THE DAILY CITIZEN.

The CITIZEN is the most extensively circulated and widely read newspaper in Western North Carolina.

Its discussion of public men and measures is in the interest of public integrity, honest government, and prosperous industry, and it knows no personal allegiance in treating public issues.

The CITIZEN publishes the dispatches of the Associated Press, which now covers the whole world in its scope. It has other facilities of advanced journalism for gathering news from all quarters, with everything carefully edited to occupy the smallest space.

Specimen copies of any edition will be sent free to any one sending their address.

TERMS—Daily, $6 for one year; $3 for six months; 50 cents for one month; 15 cents for one week. Carriers will deliver the paper in every part of the city to subscribers, and parties wanting it will please call at the CITIZEN office.

ADVERTISING RATES—Reasonable, and made known on application at this office. All transient advertisements must be paid in advance.

Leading notices ten cents per line. Obituary, marriage and society notices fifty cents each (not exceeding ten lines) or fifty cents per inch.

TUESDAY, OCTOBER 15, 1889.

THE JURY SYSTEM.

We find the following "chunk of wisdom" in the Salem Evening News, published way up yonder in the land of witchcraft, but showing an outcropping of the old sound sense which ante-dated the absurd delusion which expelled in solid body justice, humanity and common sense. The News says:

By one of the provisions of the Idaho constitution, which has just been adopted, two-thirds of a jury may convict, or acquit, or render a verdict, the same as if the entire twelve had agreed.

In general the jury system is in decidedly, we may say deservedly, bad odor at present, and it is a question if an innovation to this effect all around would not tend in part to that improvement in methods which the proper administration of law and the ends of justice imperatively demand.

To go a step farther, would it not also be well to do away with those invidious exemptions through which hosts of people in different walks of life are now enabled to escape jury duty at all? Incidentally, it may be remarked that these classes comprise the very citizens who by training, qualification and temperament are best equipped to render satisfactory service in this quarter. But they are strangers to the jury box, and no extended arguments are required to show the general advantage that would accure were they required to devote a portion of their time and talents to labor in this field. Matters have been steadily drifting to the worse, and changes such as are proposed above could not operate in any other way than to hasten that reform which all good men hope to soon see brought about.

It is a humiliating confession to make in this age of vain glorious enlightenment that the jury system, one of the finest illustrations to be found in human social organization of wisdom, fairness and justice combined, has fallen so largely into a degradation which might characterize it as the invention of ignorant credulous barbarians, selecting the obscure elements of chance or ignorance as the decisive arbiters on the issues of human life or rights. The adoption of the idea of trial by jury was an emanation peculiarly from Anglo-Saxon thought and temper. It had no place, at least in existing form and principle, in ancient jurisprudence, nor had it taken possession of the thought of the modern nations of Latin origin. It is found in the intuitive perception of fairness and justice and in the spirit of liberty which disdained to submit grave issues involving life and property, to the arbitrary decision of a monarch, or to a servile and partial tribunal delegated by him. Disputed facts, under our jury system, were to be referred to the impartial judgment of a defined number of men of average intelligence, and certain other qualifications indispensable to the attainment of justice. And in this original idea of trial by jury, human wisdom, in relation to the regulation of human affairs, never aimed at a higher flight, attainable, however, only by adherence to the original ideas of purity, impartiality and a fair degree of intelligence.

From these, however, modern practice has so widely departed as to have brought the system, if not into contempt, at least into distrust. When men are carefully sifted out from the body of their fellow men with studied reference to the density of their ignorance, when they are selected with careful ascertainment of their "favor or affection" for a prisoner at the bar, or for prejudices which would prove insurmountable barrier to a fair judgment; or, as often the case, when they are taken from a body of mercenaries hanging about the court houses waiting to be picked up as professional jurors, the wonder ceases to exist that the action of juries is not always accepted as the voice of purity and wisdom, or entitled to the sanctity with which time, tradition and long usage have invested it.

Abstractly, the system is as nearly perfect as human wisdom could devise. Under it, subjects in controversy, the questions of life or property, are presented to the patient, deliberate scrutiny of twelve minds viewing the question in all the many aspects, in all the lights and shades, in all its relations of value or triviality, in which a subject can be presented to so many different minds, forming conclusions from so many different points of view and judgment. With impartial and unbiased minds, with reasonable degree of intelligence, and with due sense of responsibility, the jury system might be wisely left as originally constructed with the adoption of such changes as commend themselves to reason, and which experience has demonstrated to be necessary.

