

Judge Clark's Speech.

We gladly give space for as much of Judge Clark's speech, delivered here last Friday, as it is possible to publish in this issue, and will publish the remainder next week, containing a sketch of the companies furnished by Chatham to the Confederate army.

"Mrs. President and Ladies of the Winnie Davis Chapter of the Daughters of the Confederacy, Fellow-soldiers and Fellow-citizens:

To the noble ladies of the Winnie Davis Chapter of the Daughters of the Confederacy, under the leadership of their devoted president, we are indebted, fellow-soldiers, for the shaft which shall recall to future ages the sufferings endured by the brave men of Chatham, and their heroism, on many a stricken field, during those four eventful years of the memory of which shall never be forgotten.

The suffering and the hardships endured by our glorious women during the trials of those arduous years are truly more worthy of commemoration than those borne by the soldiers in the field. Though we have as yet raised no monument to our women it was the heroic women of the Confederacy who inspired our citizen soldiery by their faith in God, by their magic influence and immeasurable good works.

And we owe it to their fair daughters whose unshaken fidelity has preserved the memory of our glorious dead that this and many another shaft has arisen to point out to posterity the pathway to fame our fallen heroes trod. It was the path of duty and honor. I have read in history of the heroic deeds of the brave days of old. I have been told by eye-witnesses of the gallant deeds of others, but with these eyes, I have seen the soldiers of the historic county of Chatham do their duty. I had the honor to serve in the same brigade with at least four companies from this county and I know them to be the stuff of which heroes are made.

I am glad to be with you, veterans of North Carolina, and once more to look in the faces of some of the survivors of that splendid soldiery whose fame is now co-extensive with the world itself. Half fed and poorly clothed, your array of "tattered uniforms and bright muskets" taught the foe that courage and fidelity to duty were inborn in this Southern race. You often marched with bare feet and fought upon half rations, but you marched to eternal fame and fought your way into that Wall-halla where glory and valor have crowned you as worthy to be comrades of the soldiers of the Tenth Legion of Caesar and of the Old Guards of Napoleon.

The annuals of war, soldiers, do not show your superiors. Outnumbered, not outdone, you surrendered after four years of an unparalleled struggle and your drums last beat in rolling in eternity. But your past at least is secure. So much endurance, so much valor were not in vain. Their memory is a rich legacy for your children's children and the whole race wears the honor you have conferred upon it. In the long centuries that are to come, legend and song in this fair Southland will keep bright the story of the Confederate soldier. His memory will sparkle in the fountain, the mountain peaks will bear remembrance of his marches.

"The meanest rill, the mightiest river, Rolls mingling with your fame forever."

Where the sparkling Shenandoah brawls along, where the mighty Mississippi moves majestically to the sea, where the Georgian pines are bare, and where the Potomac's breezes "answering low, soothes many a soldier's end less sleep," there North Carolina's dead are lying, for in that grand circuit from Texas to the Chesapeake and then around by ocean and gulf again, from the Susquehanna to the Rio Grande, that circle of fire whose circumference ever contracting, for the lack of reinforcements, but like some splendid display of fireworks, bright to the last, and brightest at the latest flash—in all that circle there was no soldier braver, more faithful to duty even to death, than those who carried the honor and the fame of North Carolina upon the points of their bayonets. They knew how to fight and how to die—and they did it. You and I have seen North Carolinians hold the line when all but them had left it.

But I did not come to recount your great deeds. Neither came I to praise you for the simple faith and courage, with which when

the end came, you turned your faces homeward, and there picking up the web of life began again where you had dropped it four years before. Your powerful aid dissipated the evil influence that surrounded your native land. You picked up the the broken statutes of law and order and replaced them in honor upon their pedestals. You cleared your fields of the brambles that had grown up and your government of the bad men who had climbed to power. At your bidding, prosperity again started the hum of its wheels and honor and integrity became again the attendants of your public service. You did all this and more that will stand to your everlasting honor. In the strenuous struggle of 1861-5 you were faithful to the highest type of the soldier, and in the years following you were equal to the highest duties of the citizen.

