

Will be published every morning (except Monday) at the following rates: Single Copy 5 Cents; One Month 1.50; Three Months 4.50; Six Months 8.00; One Year 15.00.

Our carriers will deliver the paper every morning in your city or to any other address, and parties wanting it will please call at the Office.

NEW ADVERTISEMENTS. Wanted—This Office. Wanted—C. E. McClure. Wanted—J. H. Redwood & Co. Wanted—J. H. Redwood & Co. Wanted—J. H. Redwood & Co.

United States Signal Service Station, Asheville, N. C. LATITUDE, 35.56 NORTH. LONGITUDE 82.26 WEST. ELEVATION, 2,350 FEET.

Metereological report for 24 hours ending at 9 p. m., February 14, 1889.

TEMPERATURE. Feb 14 9 a.m. 52. 12 m. 52. 3 p.m. 51. 6 p.m. 48. 9 p.m. 45. DAILY MEAN. 49.5.

RAILROAD COMMISSION. A Legal Opinion by Mr. Henry Hardwick.

We applied to Mr. Henry Hardwick to explain at length his position, as stated by our reporter on yesterday, and he very kindly gave us the following:

ASHEVILLE, N. C., Feb. 14, 1889. Editor Citizen:—In my opinion the present "railroad commission bill," now pending in the Legislature is objectionable to Section 1, of the Constitution of the United States, which provides that "no State shall pass any law impairing the obligation of contracts," provided the charters of all the railroads of the State have in them the same exclusive right to regulate freight and passenger rates that the charter of the Western North Carolina railroad company has. Section 25, of the Act of 1854-5 incorporating said road reads as follows: Be it further enacted, That the said company shall have the exclusive right of conveyance, transportation of persons, goods, merchandise and produce, over the said railroad, to be by them constructed, and such charges as may be fixed by the board of directors. Here, then, is a sacred, inviolable, irrevocable contract between the State of North Carolina and the corporators the obligation of which the present bill would impair. The property of the company would be rendered less valuable, and the contract would be broken.

In the celebrated Dartmouth College case in which Daniel Webster delivered one of his best speeches, the Supreme Court of the United States said: "A contract is a thing to be held sacred." The right of legislative control of corporations is well defined and limited by decisions in the courts of various States, the decisions of the Supreme Court of the United States and by constitutional provisions and statutory enactments of the States and it is well settled law that the State may limit the amount of charge by railroad companies for fares and freights unless restrained by some contract in the charter. Mann v. R. Co. 94 U. S. 113; Peik v. Chicago R. Co. 94 U. S. 164, 174; Shields v. Ohio, 95 U. S. 319; Chicago v. Iowa 94 U. S. 155; and numerous other decisions all sustain this position.

The pending bill is neither just nor expedient, and is ill-timed and premature. Railroad commissions, unless advisory, have in other States been an absolute failure. No issue was made of the matter in the last campaign, and this bill is an unwarrantable infringement of the vested rights of the railroad companies of the State and will only drive away foreign capital, and will not answer the end claimed for it by its friends. Chief Justice in the C. B. and O. R. R. Co. v. Cutts, 94 U. S. 95, says: "A good government never puts forth its extraordinary powers, except under circumstances which require it. That government is best which, while performing all its duties, interferes the least with the lawful pursuits of its people." Railroad commissions are a step in the wrong direction. They favor of oppression, and no man can say where legislatures will stop, for under the decisions of the Supreme court of the United States each State has the same right to fix the maximum price of the goods of merchants, the products of farmers; the labor of artisans and artificers, and the fee of professional men, in short, to regulate every industry or employment, trade or manufacture. Besides this act will entail a tax of at least \$10,000 upon our people, whose taxes are high enough now. It looks as if the promoters of the scheme merely wanted to create fat offices to be filled by themselves or friends.

The inter-State commerce law will answer every purpose. Nearly all of our freight comes from outside the State, and no complaint is made of passenger rates. HENRY HARDWICK.

