OLD SERIES --- VOL LXXI--- NO. 3,987.

FAYETTEVILLE, N. C., THURSDAY, SEPTEMBER 5, 1907.

NEW SERIES-VOL. XXIII---NO. 2,264.

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ANNOUNCEMENT.

I hereby announce my withdrawa (to take effect September 1st, 1907,) from general practice, sevoting my whole time and attention to Surgery and Gynecology, and to office and consulta-J. F. HIGHSMITH, M. D.

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HERE IS DEMOCRATIC DOCTRINE, SURE ENOUGH.

The Greensboro Record, which has recently been publishing a number of admirable editorials on political and economic questions, contains the following:

Currency Inflation.

The last time this country had a tariff for revenue, as free from protection as any tariff should be was from 1836 to 1861. That was a period of great prosperity. The census bureau has just published a special report on national wealth by decades and these figures show that the wealth more than doubled from 1850 to 1860 increasing from \$7,135,780,228 to \$16. 159,616,068. That is an increase of over 135 per cent, during the time when a low tariff and what the protectionists call free trade prevailed. During the later decades the increase was never nearly so great and from 1880 to 1890 was only 50 per cent. and from 1890 to 1900 was less than 33 per cent, and during the past four years since 1900 the increase will be but little over 50 per cent, for the decade to 1910 at the same rates of increase as for the past four years.

It is claimed by the standpatters that all the prosperity this country has enjoyed is through protectionism but neither the McKinley bill, while it was in operation, nor the Dingley bill now, can compare as prosperity producers with the Democratic tariff for revenue period for 1850 to 1860. How will our protectionists explain these official figures?

Now Democrats do not claim that the low tariff of 1846 to 1857 and the still lower tariff of 1857 to 1861 was the cause of all the great prosperity of that period that has never been The discovery of gold in California in 1848 and the consequent inflation of the currency was one of the causes, just as the increased out-put of gold from Alaska, Colorado and Nevada during the past ten years has been one of the causes of the present prosperity. Prices of com-modities always increase with currency inflation, but the advance in the price of commodities from 1848 to 1860 was not anything like as great as now, for the low tariff then acted as a restraint, because if prices increased beyond where foreign imports could be sodd with a profit, either the home manufacturer would have to keep within the price that foreign goods could be laid down for or lose his trade.

But how different now, with a similar currency inflation and a trust fostering tariff that prevents the importation of foreign manufactured goods unless an average duty of 75 per cent. is paid, and, therefore, allows the combinations into which most of our manufacturers are now organized to not only advance the price of their products up to the percentage of the tariff tax and through the artificial and arbitrary advantage of tariff protection are in a great measure freed from competition either at home or from

If a tariff for revenue was now enacted the trusts would be compelled to reduce their profits to prevent for eign products from competing with them, but the range of prices would still be higher than formerly in consequence of the inflation of the currency through the increased output of gold and the increase of the national bank currency. As the gold inflation is world wide the price of commodities everywhere measured in gold reased about 20 per while here, in consequence of protect ing the trusts, prices have increased 46 per cent. The difference between the increases here and abread, or 25 per cent., is the price we all pay in tariff taxes or increased trust profits, for the Republican policy of protect the "Growing Opposition to the Roose-

ing the trusts. While the statement of the fact that the double decade before the war of 1861 was by far the most prosperous pe riod in our history, is not new, the fact appears to be little known, and the very interesting form in which our Greensboro contemporary presents it. as above, is therefore the more val-

If our contemporary will get from the State Department at Washington the report on Emigration from the United Kingdom, published in 1887, it will see how astonishingly the same facts now presented by the census bureau's report were anticipated or complemented by the testimony of the and flow of emigration the old countries to the from new. The indications of emigration are unerring, because they reflect the struggle of life and the effort to better themselves of millions. The movement is largely unconcerted, but bad times in the country whence and good times in the country whither, or the reverse of these conditions, swell or diminish the volume of emigration, whose original impulse is the pressure

of population. Just as this census bureau repor reveals the vastly greater increase of wealth in the double decade from 1840 to 1860 over that in the decades and double decades after the war, so the statistics of emigration show how much greater was the response to the emigrating impulse in the 20 years from 1840 to 1860 than in Mr.

