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HICKORY, N. C.

June 1, 1875

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FEMALE COLLEGE,

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The next Session will open September 1st, 1875. Terms for board, etc., have been made as low as possible to suit the times. Circulars on application to Mrs. Grant. References: Rev. Chas. Phillips, D. D., Prof. W. J. Martin, Rev. W. A. Wood, Rev. D. E. Jordan, Ex-Gov. Z. B. Vance, Hon. W. H. Battle, and all friends of the late Prof. Mitchell, of Chapel Hill, N. C.

Aug. 1st, 1875.

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July 3, 1875.

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THE SWEETEST WORDS.

BY PRISCILLA J. OWEN.

Three precious words to human speech,
And human thoughts are given
The soul's electric current reach
Through Mother, Home and Heaven.
Mother! that name bids eyes grow dim
With youthful memories treasured;
That cherished word, a synonym
For love and truth unmeasured.
For 'tis may wrap the faithful heart,
But mountains cannot smother
The love, from other loves apart.
Alone, unloved, mother.

And 'tis as if there were made
Of loving kindred voices,
The accents Home, in shine or shade,
The wanderer's heart rejoices.
While tossed on treacherous waves afar,
By many a tempest driven
One whispered word can quell the war,
And that dear word is—Heaven.
Ah! beautiful, the magic three,
With all of nature's sweetness,
But there's a word more dear to me,
That gives the rest completeness.

A name, the morning stars have sung;
A name, the dying whisper;
A name, above like banners flung,
Yet breath'd by infant lips,
Deus, my Saviour, a blessed word;
'Tis mother's habitation,
And 'tis the stars are heard
Singing of earth's salvation.
My mother dwells at His right hand;
He gives that word its gladness,
Elys, hope, joy, a lonely stand,
And 'tis in His name.

The guardian of my earthly home,
My dwelling is His favor,
And heaven's but the jeweled dome
Built upon my Saviour;
The rascal of my Koli-Noor,
My vase of life, perfume,
The fragrant leaves, all fresh and pure,
Around that one Rose budding,
Yes, precious words, the gentle three,
To love and memory given;
But Jesus keeps them all for me—
My Mother, Home and Heaven.

W. W. HOLDEN.

Pending the consideration of the question of removing the disabilities of W. W. Holden, our worthy delegate from Catawba, Mr. M. L. McCorkle, said:

Mr. PRESIDENT: I do not propose to discuss the question before the Convention in any other than a legal and Constitutional point of view. I will not go behind the judgment to enquire whether the sentence was just or unjust, nor will I attempt to speak of the enormity of the crime with which the subject under consideration was charged. I will leave that to those who are better acquainted with the history of those terrible times, and the walk and talk of him who asks for amnesty and pardon. I will not go behind the record. We are stopped from denying the truth of the charge.

The Legislature of North Carolina, at its sessions of 1874-75, passed an act, by the requisite majority, calling this Convention together, and declared that we should not pass any ordinance of a "legislative character."

By the Constitution of this State, all power to pass laws—not fundamental—is vested in the General Assembly—composed of a Senate and House of Representatives. When the Legislature gave this call for a Convention, it expressly reserved the power of Legislation. This act was laid before the people, and they ratified it by choosing delegates under it. They sanctioned this reservation of power. It then became the act of the people, and such a Convention as it proposed to call and no other, is here to-day. And that act so sanctioned and ratified is our power of Attorney.

And if we transcend the limits prescribed by this act, we are not the Convention called by the people; but a self-constituted body.

No power can take this right to pass laws from the General Assembly but the people themselves.

The delegates elected to this Convention cannot do it. They are not the people. They are representatives, who under this act only have power to propose amendments or revise the Constitution, and then submit it to the people for ratification or rejection. We only have power to prepare and discuss the proposed alterations, and submit them to the people—because

there is no other mode by which their will can be obtained—excepting in asking it upon the single point of assent or disapproval.

And no Convention unless specially clothed with power for that purpose by the people when choosing them, can rightfully take definitive action upon amendments, revision or ordinances. They must submit the result of their deliberations to the people, who alone are competent to exercise the power of sovereignty in framing the fundamental law, for ratification or rejection. This Convention is the representative of sovereignty only in a very qualified sense, and for the specific purpose, and with the restricted authority to put in proper form the questions of amendments, upon which the people are to pass; but the changes in the fundamental law must be enacted by the people themselves. And every Convention that has ever been held by the people of any State or of the United States, where they transcended the boundaries prescribed by law, was justified only upon the grounds of necessity, which knows no law. The wisest jurist in the Convention of 1787 assembled to amend the Constitution of the United States, justified their transcending their limits upon this ground alone.

The ordinance proposed by the delegate from Wake, Mr. Badger, for the removal of the disabilities of ex-Gov. Holden, is legislative in its character—being special legislation—for the benefit of one man—is prohibited by the act calling this Convention, and therefore cannot give the relief demanded.

The Legislature of North Carolina more nearly represents the sovereignty will than any other body in this State, and it alone has power to grant amnesty and pardon for all offences committed against the State. It has power to pass all laws for all purposes of civil government. It has the power to exercise the right of eminent domain. It has the power to do everything not prohibited by the Constitution of the United States or the State of North Carolina of a legislative character.