There is absurdity in adherence to the requirement of unanimity. It may offend the sense of reverence which invests all that is hoary with time with popular and judicial sanctity. But unanimity is not a human faculty. It is not so much the pride of individual opinion as the utterly impossible attainment of the idea that any body of men see or think exactly alike. To shut twelve men up in a jury box, to shut them out from contact with others, to starve them and coerce them to think as one man, is as irrational as the puerile labor of Charles V to make an indefinite number of watches keep exactly the same time.

We have drawn most of our precedents and practice from English laws and precedents. The English are the most inflexibly conservative people on earth. They hold on to good and bad alike. The Americans, free to adopt from all people whatever is best adapted to their conditions, have in most things moulded their legal forms into simple, practical, business-like shapes; all, except their petit jury system. They still aim at the impracticable attainment of a voluntary unanimity; failing in that, they enforce a unanimity, sometimes to the wrong of the accused; oftener to the total defeat of justice, or of the ends aimed at by jury trials.

The adoption of the Scotch system, under which a verdict is reached by a majority of nine out of the twelve jurors, would come near to solving some of the difficulties which now embarrass the present practice of our courts, criminal and civil.

OUR RAILROAD PROGRESS.

From east to west in North Carolina, from the sea coast to the mountains, there is very much to gratify the pride of North Carolinians, and strengthen the belief that the whole State will soon have supplied all its deficiencies in interior communications, have taken judicious steps to build up its own seaports, and at the same time enlarged its alliances with the great exterior lines of communication. Cheerful information greets us from every quarter. From Wilmington comes the announcement that thirty-one miles of the Fayetteville and Wilmington branch of the Cape Fear and Yadkin Valley road is complete, and that the whole distance of eighty miles will probably be completed by the first of the coming January, thus forming a new avenue, within the State to the mountain country. We also learn that the dirt has been broken for the Wilmington and Onslow line, a road which will eventually be extended to the Virginia line, thus forming another important passway across the State parallel with and near the coast with its chief terminus at the greatest seaport in our territory. And again we learn that the hopes of the construction of a line from the harbor of Southport, at the mouth of the Cape Fear river, to Bristol, Tenn., were never stronger or brighter. Such road may possibly pass through Asheville, by what is the most direct route. Then there is the Lynchburg and Durham road, now being pushed to completion, to open up another great interior highway. Durham is now the proposed southern terminus. Fayetteville may be the ultimate one. Then there is the Atlantic and Danville road which skirts the northern borders of the State, dipping into several counties heretofore denied railroad facilities. There is the Roanoke Southern being extended rapidly from Winston north, to give that important town a very valuable new line; and also the road from Winston to Wilkesboro, also being built with great rapidity, and reaching into a very productive mountain and piedmont section. We noticed a few days ago the letting out of the contract of the Three Cs line from Rutherfordton to Marion, and the probable speedy giving out of the contract from the latter point to the Tennessee line—another great channel opened across the State from the Ohio valley to the Atlantic coast. Here in Asheville, we seem to be on the verge of an altogether new enterprise—the building of the Atlanta, Asheville and Baltimore road, one of the most important undertakings of this active period. Of this we may have something to say elsewhere.

This is not the least of our hopes, nor the proudest of our expectations; and taken together with the other works referred to present a record of energy and sagacity very gratifying to State pride.

JOURNALISTIC.

The Fayetteville Observer comes to us as a semi-weekly, a very handsomely printed and ably prepared sheet, honorable to the editors, who so ably second the reviving prosperity of the town they represent.

The North State Artisan is a very elegantly printed and ably edited monthly publication just issued from the press of Mr. H. E. Seeman, at Durham, N. C. It is devoted to the manufacturing, mining and agricultural interests of the State, and the first number indicates that it will perform its duty with judicious devotion. Nowhere is there issued a more beautifully printed or elegant "make up" than we find in the first number of the Artisan. The price is only $1 a year. We thank Mr. Seeman for his advertisement of THE CITIZEN, but beg leave to call his attention to one error. He gives the price of our Weekly $1. It is $1.50. The rest is right, with thanks.