Patriotism is not with you an acquirement to be laid aside at will, it is a part of your very existence. The years like iron hail have swept great gaps in your ranks and the heads of the survivors have whitened with snows that never melt; but your patriotism has not been diminished with your numbers and the State has no sons more jealous of her honor or more obedient to her laws than you."

But "Peace hath her victories no less renowned than war," and hence has its struggles not less strenuous and important to the public welfare. It is not only in the revolutionary warfare that a state has whigs and Tories. We have them at all times. Whenever there is a struggle to assert the liberty and rights of the people, whenever there is a movement to put into practical effect the grand doctrine set out in our State constitution, that "all government of right originates from the people, is founded upon their will alone," and the further declaration "the inherent, sole and exclusive right of regulating the internal government and the police thereof," whenever and on whatever occasion, and the state has sought to exercise this power "for the good of the whole" there has been opposition by the Tories of the hour who wish to control all powers of government for their own special benefit and in their special interests. And at their bidding a swarm of toadies echo their contention, when who like Esau of old have sold their birthright for a mess of pottage. Their motives are self or cowardice, the same which actuated Tories and deserters in open war. We need more no words with such. Let public contempt brand them. Indeed there is a very small minority who take the Tory side. The overwhelming majority are sound at heart. Those who are purchased need not be named. The moment they speak in the interest of their owners the membership is proclaimed. Like Peter of old, "their speech betrayeth them." Had such men lived in the revolution they would have raised their hands against their state and their own neighbors for the sake of King George's gold. Had they lived in 1861-'65 they would not have been found in the ranks of the glorious men whom that monument is raised to commemorate.

This republican form of government is based upon the principle that all government is founded upon the people's will, and when that will has been regularly and formally expressed all men must obey it. The sovereign in North Carolina is the expressed will of her people, and that is restrained by federal authority only so far as North Carolina, joining with her sister states has conferred a limited power upon the federal government. That there should be no mistake about this, the tenth amendment to the constitution of the United States rings as clear as a bell. "The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people." There is nothing ambiguous in those words and not a lie or word of it has ever been modified.

The hopes of our perpetuity as a government and the maintenance of our liberties as a free people depend upon upholding this guarantee of the rights of each state, in its integrity. There are a few good men who panic-stricken at the result of the war of 1861-5 have declared that "states' rights died at Appomattox." Nothing is farther from the truth. The theory of our government has thus been summed up: "An indissoluble union of indestructible states." The war did settle that this was an indissoluble union. But it did not destroy the other branch of the theorem, that these are indestructible states. Destroy the states and there is not union but a consolidated government. This with our vast expanse of territory and diversity of interests would be impracticable and indeed an impossible government.

It is true that there is the fourteenth amendment which was passed solely (if indeed legally adopted at all) to secure the rights of the newly emancipated colored people. The monopolies and plu-

ocracy of this country quickly seized upon it as a device to draw all jurisdiction of all questions concerning them from the state courts, whose judges are mostly elected by the people, and responsible to them, into the subordinate federal courts whose judges are in most instances selected by the great capitalistic combinations and hold for life. "Like sappers and miners," to quote the words of Mr. Jefferson, they have been at work night and day to wrest the fourteenth amendment into something very different from its true meaning, and to make it repeal both the tenth and eleventh amendments and, indeed, nullify the whole spirit of the constitution.

Should this succeed, there would be no longer use for state judges or state legislatures, and even the acts of Congress would be set aside at will by judges appointed for life at the selection of Wall Street.

The same powerful combinations which have sought in their own interest to make or prohibit law making, or the due execution of laws when made, by taking a hand in the election of presidents and governors, legislators, congressmen and senators have by no means withheld their hands from the other branch of the government. The sudden reversal of 100 years of precedents in the income tax case and the transfer, contrary to law, of \$100,000,000 annual taxation from the millionaires most able to bear it, to the backs of the toiling masses, revealed, as by a flash of lightning, to the public what lawyers had long known, that the popular will has been thwarted by predatory wealth even more by the courts setting aside statutes or in misconstruing them, than by lobbies in defeating legislation.