Our forefathers, strongly impressed with this notion in 1783, after the Revolutionary War, desiring that peace and concord should prevail all over the State, passed an act granting amnesty and pardon to all persons, with a few exceptions, who had been guilty of any offence against the laws of North Carolina. The Legislature of 1867 passed a similar act, granting amnesty and pardon to all persons who had been guilty of any offences during this late war under any military authority of the United States.

This act has been recognized as valid by our Supreme Court in the case of the State vs. Blalock and a number of other cases.

But it may be said that the Legislature has no power in this case, because in 37 sec. of the Bill of Rights it is laid down "that the enumeration of rights shall not be construed to impair or deny others retained by the people; and all power not herein delegated remain with the people."

This section is unmeaning when you consider that the government of the State is not one of delegated powers, but primary and original. It alone applies to the government of the United States, which is one of delegated powers. "All power not delegated to the United States is reserved to the States or to the people of the States. Every grant of power to supply every expedient is given by the sovereign to one of the five agencies that she employs for the carrying on of the government—the Electors, the Convention, the Judicial and Executive departments or the Legislature."

This power to grant amnesty and pardon is not given to the electors, nor to the judicial or executive departments, nor to the Convention which ranks second to the Legislature, being able to do nothing final except such things as are incident to its very existence.

Then this power must reside somewhere. If it does not, it was never contemplated that any man that ever was impeached should ever be pardoned. The Parliament of Great Britain has power to grant amnesty and par-

ona. The Legislature more nearly represents that body than any other in the State, and can do whatever has not been prohibited by the Constitution of the United States and of this State, of a legislative character. It can and does exercise sovereign powers in granting amnesty and pardon and exercising the right of eminent domain which is no where found in our present Constitution. It has exercised these powers in governing amnesty and pardon, for all political offences and crimes committed against the State, being necessary to supply every expedient that the well being of the State demanded. From all that I have been able to learn of the Constitutional law—the power of Conventions has been over estimated in North Carolina in many instances, so much so that in many cases they have taken definitive action in passing laws of the most ordinary character. It is contended that by some that conventions without restrictions have power to make constitution and they will be binding upon the people without submitting their action to them, but it is not so held by the ablest authors on constitutional law; then it follows that this body has not the power to pass the ordinance introduced by the delegate from Wake, to remove the disabilities of Gov. Holden. But if it is true, as contended by the delegate who introduced the ordinance, that the General Assembly has not the power, and it is desirable that it should be done, the only way left is for this body to pass an ordinance authorizing one of these five agencies of the sovereign to grant amnesty in cases like the present if in its wisdom it should see proper, and then submit that ordinance to the people for ratification or rejection, then the appeals for mercy can be heard and pardon may be found.

Harmless Exchange of Shots.

St. Louis, Sept. 5.—Maj. John A. Edwards, of the St. Louis Times and Col. Emory S. Foster, editor of the Evening Journal, exchanged harmless shots in Winnebago county, whither they had gone to settle a difficulty, growing out of newspaper articles concerning the rousing of the people of Winnebago county against Mr. Davis delivering an address at the fair. Maj. Edwards demanded a second shot, but the seconds having decided that there should be but one, unless demanded by both principals, and Col. Foster, considering that he had given sufficient satisfaction, declined, and the matter was settled without further difficulty.

A Homological Curiosity.

A gentleman living on Wrightville Sound has an apple tree two or three years old, which he transplanted in the early part of the year. The tree apparently, died. Late in the spring, after some good rains had fallen, the tree budded afresh and bloomed, and again presented every indication of vigorous life. About a score of apples formed on it and grew to a good size. The drought came on, and, to all appearances, the tree again died. The leaves all withered and fell off, and all the apples except one fell off also. Since the rains of the early part of last month, the tree had again returned to life, and now it has not only a full supply of luxuriant foliage, but that one apple is still on it, and the tree is in full bloom. This is rather an unusual vegetable phenomenon.—*Wilmington Journal.*

Present Condition of the W. N. C. R. R.

A few days since we called attention to the appointment of Commissioners for this road. In this connection it may be well to refer to the present condition of the road, both of that part which is finished, and of that which remains as left when work was suspended.

The road, from Salisbury to Old Fort, 115 miles is in a better condition than could have been expected from its limited revenues. It has evidently been kept up as far as means would allow with judgment and energy. The timber over it is made with great regularity and with a fair rate of speed. The road bed is in fair condition, and the bridges perfect. Major Smith has illustrated his capacities as a rail road manager, to accomplish much with small resources. The rolling stock, though long in use, is kept in excellent repair through the watchful care of the master mechanic.

This part of the road, then, opens up a fair entrance to the renewal of the enterprise once abandoned for imperative reasons.