Dr. Guillotine, the French philanthropic surgeon, invented the instrument of death which bears his name to mitigate the barbarities of decapitation, the national punishment, by the sword or the axe. He was among the first in the French revolution, to test the efficacy of his invention—tried on his own neck with perfect success. Some one in the same kindly spirit with Dr. Guillotine, devised death by electricity as a substitute for hanging on the gallows. Electricity goes on killing and to kill, in its own independent motion, without awaiting the legal test. It kills with certainty, of which there is every day decided proof. Now let the inventor of the electric mode of execution come out bravely like his French prototype, and submit himself as an example of what can be done *secundem artem*.

Dr. Parker Prays cream Van-Ola, Rosaline, Ongaline and Diamond nail powder having now become the ladies' favorites, at F. L. Jacob's drug store, these popular manicure articles may always be found, together with pocket emery board, orange wood sticks, nail scissors, files and other such requisites. Also a complete line of drugs and toilet articles, in addition to the Hebe Soda Fountain from which ice cold drinks are dispensed. Corner Main street and Patton avenue.

The next Commissioner of Pensions is preserving a discreet silence.

To Dispel Colds,

Headaches and Fevers, to cleanse the system effectually, yet gently, when costive or bilious, or when the blood is impure or sluggish, to permanently cure habitual constipation, to awaken the kidneys and liver to a healthy activity, without irritating or weakening them, use Syrup of Figs.

FALL GOODS

THE BIG STORE

—OF—

Bostic Bros. & Wright

Is now overflowing with the largest and prettiest stock of Dry Goods ever brought to this market.

Henriettas, Cashmeres, Mohair Cloth, Jubilee Cloth, Turner Goods, Velvets, Worsted, Eiderdown in all colors, Renfrew Dress Ginghams, etc.

NOTIONS! NOTIONS!

All sorts of Notions, including Yankee Notions, and some of the prettiest Notions you ever Noted.

Some of the most Fascinating Never-Fail Fascinators that ever Fascinated.

Hoods, Toboggans, and Shawls in endless variety.

The prettiest line of Flannels you ever saw.

Blankets, Quilts and Counterpanes.

Jeans and Cassimeres.

Gents' Furnishing Goods in abundance. We can fit you up in a nice Suit or Hat, in any style you want.

We are Sole Agents for the celebrated Morrow Shoes for Ladies.

To arrive in a day or two—a full line of Ladies' latest styles Walking Jackets.

200 prs. Ladies' and Misses' Shoes, made by Ziegler Bros., Philadelphia, which we will close out at net cost.

In our Store you will find the maximum of what you want and the minimum what you don't want.

BOSTIC BROS. & WRIGHT,

No. 11 N. Court Square.

BOOKS AND STATIONERY,

ARTISTS' MATERIALS,

ENGINEERS' SUPPLIES,

PICTURES AND FRAMES,

FANCY GOODS,

BLANK BOOKS, EVERY GRADE,

DOLLS, TOYS AND GAMES,

WESTERN N. C. SCENES,

BOTH PHOTOGRAPHIC AND HAND-PAINTED,

—AT—

ESTABROOK'S,

22 S. Main Street.

IN ORDER

TO

MAKE SOME CHANGES

IN

OUR BUSINESS,

WE OFFER

AT COST,

OUR STOCK OF

SILVER-PLATED WARE,

INCLUDING

KNIVES, FORKS, SPOONS,

CASTERS, BUTTERS,

PICKLES, ETC.

ARTHUR M. FIELD,

Leading Jeweler.

THE GREATEST ATTRACTION

Is that fine lot of ENGLISH BRIDLES and THREE-HORN CHAMOIS SEAT SADDLES at

J. M. ALEXANDER'S

And the low prices at which he is selling all goods in his line.

He has increased his force and intends to meet the demand.

SATISFACTION GUARANTEED.

OXFORD, N. C., July 13, 1888—Mrs Joe Person—Madam:—As I have been very much benefited by the use of your Remedy, I think it my duty to testify to the same. I have for some time past been troubled with Rheumatism, and also an eruption of the skin on the chest and shoulders which was very annoying. I used your Remedy, and have been entirely cured of the skin disease, and very much relieved of the Rheumatism.

GEO. B. REAVIS.

THE RACKET COLUMN.

