actually graded from Butt Mountain Gap to Hendersonville, the section not yet graded being from Pace's Gap to Butt Mountain Gap. Work is going on within the corporate limits of the picturesque little town of Hendersonville.

But the work is not confined to making ready for the iron. The company have contracted for iron for thirty-five miles, to Pace's Gap, and iron for fifteen miles has been received. Nine miles of iron have been laid, and the track-laying continues steadily at the rate of two miles a week. All the work at Pace's Gap will be finished by the time that the track-layers reach that point.

The stupendous character of the work in the mountains can be appreciated only by those who have seen it; and the most gratifying fact is, that the line has been made ready for the track without incurring any bonded or other obligation. The subscriptions of the county of Buncombe, with the private subscriptions, have as far as realized, paid for what has been done. There is no bill whatever on the road, and the single purpose for which it is now desired to issue mortgage bonds is the purchase of the remainder of the iron, and the equipment of the road. It is estimated that the issue of mortgage bonds to the amount of \$6,000 a mile will suffice for this.

Cold Spring Gap, to which point the iron will be laid in about two months, is only 11 miles from Flat Rock. A train leaving Charleston early in the morning can reach the Gap by 6 p. m. Passengers can then remain near the Gap for the night with the certainty of being hospitably entertained, or can go on, the same evening, to Flat Rock or Hendersonville. This pleasure travel will be an important element of revenue to the Spartanburg and Asheville Railroad. It runs through a beautiful country, and ought to do a large business even before the Western connections are made.

We are pleased to be able to state that Mr. S. M. Banks of this place continues to improve in health, and it is hoped he will soon be able to be about again.

"I HAVE used Dr. Simmons' Liver Regulator myself and in my family for years, and pronounce it one of the most satisfactory medicines that can be used. Nothing would induce me to be without it, and I recommend all my friends, if they want to secure health to always keep it on hand. R. L. MOTT, Columbus, Ga."

A NEW ROUTE TO THIS SECTION.—The Greenville (S. C.) News humorously gets off the following good thing:

"The lively stable men of Greenville are about to set on foot a grand scheme to break down the Spartanburg & Asheville railroad—not yet built—and to secure a portion of the travel to the Western part of North Carolina, which now goes by other routes; and this is how they propose to do it: They have arranged to start every morning, noon and night from Greenville from three to nine six-horse coaches. One to Caesar's Head, Buck Forest and Brevard; another line to Lima, Flat Rock, Hendersonville and Asheville. They propose to make the trip to Caesar's Head in 5 hours, and to Brevard in six and a half hours, and to reach Lima in three hours, Flat Rock and Hendersonville in six hours, and Asheville in nine hours, by this line getting there before the railroad starts. From Asheville there will be a relay of stages for Warm Springs."

But aside from the humor of friend Speight, an arrangement has just been entered into between the lively stable men of Greenville and the Messrs. Deaver, of this place, which will prove convenient and greatly advantageous to travel this summer. These gentlemen have entered into an arrangement to run regularly throughout the summer between Greenville and this point, a distance of sixty miles, in connection with the mail, stages, hacks, buggies, or whatever mode of conveyance is desired and necessary, the Messrs. Deaver to look after the accommodations necessary at this end of the line and Mr. Roland and others to look after the Greenville end. This route is a most pleasant one, passes through the most delightful portion of Western Carolina, and the added accommodations will doubtless induce many to come into our section this summer who might otherwise not do so. The trip between the two points is made in a day and a half, and parties coming this way spend the night at Flat Rock.

With this arrangement we will this summer have three direct modes of ingress and egress to this locality—the Wedden & Bailey stage line connecting with the W. N. C. Railroad, the Clemmons' line of stages to connect with the head of the S. & A. Railroad, and the Greenville and Asheville line—and this in addition to the line from here to Wolf Creek, Tenn., via the Warm Springs, and we may consequently hope for much travel through here during the approaching summer season.

THE ACT PROHIBITING SALE OF SPIRITUOUS LIQUORS.—The following act, ratified session 1873-74, prohibiting the sale of liquors in Townships where the people so determine, embraces as now published the amendments adopted at the late session of the General Assembly, which amendments provide for the election being held on the first Thursday in June and include spirituous, malt and vinous liquors in their provisions:

Section 1. The General Assembly of North Carolina do enact, That it shall be the duty of the county commissioners of any county, upon petition of one-fourth of the qualified voters of any township in their respective counties, to order an election to be held on the first Thursday in June in every year, to ascertain whether or not spirituous liquors shall or may be sold in said township or townships.

Sec. 2. That it shall be the duty of the sheriffs of each county to hold such township elections when so ordered under the same rules and regulations as are prescribed by law for holding elections for members of the General Assembly, so far as the same may be applicable, except as herein specified.