FRIDAY, FEBRUARY 15. A Few Facts Which Go to Prove that This is Not So Unlucky a Day After All.

Friday, Feb. 22, 1732, George Washington was born. Friday, Dec. 2, 1791, the Albany Library was founded. Bismarck, Gladstone and Disraeli were born on Friday. Friday, March 24, 1609, the Hudson river was discovered. Friday, June 30, 1461, Louis XI humbled the French nobles. Friday, March 18, 1770, the stamp act was repealed in England. Friday, June 13, 1492, Columbus discovered the continent of America. Friday, Dec. 22, 1620, the Pilgrims made the final landing at Plymouth Rock. Friday, June 13, 1785, Gen. Winfield Scott was born in Danville county, Va. Friday, June 10, 1834, Spurgeon, the celebrated English preacher was born. Friday, Nov. 20, 1721, the first Masonic lodge was organized in North America. Friday, Sept. 23, 1780, Arnold's treason was laid bare, which saved the United States. Thomas Sutton, who saved England from the Spanish armada, was born on Friday. Friday, Jan. 12, 1433, Charles the Bold, Burgundy, was born, the richest sovereign of Europe. Friday, Nov. 28, 1814, the first newspaper ever printed by steam, The London Times, was printed. Friday, Oct. 19, 1781, the surrender of Yorktown, the crowning glory of the American army, occurred. Friday, June 13, 1802, Alexander von Humboldt, in climbing Chimborazo, reached an altitude of 19,200 feet. Friday, September 7, 1493, Melendez founded St. Augustine, the oldest town in the United States by more than forty years. Friday, April 8, 1844, the first known newspaper advertisement was published in The American Intelligencer, in England.

Friday, May 14, 1886, Gabriel Fahrenheit, usually regarded as the inventor of the common mercurial thermometer, was born. Friday, October 7, 1777, the surrender of Saratoga was made, which had such power and influence in inducing France to declare for our cause. Friday, March 5, 1496, Henry VIII, of England, gave to John Cabot his commission which led to the discovery of North America. This is the first American State paper in England. Friday, Nov. 10, 1620, the Mayflower, with the Pilgrim, made the harbor of Provincetown, and on the same day they signed that august compact, the forerunner of our present constitution. Friday, July 7, 1776, the motion was made in Congress by John Adams, and seconded by Richard Henry Lee, that the United States colonies were, and of right ought to be, free and independent. Friday, March 20, 1738, Pope Clement XII, promulgated his bull of excommunication against the Freemasons. Ever since the allocation excommunicating indiscriminately all Freemasons the order has received an immense forward impetus in Italy, France and Spain.

A ROBBERY. Thomas Cressman Knocked Senseless by Three Negroes, Last Night, and Robbed. About 8:30 o'clock, last night, Thomas Cressman, a white man, was knocked down and robbed by three negroes, near the Murphy place, across Beanchester. Cressman was unable to identify his assailants, and they made their escape, after taking from his pocket forty-five dollars in money.

The police are at work on the case, but there is slight chance that the guilty parties will be captured, owing to the fact that Mr. Cressman does not know them. Cressman was pretty badly bruised by his assailants in the assault, but no serious wounds were inflicted.

The attack was a cowardly and atrocious one, and if the offenders happen to be caught, no mercy should be shown them by the court.

Yesterday's Cotton Report. By Telegraph to the Citizen. NEW YORK, Feb. 14.—Hubbard, Price & Co., in their cotton circular to-day, say: The opening was with but a slight gain, and a comparatively lighter movement caused our market to slowly advance until the decline of the past few days had been fully recovered, and the market closed steady at the best prices, with but little trade.

On College Street, two pairs long silk gloves. The owner can get them by proving property and paying for this ad. 1621.

WANTED. From 100 to 200 Chestnut Poles, ranging from 25 to 50 feet in length and from 6 to 8 inches in diameter at small ends. Parties willing to contract for furnishing these poles will please communicate at once with C. E. McCLURE, Supt. So. Bell T. & T. Co. feb15d2w1t Richmond, Va.