Fortunately the subordinate federal judges are created by and have been abolished at will by Congress. They have no powers whatever except those conferred by act of Congress, all of which that body can recall at will. And even the supreme court of the United States, while created by constitution, is subject to this provision, "under such regulations as the congress shall make." That court acts under the judiciary act of 1789, which congress has often amended since and can further change at will, provided it does not confer powers beyond the limits authorized by the constitution.

So this brings me back to my proposition that the war, whose heroism that monument commemorates, in no wise impaired the rights of the states but confirmed only that the union was indissoluble and that no state had a right to withdraw from it. The public opinion of the people of a state as to what is for their best welfare, when legally expressed, remains conclusive, unless within the limits of those powers expressly granted to the United States in the constitution, and as to those the people of the United States speaks through congress.

In short, I hold with that grand old patriot, James Hunter, who declared after the battle of Alamo was lost, "I believe that the people are as much master now as ever." That was in 1771. At Mecklenburg in May, 1775, at Halifax in April, 1776, at Philadelphia in July, 1776, his declaration was taken up and repeated and its echoes have been rolling down the years ever since and will never cease.

Those who believe in the absolute and unlimited power of judicial supremacy and that irresponsible judges can make their own jurisdiction and amend the constitution at will by grotesque constructions of the fourteenth amendment forget that the "people's will," not a judge's edict, is the supreme power. If the swollen ideas some judges have of their powers were correct, in 1861 all that would have been necessary to stem the rising tide would have been to get some federal judge to issue an injunction against the people of North Carolina and other states. Probably this would have been attempted if some special interest had been endeavoring to assert its supremacy over the law. But as it was the government of the United States, whose supremacy was called in question, its officials had some common sense. As quick as they could, they got three millions of men into line, and then it took them four years and billions of money to assert that authority superior to an act passed by the authority of the people of North Carolina.

Those who remember the spirit of North Carolina in those days and in the great revolution, and see how we honor the memory of those who have stood for the sovereignty of the people know well that we will not submit to judicial usurpation now. North Carolinians will not "lay down at the popping of a cap."

That it may be seen that in opposing the amendment of our federal constitution, and the absorption of states' rights by the stealthy process of judicial usurpation and strained constructions I have good authority, I quote. In his farewell address to the American people, Washington said: "If, in the opinion of the peo-

ple, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates. But let there be no change by usurpation; for, though this in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield."

And in his first message to the American congress, Lincoln said: "To maintain inviolate the rights of the states to order and control under the constitution their own affairs by their own judgment exclusively, is essential for the preservation of that balance of power on which our institutions rest."

And, finally, Chief Justice Marshall said in Gibbon vs. Ogden: "The genius and character of the whole government seems to be that its action is to be applied to all those internal concerns which affect the states generally; but not to those which are completely within a particular state, which do not affect other states, and with which it is not necessary to interfere, for the purpose of executing some of the general powers of the government."

The same sturdy spirit which supported the right of the people of this state to control their own affairs in days past still exists. "Shame on the false Etruscan Who lingers still at home, When Persena of Clusium, Is on the march to Rome."

And shame on the North Carolinian who falters when the rights of his people are at stake.

And double shame on him if honored by his state with public office he fails to act and to speak in maintenance of the rights of her people.

(Continued next week.)

Mr. W. F. Jackson, associate editor of the Raleigh Evening Times, died at his home last Monday morning. He was one of the best known newspaper men in the State, his special articles and short stories having attracted wide attention.

Mrs. Effie Ingle, of Asheville, while attempting to administer a thrashing to her 12-year-old son, was struck by the boy, became overbalanced and falling to the floor, ruptured a valve of the heart and died in a few seconds.

Ex-Congressman Benj. H. Bunn died at his home near Rocky Mount on last Sunday, after an illness of several years with Bright's disease. He was Representative in Congress from the Fourth district from 1889 to 1895.

The Atlantic battleship fleet will start for the Pacific next December according to an official statement issued by Secretary Loeb at the direction of President Roosevelt.