Sec. 3. That any person allowed by law to vote for members of the General Assembly shall have the right to vote at such elections in the township in which he is allowed by law to vote, and every such voter who favors the prohibition of such sale of spirituous liquors in his township shall vote a ticket on which shall be written or printed the word "Prohibition," and every such voter who favors such sale shall vote a ticket on which shall be written or printed the word "License."

Sec. 4. That on the day next after any such election shall be held the inspectors of such election and a Justice of the peace of the township shall compare the votes so polled in the township, and certify the number of votes cast in favor of "Prohibition" and the number in favor of "License," and the result of such election to the register of deeds of the county, who shall first carefully copy such certificates in a book to be prepared and kept for that purpose, and then file the same among the papers of his office, and a certified copy from the book in which such certificates are so registered, under the hand of the register of deeds and the seal of the county, shall be sufficient evidence in all cases and courts in this State, of the result of such election in the township to which the same may refer.

Sec. 6. That if a majority of the votes cast at any such election, in any township, shall have written or printed on fourth

page the word "prohibition," then and in that case it shall not be lawful for the county commissioners to license the sale of spirituous, vinous or malt, or for any person to sell any spirituous, vinous or malt liquors within such township, until an election shall be held under the same provision and in the same manner as is prescribed in said chapter and a majority of the votes so cast shall be against "prohibition" and in favor of "license," and if any person so prohibited shall sell any spirituous, vinous or malt liquors within such township, such person offending shall be deemed guilty of a misdemeanor, and on conviction of such offence, shall be fined not exceeding fifty dollars or imprisoned not exceeding one month; but if a majority of the votes so cast shall have written or printed on the same the word "license," then spirituous, vinous or malt liquors may be sold in such townships as is now provided by law, and not otherwise; Provided, That nothing herein contained shall affect localities in which the sale of spirituous, vinous or malt liquors are prohibited by law.

Sec. 6. The Sheriff shall designate the Justice of the Peace in each township to aid in comparing and certifying the vote cast at any such election, and the Register of Deeds shall designate inspectors of elections in each township; in case he shall fail, the Sheriff or his deputies shall make such appointments, and if any officer or other person shall fail to discharge any duty imposed by this act, such person offending shall be guilty of a misdemeanor, and on conviction in the Superior Court, fined in the discretion of the Court.

AN IMPORTANT SUIT DECIDED.—For a number of years the block of buildings immediately fronting Court House square, and claimed by Messrs. Ray, Roberts and Alexander, has been in litigation, the Flemming heirs of McDowell suing for possession on the ground that the said property was never paid for by the parties purchasing in 1856, and that their guardian later in 1860, did illegally give up the title to the same and relinquished a portion of the security. There were several nice points of law involved in the case. It was argued last Friday before Judge Furches, Messrs. Coleman and McLoud and Pulliam appearing for the Flemming heirs, and Messrs. Merrimon, Davidson and Erwin for the defense. His Honor decided in favor of the defendants. An appeal will doubtless be taken to the Supreme Court by the plaintiff.

THE SALE OF LIQUOR WITHIN THREE MILES OF THE ASHEVILLE AND SPARTANBURG R. R.—Under an act of 1874-'75 the sale of liquor was prohibited within three miles of the located line of the Spartanburg and Asheville Railroad, and at the superior Court for this county last fall the retail liquor dealers of this county were indicted for a violation of this law. At the late session of the Court the jury rendered a special verdict finding the fact that the defendants sold liquor within the distance of three miles of the location of the said road, but under license in all other respects regular. His Honor, Judge Furches, being of opinion that the act operated as an absolute prohibition entered a verdict of guilty, which decision makes unlawful all sales of liquor within this corporation since the passage of the act. An appeal was taken to the Supreme Court.

The retail dealers of the town were not, however, stopped from selling liquor, it appearing that they were acting in good faith towards the law if under a mistaken idea of the law, and the Court preferring the matter stand as it is until the Supreme Court shall have acted in the premises.

REJOICING AT THE PROSPECT.—The people of the counties of Jackson, Macon and counties west of those are rejoiced at the prospect of the removal of U. S. Marshal Douglass, as that would doubtless give them some relief from the objectionable officials this officer has in that section in the person of many of his deputies. The Deputy Marshalls of that section have been acting in a manner to make themselves obnoxious to the people, and any change would be hailed with delight, as it is thought such change could not fail to be an improvement.

AN EXTRA SESSION NEEDED.—The large amount of business still on the docket of the Superior Court for this county almost imperatively demands an extra session of the Court to be had some time this summer. There is still much business on the criminal docket, while the civil docket was hardly touched during the term just closed, but few cases on this latter docket being considered.

A HOAX.—The information which reached us last week of the attempted escape and killing of a number of convicts on the works on the W. N. C. R. R., proved to have been a hoax which some parties perpetrated upon our community. Nothing of the kind occurred.

Local matter continued on fourth page.