DISSOLUTION. The firm of H. Redwood & Co. is this day dissolved by mutual consent. HENRY REDWOOD, ANNIE C. PRESSLEY, Feb. 14, 1889. JOHN H. McDOWELL.

The undersigned have this day formed a partnership for the transaction of a business in general merchandise in the city of Asheville, N. C. HENRY REDWOOD, ANNIE C. PRESSLEY, JOHN H. McDOWELL, PHILIP IRVING LOVE.

NOTICE. By virtue of a decree of the Superior Court of Buncombe county, rendered at the December Term, 1888, I will, on the 4th day of March, 1889, at the residence of T. I. Vandine, on College street, in the city of Asheville, sell, at public auction for cash, to the highest bidder, all the furniture and chattels, conveyed by T. I. Vandine and wife in certain deeds of trust to me; the furniture consists of carpets, chairs, bedstead, library, hall and parlor sets, and other usual household furniture.

At the same time and place, and under the same conditions and in the same manner I will rent and let the said residence for the term of one year from the date of my sale. For further particulars enquire at the undersigned at his office or of J. S. Adams, attorney at law, or Moore & Merrick, attorneys at law, at their respective offices. Feb. 14, 1889. W. W. BARNARD, feb15d2mard. feb15d2mard.

D. S. WATSON, Real Estate Agent, (Not a Speculator.) Having by practical experience thoroughly systematized my sales department, I offer SPECIAL INDUCEMENTS To those wishing to sell, and BARGAINS to those wishing to buy. I have some of the best property for sale in Asheville which can be bought low down. Also, country property, Manganese, Iron, and Timber Lands. Call and examine my list before purchasing. D. S. WATSON, Southeast Corner Court Square, Asheville, N. C. dtm1y1

MINOT'S DENTIFRICE A TRUE TOILET LUXURY. OF ABSOLUTELY PURE INGREDIENTS BEAUTIFIES THE TEETH. PRESERVES THE GUMS. SWEETENS THE BREATH. NO INJURY TO THE ENAMEL. SAFE AND AGREEABLE. WITHOUT EQUAL AS A TOILET PREPARATION. PRICE 25 CENTS PER BOTTLE. SOLD BY ALL DRUGGISTS. J. M. WINKELMANN & CO., PROP'S. BALTIMORE, MD. For sale by GRANT & WINGERT, daw14u28

A Contest for Prizes by Asheville Citizens. On Friday Evening, beginning at 8 o'clock, In Johnston Hall, Will be given an old time spelling match, under the auspices of the Asheville Y's. Admission—Adults, 25c.; children, 15c. feb14d2t

DISOLUTION. The partnership heretofore existing between Shepard, Mann & Johnson and J. V. Brown has this day been dissolved by limitation. This Feb. 9, 1889. feb14d1w J. V. BROWN & CO.

Indications. By Telegraph to the Citizen. WASHINGTON, D. C., February 14.—For North Carolina—Rain; warmer; winds becoming easterly.

THE MARKETS. Yesterday's Cotton Market. LIVERPOOL, Feb. 14.—Cotton quiet, with fair inquiry; American middling 5 9-16. Sales 10,000 bales; speculation and exports 1,000; receipts 2,900, all American. Futures quiet; February, 5 35-64; February, March 5 34-64; March April 5 32-64; April May 5 34-64; June, July, 5 34-64; August, 5 34-64; September, 5 32-64; October, 5 32-64; November, 5 32-64; December, 5 32-64. 2 P. M.—American good middling 5 9-16; low middling, 5 3/4; good ordinary, 5 1/2; ordinary, 5 1/4; sales for the day included 8,500 bales American; Feb. 5 3-64, seller; Feb. March 5 35-64, seller; March April 5 34-64, buyer; April May 5 34-64, buyer; May June 5 34-64, buyer; June July 5 35-64, seller; July Aug. 5 36-64, seller; Aug. Sept. 5 34-64, seller; Sept. Oct. 5 34-64, seller; Oct. Nov. 5 34-64, seller; Nov. Dec. 5 34-64, seller; Dec. 5 34-64, seller; futures closed firm.