Major John W. Scott, of Sanford, died last Saturday in the 84th year of his age. For many years he resided at Haywood in this county.

Rev. R. H. Whitaker, one of the best known Methodist ministers in the State, died in Raleigh last Monday night in the 79th year of his age.

HEALTH INSURANCE

The man who insures his life is wise for his family. The man who insures his health is wise both for his family and himself. You may insure health by guarding it. It is worth guarding. At the first attack of disease, which generally approaches through the LIVER and manifests itself in innumerable ways TAKE

Tutt's Pills And save your health.

PUBLIC SCHOOLS OF PITTSBORO

Pittsboro Graded School and Public High School will open first session Monday, Sept. 15th. The Graded School will be open to all children in district No. 6, and will embrace seven grades. High School will be free to all in the county that can stand entrance examination. Music in same building at reasonable rates. The Schools will open in a new, well equipped building. Board can be obtained at reasonable rates. For further information apply to

BINGHAM SCHOOL 1793 1908 FOR 15 YEARS boys have been prepared for COLLEGE and for LIFE, and have been trained to be MEN at THE BINGHAM SCHOOL. Ideally located on Asheville Plateau. Organization MILITARY for discipline, control and carriage. Boys expelled from other schools not received. Whittier boys expelled as soon as discovered. Having excluded by pledge of honor. Admitted to B.E. State reasonable. Address COL. R. BINGHAM, Supr. R. F. D. No. 4, ASHEVILLE, N. C.

WEEK END RATES.

- The Southern Railway announces sale of Week End Tickets to the following points, in North Carolina, at rates named from Raleigh: Morehead City..... \$4.50 Beaufort..... 4.75 Wilmington..... 4.50 Blowing Rock..... 8.00 Rural Hall..... 4.20 Taylorsville..... 6.05 Shelby..... 5.80 Rutherfordton..... 6.45 Lincolnton..... 5.25 Cliffs..... 5.25 Lenoir..... 5.30 Asheville..... 7.00 Black Mountain..... 6.45 Marion..... 5.85 Morgantown..... 5.30 Connelly Springs..... 5.25 Hickory..... 5.25 Tryon..... 7.50 Hendersonville..... 7.75 Brevard..... 8.45 Lake Toxaway..... 9.10 Hot Springs..... 7.75 Chase City, Va..... 3.40 Clarksville, Va..... 2.95

These tickets will be sold to and including Saturday, August 31st, 1907, for all Saturday trains and Sunday morning trains, good returning leaving destination not later than Monday following date of sale, except tickets to Chase City, Va., Clarksville, Va., Morehead City, N. C., and Beaufort, N. C., which will be sold Saturdays only, and tickets to Blowing Rock, Wilmington, Rural Hall, Beaufort and Morehead City will be limited returning Tuesday following date of sale. T. E. GREEN, C. T. A. Raleigh, N. C.

SUMMER TOURIST RATES.

- The Southern Railway announces sale of Summer Excursion Tickets to following points at rates named from Raleigh, N. C.: Asheville, N. C..... \$10.90 Morehead City, N. C..... 6.70 Wrightsville, N. C..... 7.30 Beaufort, N. C..... 6.90 Chase City, Va..... 4.90 Rural Hall, N. C..... 5.75 Waynesville, N. C..... 12.00 Lake Toxaway, N. C..... 14.30 Washington, D. C..... 13.25 Baltimore, Md..... 13.25 Atlantic City, N. J..... 23.45 Asbury Park, N. J..... 24.95 New York, N. Y..... 22.25 Watkins Glen, N. Y..... 28.20 Glenn Springs, S. C..... 11.25 Johnson City, Tenn..... 16.90 Sawanee, Tenn..... 24.45 Tate Springs, Tenn..... 15.10

These tickets will be sold daily up to and including September 30th, 1907, with final return limit October 30th, 1907. For detailed information, booklets, schedules, etc., call on or address,

T. E. GREEN, C. T. A., Raleigh, N. C.

The State Supreme Court examined 71 applicants for license to practice law on last Monday.