Our goods are all in and we are now ready to meet anybody's prices. We have some of the best bargains in Dress Goods, Shoes and Hats we have ever offered. In Blankets, Comforts and Bed Spreads we are prepared to offer some special prices.

ALL WOOL

Shawls to sell at prices cheaper than we ever have been able to *buy them at before*. We sell no goods at cost *or under* just to get you in our store and then make it up on you in other things, by charging two prices for something that you do not know the real value of. We sell *everything* at a small profit, and our facilities for buying being better than those of any store in North Carolina, except "Rouss' Racket Stores," *we can and do* undersell anybody in Asheville on Dress Goods, Shoes, Hats, Tinware, Notions, Glassware, Tools, Clothing, Lamps, Lamp Chimneys, Shawls, Blankets, etc., etc. Yard-wide Factory Cloth and Graham's Plaids or Homespuns some sell for less than cost—*but skin you in other things*. Our advice is, buy Homespun and Plaids as cheap as you can, being careful to see that each yard measures 36 inches, but when you have bought that

QUIT.

No man will lose money on you, and when one offers goods below cost at wholesale, *buy them*, but don't touch them in other goods. Use common sense, price around, and where you are offered the best bargains

BUY.

We can sell you a solid Woman's Shoe for $1, well worth $1.40, a Child's School Shoe for $1 that you cannot match for $1.25 in Asheville, a Hat for 50c. that others ask 85c. to $1 for. We have an Old Ladies' Shoe for $1.50 that will please every tender-footed middle-aged or old Lady in the land and be a source of solid comfort to her. Our Man's Shoe for $2 in Congress or Lace has given better satisfaction than any shoe we ever sold. We have a line of Dress Goods from 10c. up that is astonishing in quality, *for the price*, a line of Dress Alpacas at 30c., all colors, of Flannels in large plaids at 30c., of Mohairs in greys at 20, and of Tricots at 48c., we guarantee will not be equalled in this town. We especially invite the Ladies to call and see our Silks for fancy work, chenilles, bangles, arasenes, wools, knitting and embroidery silks. We are also prepared to do stamping on Linen, Plush, Velvet and Felt, at prices away below those charged by others. We have a beautiful line of patterns. All the new pieces bought in September and guarantee satisfaction. We have a Kid Glove in Black and Tans at $1 that takes the fancy of every lady who has seen them. The best woven Corset for 86c. that has ever been shown in Asheville under $1.25. Come and see

Our New Big Stock,

And learn our prices before you buy elsewhere.

Very respectfully,

GEO. T. JONES & CO.

N. Y. Office, 466 Broadway.

HOTELS.

STRAUSS'

RESTAURANT

—AND—

Oyster Parlor.

EUROPEAN PLAN.

Meals at all Hours. Electric Cars Pass the Door.

I take pleasure in announcing the Oyster Season of 1889-'90 has opened, and my long experience in the business justifies me in assuring the public that I can please and satisfy all customers. I will serve oysters in the best style, and dealing only with reliable houses, can offer the finest bivalves on the market. Try our

Philadelphia Fry,

Or Pan Roast. Boston Bay Stews a specialty. Great care will be taken with all orders. I sell only the finest and freshest oysters that can be had. I receive shipments direct from packers every afternoon. Charges reasonable. My restaurant is also supplied with

BIRDS, GAME, FRESH FISH, ETC.,

At all times. Special attention given to lady customers. Polite and attentive waiters. Board by day, week or month with or without rooms. If you want the best the market affords call on

E. STRAUSS, Prop'r.,

South Main Street.

PRIVATE BOARD.

NEW HOUSE! NEWLY FURNISHED! ALL MODERN IMPROVEMENTS.

MRS. N. B. ATKINSON,

No. 211 Haywood Street.

jun22 d1y

PRIVATE BOARD.

A large house, 318 Patton avenue. Warm, comfortable rooms. On street car line. Terms reasonable.

oct8 d6m MRS. J. L. SMATHERS.

MRS. S. STEVENSON

Has removed to the Johnston Building, Patton avenue, corner of Church street, where she is prepared to keep regular or transient boarders. Table furnished with the best the market affords. Terms reasonable. mar31m6

ROUND KNOB HOTEL

McDowell Co., N. C.

(Situated on the W. N. C. R. R. An hour's ride from Asheville.)

First class in every respect. Mineral waters—Lithia, Iron, Alum and Iron, Red and White Sulphur and Magnesia.