At Old Fort, the road at once enters the mountain section. From Old Fort to the top of the Swannanoa gap, an immense amount of costly and important work has been done. It may almost be said that to the mouth of the main tunnel, the road bed is ready for the cross ties. Deep cuts have been excavated, immense fills cross the gorges, substantial stone bridges span the streams, and several tunnels pierce the spurs of the mountains. From the foot of the Blue Ridge to the main tunnel, a distance of nine miles, perhaps the most stupendous engineering feats on the Atlantic shore have been accomplished, and the obstacles that once seemed insurmountable, are now overcome, only requiring a small outlay in repairs to restore them to the condition in which they were left by the contractors. The main tunnel through the top of the gap, to be nineteen hundred feet long, is completed about one-third of its length. On the west side of the Ridge, to within six miles of Asheville much work has been done almost continuously, in grading, and but little time and labor would be required to complete the road bed to Asheville from Old Fort. The completion of this long tunnel is the only portion of the work involving delay.

It will thus be seen that a comparatively easy and inexpensive task lies before those who have the completion of the road in charge. The heaviest work is done. All the difficulties of engineering are overcome. There is little left except what physical force can accomplish.

With the West so nearly connected with the East, with the regions beyond the mountains so nearly again an integral part of North Caro-

lina, it would be a crime of the most flagrant type to jeopardize success by entrusting the management of the renewed enterprise to unworthy and incompetent hands. Failure now would be fatal, for before reaction could take place, our western counties would be connected with South Carolina, and all interest for a connection with Eastern North Carolina would be extinguished.

We therefore hope that the Governor will use sound discretion and most deliberate scrutiny before he makes appointments upon which the welfare or detriment of the whole State so vitally depends.—*Raleigh News.*

Scissoring.

Something about peanuts—the shells. To-morrow is a mystery. Hothe's furniture—Armed chairs. Don't swear in public—or in private. Discouraging sweet music—Mowing your own trumpet. Peru will pay off her debt with guano—sent for cent.

A Frenchman learning the English language complained of the irregularity of the verb "to go," the present, tonic of which some wag had written out for him as follows: "I go; thou startest; he departs; we make tracks; you cut sticks; they absquatulate or absquaddie."

A little girl went into a neighbor's house one day, where some apple-parkings lay on a plate on the table. After sitting a while, she said, "I smell apples." "Yes," the lady replied, "I guess you smell these apple-parkings on the plate." "No; no," said she, "I ain't them I smell; I smell whole apples."

"Any letter for Mike Howe?" asked an individual of "Johnnie," at the post office window. "No letter for any body's cow."

A man driving a wind-broken horse along Bridge street Saturday, was hailed by a small boy who enquired if the horse was for sale. The man didn't know but was. "Wall," observed the little rascal, "they'd like to git about such a critter up to the church to blow the organ Sundays." Exit small boy.—*Lenoir Journal.*

An Ohio boy swallowed four or five wheels of an eight day-clock, and he has kept the whole family running ever since the event.

Nothing is more discouraging to a young lawyer just as he waxes eloquent about angel's tears, weeping willows and tombstones, as to be interrupted by a cold-blooded justice who says "You're off your head; this is a case of hog-stealing."

Danbury has the champion patient boy. He went to a neighbor's house for a cup of sour milk. "I haven't anything but sweet milk," said the woman pettishly. "I'll wait till it sours," said the obliging youth; sticking into a chair.

Two women have started a barber-shop in Titusville. We saw one woman start a barber-shop once. She came in with a cowhide in her hand and said she was going to horsewhip the man who had been talking about her; and eight men with towels under their chins and lather on their faces, hustled out of the chairs and started for the back door on a run.—*Census Saturday Night.*

Mrs. Millies was asked the other day how she managed to get along so nicely with Mr. Millies, and frankly replied: "Oh, I feed him well. When a woman marries, her happiness for a little while depends upon the state of her husband's heart; after that, it's pretty much according to the state of his stomach."—*Brooklyn Argus.*

When a playful boy is sliding down a sand-bank, with a heart full of carelessness, and a pair of summer pants, nothing more quickly turns the current of his thoughts than to slide on a brier.

A new biographer of Artemus Ward says the general humorist usually wrote with one leg over the arm of his chair. We had always supposed he wrote with a pen or pencil; but to write with one leg over the arm of a chair is not so difficult as to write with one arm over the leg of a chair.—*Norristown Herald.*

In the office of one of the hotels recently, a gentleman stepped his finger to a book-shelf, and as he put his foot on the box, he still:

"You look like a good smart boy." "See here, mister," replied the boy as he rose up, a brush in either hand. "I've had that game played on me a dozen times, and now I want to know whether this is a cash shine, or whether you're going to pat me on the head; when I get through, and tell me that I'll be governor of Michigan some day!"

Here is a good thing on the "water" bug. Three men comparing notes: One says: "There are two bugs to every stalk." A second says: "They have cut down my early crop, and sitting on the fence waiting for my late crop to come up." "I saw!" said the third, "you know nothing about it. I passed a seed store the other day and saw this bug looking over the books to see who had purchased seed potatoes."

Pleasant-faced people are generally the most welcome, but the auctioneer is always pleased to see a man whose countenance is for bidding.

The King of Holland is not a miser. The other day when a laborer stopped the royal carriage from going into the river the King handed him forty cents and smiled a smile worth thirty cents more.