COLLEGE OF AGRICULTURE AND MECHANIC ARTS

Practical education in Agriculture; in Civil, Electrical, and Mechanical Engineering; in Cotton Manufacturing, Dyeing and Industrial Chemistry. Tuition \$45 a year; Board \$10 a month. 120 Scholarships.

Address PRESIDENT WINSTON, West Raleigh, N. C.

Durham Marble Works

C. J. HULIN, Proprietor, DURHAM, N. C. Designs for tombstones and monuments sent by mail. The best work at reasonable prices.

The Orange Grove School.

A boarding school of high grade for both sexes, offering thorough courses in the Literary, Commercial, and Music Departments. Established in 1897. Faculty of College graduates, especially fitted for their work. Handsome building containing Recitation Rooms, Commercial Room, Chapel, Society Hall, Teachers' Office, etc., just completed. Location one of the most healthful in the Piedmont Section. Board and tuition very reasonable. Fall term opens Wednesday, September 4th, 1907. For catalogue and further information address, Henry M. Loy, Ph. B., James F. Greason, LL. B., Principals, R. F. D. No. 3, Hillsboro, N. C.

Littleton Female College.

Splendid location. Health resort. Hot water heat. Electric lights and other modern improvements. 249 boarding pupils last year. High standard of scholarship, culture and social life. Conservatory advantages in Music. Advanced courses in Art and Elocution, Business College, Bible, and Normal courses. Health record not surpassed. Close personal attention to the health and social development of each pupil. Uniform worn on all public occasions. CHARGES VERY LOW. 26th Annual Session will begin on September 18th, 1907. For catalogue, address

REV. J. M. RHODES, PRESIDENT, Littleton, N. C.

The Keeley Cure

Do You Know What It Does?

It relieves a person of all desire for strong drink or drugs, restores his nervous system to its normal condition, and reinstates a man to his home and business.

For Full Particulars, Address, The Keeley Institute, Greensboro, N. C.

Correspondence Confidential.

Special Low Rates Via

SEABOARD Air Line Railway The Exposition Line To Norfolk

Jamestown Exposition April 26 to November 30, 1907

Special Rates From Pittsboro, N. C.

- Round trip season tickets..... \$10.80 Round trip 60-day tickets..... 9.40 Round trip 10-day tickets..... 8.50 Round trip coach excursion tickets..... 4.85

Coach excursion rate sold Tuesdays and Fridays, limited seven days and endorsed "Not Good in Sleeping, Pullman and Parlor Cars." Other tickets go on sale April 19th and continue until close of exposition. FOR RATES FROM OTHER POINTS, APPLY TO YOUR NEAREST SEABOARD AGENT, OR REPRESENTATIVE, NAMED BELOW.

Unexcelled Passenger service VIA Seaboard Air Line Railway

Watch for announcement of Improved Schedules.

For information and literature address

B. M. POE, Agent, PITTSBORO, N. C. G. H. GATTIS, Traveling Passenger Agent, RALEIGH, N. C.

RALEIGH & SOUTHPORT RAILWAY CO.

Southbound		Northbound			
Daily Except Sunday	Daily	TIME TABLE No. 22. Effective Sunday, May 12th, 1907.	Daily Except Sunday		
1	5	4	2		
a. m.	p. m.	STATIONS.	a. m.	p. m.	
8.00	4.40	Lv. Raleigh	Ar.	10.40	6.00
8.55	5.15	McCallers		10.06	5.15
9.16	5.30	Willow Springs		9.50	4.50
9.40	5.51	Varina		9.40	4.32
9.55	6.00	Fuquay Springs		9.23	4.17
10.14	6.17	Kipling		9.02	3.54
10.37	6.36	Lillington		8.42	3.31
10.50	6.48	Bunlevel		8.27	3.15
11.02	6.58	Linden		8.17	3.05
11.55	7.45	Ar. Fayetteville		7.30	2.15

Connections: At Raleigh with Southern Railway and Seaboard Air Line; at Varina with Durham and Southern Ry.; at Fayetteville with Atlantic Coast Line R. R.

JNO. A. MILLS, Pres. and Gen. Mgr.