NEW YORK, February 14.—Cotton.—Net receipts, 690; gross, 7,083. Futures closed steady. Sales, 65,700 bales. Feb. 9 7/8; March, 9 8/8; April, 9 9/16; May, 9 9/16; June, 10 0/16; July, 10 1/16; Aug., 10 1/16; Sept., 8 7/8; Oct., 9 5/16; Nov., 9 5/16; Dec., 9 5/16; Jan., 9 5/16.

Yesterday's Produce Market. LIVERPOOL, Feb. 14.—Wheat, quiet, demand poor; holders offer freely. Corn easy; demand fair; new mixed western, 4s 3/4; turpentine, 36s 6d.

CINCINNATI, Feb. 14.—Flour, easier; wheat, easier. No. 2, red, 100; corn lower, No. 2 mixed, 53 1/2; oats heavy, No. 2 mixed, 27 1/2; pork lower, 11 7/8; lard easier, 65; bulk meats, easy; short ribs, 61 1/2; bacon, easy short clear, 75; whiskey, steady, 103; hogs quiet.

BALTIMORE, Feb. 14.—Flour fairly active, about steady; City Mills, Rio brands, extra, 5 25a5.50; Wheat, southern, firm, good inquiry; Fultz, 1.01a1.07; Longberry, 1.07a1.12; No. 2 southern, 1.05a1.06; Western, steady, No. 2 winter red spot and Feb. 94 1/2; Corn, southern, quiet and steady; white 41a43; yellow 40a43; western easy.

ST. LOUIS, Feb. 14.—Flour quiet, steady; wheat was extremely unsettled, with rapid and rather violent fluctuations in price, but the close was only only 1/4 below yesterday's; No. 2, red, 99 1/2; bid; 97 1/2, asked; May, 97 1/2; closed 98 bid. Corn, steady, unchanged. No. 2 mixed, cash 28 1/4; March, No. 2 mixed, cash 28 1/4; March 28 1/4; May, 30 1/4; Oats steady, No. 2 cash, 23 1/2; May, 27 1/2 bid; whiskey, steady, 103; provisions dull, weak; pork, 11 7/8; lard, prime steam, 65.

CITIZEN PUBLISHING CO. NEAT. PROMPT. ACCURATE. A REAL PLEASURE TO DO YOUR PRINTING As you want it and when you want it.

THE ASHEVILLE SANITARIUM, ASHEVILLE, N. C. Beautifully located in a grove of oaks and white pine, with no dust or noise, at the corner of Oak and Woodfin streets, near the Female College, and only three squares from the court house.

All modern and latest improved methods for treating chronic diseases of the lungs (throat and nose), by the inhalation of vaporized and atomized fluids by the pneumatic and compressed air apparatus, also Compound Oxygen in connection with the vaporized Balsam (the balsam obtained from the natural balsam trees near Asheville).

We also manufacture a Home Treatment of the Compound Oxygen, which is, in most cases, equal to the office treatment, and will be sent, on application by express, on receipt of price, \$12.

Our success here for the past three years with this treatment has been phenomenal, having cured many cases that were pronounced hopeless, whose names and residences can be obtained by calling at the Sanitarium. By permission we refer to the following well-known gentlemen of Asheville: E. J. Aston, ex-Mayor; J. H. Reed, Clerk U. S. Court; Rev. G. C. Rankin, pastor First Methodist Church; Rev. W. A. Nelson, pastor First Baptist Church; H. T. Collins, Capt. Natl. Artillery.

Board and Treatment furnished to patients at reasonable prices. In addition to boarding our patients, we have a number of elegantly furnished rooms to accommodate boarders, who desire a nice, quiet place, away from the hotels. Nice rooms, new furniture, good fare, first-class cooking, at reasonable prices. Also, hot and cold baths.

Dr. T. J. HARGAN, Proprietor.