The most picturesque spot in Western North Carolina.

Parties leaving Asheville on the 1.32 p. m. train can have dinner on their arrival by telegraphing from the depot.

Terms reasonable. Special rates to families.

J. Bulow Erwin,

Proprietor.

july9 d3m

J. W. SCHARTLE,

MERCHANT TAILOR

42 N. Main St.

feb20d1y

JAMES FRANK,

—DEALER IN—

FAMILY GROCERIES AND PROVISIONS

Agent for Reems Creek Woolen Mills.

North Main - Asheville, N. C.

feb10d1y

WM. R. PENNIMAN,

PROPRIETOR OF

THE ASHEVILLE BRICK WORKS,

Asheville, N. C.

P. O. Box P.

mar13d1y

GEO. KIMBER,

GENERAL CONTRACTOR AND BUILDER

Mosaic Tile and Cement work a specialty.

Grates, Ranges and Boilers set.

Buildings moved and repaired in first class manner.

Sewerage, Drainage and traps for the same thoroughly understood and promptly attended to.

Office: Wolfe Building, Court House Square, Asheville, N. C. may30d1y

Drunkenness

Or the Liquor Habit, Positively Cured

BY ADMINISTERING DR. HAINES' GOLDEN SPECIFIC.

It can be given in a cup of coffee or tea, or in articles of food, without the knowledge of the person taking it; it is absolutely harmless and will effect a permanent and speedy cure, whether the patient is a moderate drinker or an alcoholic wreck. IT NEVER FAILS. We GUARANTEE a complete cure in every instance. 48 page book FREE. Address in confidence,

GOLDEN SPECIFIC CO., 185 Race St., Cincinnati, O.

FOR MEN ONLY!

A POSITIVE CURE for LOST or FAILING MANHOOD; General and NERVOUS DEBILITY; Weakness of Body and Mind; Effects of Errors or Excesses in Old or Young. Robust, Noble MANHOOD fully Restored. How to Enlarge and Strengthen WEAK, UNDEVELOPED ORGANS & PARTS of BODY. Absolutely unfailing HOME TREATMENT—Benefits in a day. Men testify from 47 States, Territories, and Foreign Countries. You can write them. Book, full explanation, and proofs mailed (sealed) free. Address ERIE MEDICAL CO., BUFFALO, N. Y.

OPIUM

and Whiskey Habit cured at home with out pain. Book of particulars sent FREE. B. M. WOOLLEY, M.D. Office 185 Whitehall St., ATLANTA, GA.

feb10d4w1y tu th sat

ATLANTIC COAST LINE

On and after this date the following schedules will be run over its "Columbia Division."

No. 53—Leaves Columbia*..... 5.20 p. m.
Arrives at Charleston..... 9.30 p. m.
No. 52—Leaves Charleston*..... 7.10 a. m.
Arrives at Columbia..... 11.55 a. m.

Connecting with trains to and from all points on the Charlotte, Columbia & Augusta and Columbia & Greenville Railroads.

*Daily.

T. M. EMERSON, Gen. Pass. Agt.
J. F. DEVINE, Gen. Supt.

CHAS. D. BLANTON & CO.,

MEN'S AND BOYS'

CLOTHING

OUTFITTERS.

Our aim is to fill a long felt want in the city of Asheville, and we will open about September 1, with the most complete line of Clothing for Men and Boys ever shown in this section.

Our Mr. CHAS. BLANTON goes to Northern and Eastern markets with the ready cash which insures to the new business

A FINANCIAL SUCCESS.

THE YOUTHS', BOYS' AND CHILDREN'S

DEPARTMENT

Will receive our special attention, and to this we will call the especial attention of Mothers, Sisters and Aunts.

OUR GENTLEMEN'S FURNISHING GOODS

Will be replete with all the Novelties of the season in the way of Neckwear.

OUR HAT DEPARTMENT

Will receive due attention, and in it can be found from the conventional High Hat down to the Soft Knock-about.

We have already placed our order for a line of

MEN'S FINE SHOES

With one of the most popular makers.

Our mode of business shall be STRICTLY ONE PRICE, and all goods warranted as represented or money refunded.

Our opening will be announced in due time.

CHAS. D. BLANTON & CO.,

One Price Clothiers,

Patton Avenue, - - Asheville, N C.