Blaine's 20 years of "millennium" from 1860 to 1880. It was this emigration and kindred reports of the later Eighties that gave New York to the Democrats in 1890, and set in motion the tariff-for-revenue wave which swept the Democracy into

complete power in 1892. Perhaps this census bureau report may be similarly used-though, of course, it will be many years before the Democracy can recover the Senate, even if it secure the House and the

President. What a sad reflection—the result of our lost opportunity in 1893. If we had carried out our pledges to enact a tariff for revenue at once upon our accession to full power in 1893, the Democracy would be still in control of the government; the Philippines and Cuba would not be costing us 400 millions a year; the trusts and the railroads, grown fat by the tariff and the demonetisation of silver, would not afflict us in fine, the history of America, and largely of the world, would be very different from what it is.

NONE SO BLIND AS THOSE WHO WILL NOT SEE.

We observe that some of the anti-Bryan newspapers are quoting the following from the Richmond News-Lead er (politics not known to us):

Jennings Bryan is widely known as a temperate man, if not a total abstainer, we would be strongly inclined to suspect that he was intoxicated when he gave to the newspapers the interview reported yesterday morning. In intoxication would be the most satisfactory excuse we can think of for his friends to offer. The public forgive a man for an alcoholic spree more readily than for incompetence He asserts that President Roosevelt in his Provincetown speech outlined a scheme of centralization for the pro ection of the rallway and other corporations. He announces this discov-ery with the air and manner of the detective hero of a melodrama who shouts from the center of the stage, close to the footlights, "Ha! Ha! Discovered! Discovered! And folled at

Every Wall street organ and sympathizer in the country has been tellthat the stock martuberculosis because Roosevelt is persecuting with a lariat. Mr. Bryan announces that Mr. Roosevelt really is trying to play tender parent and protector to he corporations and intends to throw the strong arms of the federal government around them to prevent popular vengeance from reaching him. Mr. Bryan says the federal incorporation of railroads and other corporations is a mowe toward centralization which should alarm the public. He tells us that "even the Hamiltonian Republican ought to Mesitate to trust Congress with any more power while the United States Senators are elected by legislaures. And yet Mr. Bryan, posing himself as a Jeffersonian Democrat in direct antagonism to the Hamiltonian Republican, came before us less than year ago proclaiming as the chief plank in his own platform that the government should not incorporate the allways, not regulate them, not make and enforce laws requiring them to give good service and to deal honestwith the people, not supervise their operation—but buy, own and operate them outright. If federal incorpora-tion is centralization, in the name of common sense what would federal ownership be?"

That is what comes from getting your facts wrong. Mr. Bryan never advocated anything of the sort described. As we have so often pointed out, Mr, Bryan's theory about governnent ownership is that, if fair trial of the present centralized law for federal regulation should fail, the States should take the matter in hand after the manner of their several desires in relation to it, and that the federal government should build or acquire one or more trunk lines, (as formerly in the Pacific railroads), and by this means force a proper regulation of the others.

Instead of a proposition looking to centralization, Mr. Bryan's looks just the other way-to decentralizationand harmonizes completely with the awakened movement for a resuscitation of the constitutional rights of the

JUDICIAL OBTUSENESS.

We reproduce elsewhere an excellent article from the Baltimore Sun on velt Doctrine of Centralization." The article is a good summary of the sentiment alluded to, and of the causes which have aroused it. But the Sun to note the vital weakness of Judge Parker's otherwise admirable dissertation, viz: his failure to distinguish between the original jurisdiction conferred by the Constitution on the Supreme Court in "cases where a State is a party," and that which may have been conferred on the "inferior" court judges, such as Judge Pritchard, by Congress, which, of course, is subject to the Constitutional grant to the Supreme Court, referred to above.

Judge Clark, as already quoted by us, has stated the law very clearly on this point.

THE CRAFTY RAILROADS.

The crafty method of the Southern railroad, as exhibited in its destruction of the counterfoils, or stub-books, of its free-pass books, is not calculated to impress the public favorably. But the Raleigh News and Observer calls attention to another view of the natter in the following:

"It will doubtless be a matter of relief in many parts of North Carolina to learn from Mr. Ackert that the stub books of the Southern Railway showing the persons to whom free passes were issued last year have been de stroyed. When were they destroyed?"