HERRING & WEAVER, THE SHOE STORE, NO. 30 SOUTH MAIN STREET. While we have the Finest and Most Fashionable Goods in Our Line, We also have the cheapest. Call and see us.

ASHEVILLE ADVERTISEMENTS. "BUY HOME-MADE GOODS." Full Roller Process. We Guarantee Satisfaction. Ask Your Grocer for Asheville Milling Company Flour and Meal.

We make the following grades of flour: Roller King, Electric Light, Carolina Belle. Take no other. Cash Paid for Wheat, Corn, Oats and Rye. Horse and Cattle Feed Mixture Ground to Order. Do Custom Grinding for Corn Rye and Oats. Mill and Yard at Old Depot.

ASHEVILLE COAL COMPANY, H. T. COLLINS & CO. Superior Hard and Soft Coal at Wholesale and Retail. Office: Barnard Building, Patton Avenue. Yard: Old Depot.

THE "BONANZA," THE LEADING WINE AND LIQUOR STORE OF THE STATE. No. 43 South Main Street, ASHEVILLE, N. C.

THE "HICKORY INN" WINE AND BILLIARD ROOM, HICKORY, N. C. FRANK LOUGHRAN, PROPRIETOR.

WILLIAMSON & SON, MANUFACTURERS OF SASH, DOORS, BLINDS, Mouldings, Stair-Work, Fine Interior Finish, Mantels, Etc., ASHEVILLE, N. C.

AGENTS FOR The Buckeye Pump, Steel and Tin Shingles, Floor and Hearth Tiles. AGENTS & M'FRS. OF Byrkit's Patent Sheathing Lath.

SPECIAL SALE FOR FEBRUARY. Closing Out Sale of all Winter Goods. I am going to make things lively at the "SPOT CASH STORE" for the next 30 days. I must have room for Spring goods and I am going to put prices on goods that will move them.

I will offer my entire line of Underwear at just what they cost me, to close out. Comforts and Blankets at half price. Chinese Black Fur Rugs at \$3.50, former price \$4.00. Chinese White and Grey Rugs at \$2.50, former price \$3.00. Big line of Umbrellas at prices that will sell any one: 16-rib 2m, 30 and 32 in. at 95c. A nice metal handle at 75c. A Clorich Silk (gold head) at \$1.99. A "Silver Head" at \$1.99. Big Job in Pearl Buttons at 25c. per dozen. Big drive in Gents' Silppers, embroidered top, 75c., worth \$1.00; leather at 95c., worth \$1.50. Dress Goods at any price, to close out.

I have just received a lot of Hall's Bazaar Forms, and every lady in Asheville who has any dressmaking to do ought to have one. It is a household necessity. Don't forget the place. W. H. LEA, Spot Cash Store, No. 17 N. Main St. feb14d1y

Stoves, Tinware and House Furnishing Goods, in connection with a general Plumbing, Gas and Steam Fitting Business. Also Roofing, Guttering, &c.

Having employed the services of Mr. L. Brown as Foreman, who is a practical and experienced workman, together with several other of the best workmen in these lines, I am now prepared to make estimates on all kinds of work above mentioned.

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H. T. COLLINS, President. B. E. EAGAN, Secretary. ASHEVILLE ICE COMPANY. Pure Ice made from Distilled Water. Ice for storage in 10 ton lots 30 cents per hundred. Office Barnard Building, Patton Avenue.

FITZPATRICK BROS., Dealers in Wall Paper, Window Shades and Patent Hangers, Paints, Oils and Varnishes, Masonry's Mixed Paints and Colors, Window Glass, both French and American. We keep in stock St. Louis and Kentucky Lard. feb14d1y

PENNIMAN & CO., JOBBERS AND DEALERS IN HARDWARE ASHEVILLE, N. C. AGENTS FOR: DUPONT POWDER CO., RICHMOND STOVE CO., CORTLAND WAGON CO., OLD HICKORY WAGONS, STUDEBAKER WAGONS, MOLINE SCALE CO., ENGINES, SAW MILLS, ETC. W'ORMICK HARVESTING MACHINE CO. feb14d1y

Anything in the Jewelry Line at LOWEST PRICES For First Class Goods. REPAIRING AND ENGRAVING. BURT DENISON, 18 Patton Avenue. LUMBER YARD. GEO. F. SCOTT, (Successor to Doulhday & Scott,) North Public Square.

WINDOWS, BLINDS, DOORS, Glass, Putty, Lime, Plastering Hair, Shingles, Laths, Fencing Posts. All kinds of Building Material. Orders will receive prompt attention. feb10d1y

PLUMBING, STEAM AND GAS FITTING, TIN AND SLATE ROOFING, ARCHITECTURAL IRON WORK. Plans and Specifications Furnished on Application. We have thorough mechanics in each line who have had many years' experience in their business. We can safely guarantee our patrons satisfaction in our work, a low figure.

BALLARD, RICH & BOYCE. The partnership heretofore existing between Shepard, Mann & Johnson and J. V. Brown having terminated by limitation and the business transferred to our Undertaking and Embalming Parlors, No. 31 Patton Avenue, where Mr. P. B. Brewton, formerly in the employment of W. A. Blair & Co., an experienced embalmer and undertaker, will be found at all hours, night and day, and where we will keep the largest and finest stock of goods in this line ever seen in Asheville. Our patrons can have the use of our rooms for funerals, and bodies will be kept as long as desired. Shipping bodies a specialty and satisfaction guaranteed.

Sole agents for the Bronze Asbestos and the Indestructible Caskets. SHEPARD, MANN & JOHNSON. Call and see our Invalid Bed. The best thing ever invented for the comfort of the afflicted. feb10d1w

SEEDS! SEEDS! SEEDS! Fresh from the genial bosom of our own Southern soil, and better adapted to all cotton and tobacco lands than any seeds in the world. Except my "Specialty," "Bumcombe" Calhoun and my three Novelties—Hybrid Tomato, Champion Corn and Gold Prize Oats (which I sell at 10 cts. per packet, postpaid) I sell everything at 5 cts. per packet; postpaid anywhere in the United States or Canada. Send for catalogue to J. W. VANDIVER, Seedman, Weaverville, N. C. feb13d6tw2t

NOTICE is hereby given that the undersigned will make application to the General Assembly of North Carolina, during its present session, to incorporate the town of Black Mountain, Buncombe county, N. C. S. F. LOUGHRAN, J. H. STEPHENSON, A. S. MILLTON. jan20-d30d feb14d6m

MUSTANG LINIMENT CURES PILES, HURNS, CUTS, CORNS, BRUISES, CHILBLAINS & FROSTBITES. MUSTANG LINIMENT CURES HOLLOWHORN, CAKED BAG, GRUB & HOOP DISEASE IN CATTLE!

DISCOUNTS EXTRAORDINARY! For those whose incomes are abundant to satisfy all demands on them the following will have little interest, but—some of us belong in another category. For the remainder of the season a large discount on Clothing for Men and Boys, Overcoats, Wraps for Ladies, Misses and Children, Men's and Boys' Boots, and certain lines of Children's Skout Shoes. These embrace some very stylish goods, which consumers will get at a trifling advance on cost, while on some others—not so stylish—the price will be far below New York cost. A nice line of Ziegler Bros. Pebble Belmours, sizes 11 to 14, at \$1.30. Clothing, Dry Goods, Shoes, Hats, and Carpets. H. REDWOOD & CO., feb14d1y

J. V. BROWN Will continue the undertaker's business at his old stand over J. H. Dickerson & Co.'s Hardware Store, under the firm name of J. V. BROWN & CO. Having thirty years' experience as undertaker and embalmer, and unequalled facilities for buying, can safely guarantee satisfaction. Calls promptly attended to at all hours. Everything pertaining to the business always on hand. feb14d6m

THE CITIZEN PUBLISHING COMPANY, No. 6 North Court Square, Is prepared to do high-grade work at LOW RATES Because they have a FIRST-CLASS EQUIPMENT. CITIZEN PUBLISHING CO.