THE CONFEDERATE ARMY CON-TAINED A COMPARATIVELY SMALL NUMBER OF SLAVE-

Houston (Texas) Post.] The population of the eleven States which seceded, was, in 1860, 9,108,332. The number of slave helders in these States in the same year, all told, was in round numbers 350,000, of whom 70,000 owned just one slave, 12,000 two to five slaves and 85,000 from six

to ten slaves. It is clear, therefore, that a comparatively small percentage

of the people of the South were slave owners The estimates of the men engaged in the Confederate military service from the beginning to the end of the war, range from 650,000 to 1,000,000. The records at Washington indicate something near the latter figures though Confederate authorities rarely stimate the number beyond 700,000 Of this number the slave owning classes furnished their full quota of private soldiers and the great majority of the officers, but it is not likely that there were exceeding 200,000 slave owning soldiers in the Confederate army and the figures are apt to be under that estimate. Naturally many of the slave owners were old men thousands of them were women and

not a few were too young to serve in

the army.

THE NATIONAL RIVERS AND HARBORS CONGRESS.

/Ital Importance of this Body to Fay etteville's interests.

Reginning with the organization of "But for the fact that Mr. William the National Rivers and Harbors Concress, at Baltimofe in 1901, Fayette rille, notwithstanding its comparative insignificance, has been able to secure and retain one of the coveted places on the directorate of that body. There were seven directors at first, whose jurisdiction, so to speak, covered the whole of the United States, but the erritory specially represented by each of them was one seventh of the whole Our Fayetteville representative was assigned to the territory stretching from Maryland to Louisiana. Later, as the business of the Congress grew, the number of directors was increased to 15; and, at the last Congress, December 4-10, 1906, the number was increased to 20.

To keep up with his duties towards this Congress, our Fayetteville representative has been obliged, in the nature of things, to spend a great deal and chasing corporations of his own money and so much of his time as to seriously interfere with business of great consequence to himself. For example, he has been under promise to write a sketch of the late E. J. Hale for the North Carolina Blo graphical History ever since that work was begun some three years ago; but the continual pressure of duties and responsibility in connection with this Congress, has prevented. And so with innumerable other duties of a personal character. Noting the utterly indifferent attitude of late towards the River and Harbors Congress on the part of the local organization whose duty it is to belp him and hold up his hands, a Fayetteville gentleman re cently said to him: "I would drop the whole matter in disgust." To which our representative replied: "I cannot drop it. The responsibility of conducting this fight was placed upon me by the public meeting of November 15, 1900, was accepted by me, and cannot

be dropped." The adoption of our Cape Fear scheme by the U.S. Congress was se cured in 1901, and an appropriation for beginning the work was made it 1902. But the country had not ther been educated upon the subject of the duty of the government to spend m much for rivers and harbors, the in strumentalities of Peace, as for the Army and the Navy, the agents of War. While, therefore, we were appropriating nearly 300 millions at every Congress for the latter, we appropriated but 19 millions for the for-

Now, the National Rivers and Har bors Congress-the body of which we are speaking-set about, in these intervening years, to educate the 80 millions of our population up to the point of forcing Speaker Cannon and Chairman Burton and the other members of priation of at least 50 millions to rivers and harbors. Under this our Favetteville project would receive an annual appropriation. Many thousands of dollars were collected and spent by the Rivers and Harbors Congress in working up sentiment, and the result was that at the short session of the last United States Congress nearly 90 millions were appropriated. But Fey-

etteville got not a cent. Relying upon the undertaking of the Chamber of Commerce to look after Fayetteville's quota of \$300, our Fayetteville representative was engrossed with the preparation of the case for the reopening before the U.S. Engineers in January, and when he applied for the money to send on, was informed that the committee appointed by the Chamber to look after the matter of Favetteville's quota had not even been called together! To repeat ed efforts since to ascertain the cause of this extraordinary course on the part of the committee no response has

been made It is due to our Fayetteville repre entative and to the Citizens' Committee, of which he is chairman, that the people of Fayetteville-who are so vitally interested in this project of the Improvement of the Upper Cape Fear -should know the facts.

Below is a sample of the literature sent out by the Publicity Department of the National Rivers and Harbors Congress. Hundreds of thousands of similar documents have been sent to the newspapers and other promoters of public opinion. This is kept up all the while, and is supplemented by the addresses of President Ransdell (who is an influential member of the Rivers and Harbors Committee of the U. S Congress) and Special Director Fox, who have jointly travelled in this be half over 50 thousand miles. Last year, os noted above, these efforts forced from Congress an appropria tion of 90 millions. As much is ex pected from the Congress which will ssemble four months from now. And yet Fayetteville's commercial body, which did so much for Fayetteville's great project up to the last two or three years, is now absolutely speechless on the subject.

NATIONAL RIVERS AND HARBORS CONGRESS. Department of Publicity. Cincinnati, Aug. 29, 1907.

To Harbor Cities. The Department of Publicity of the National Rivers and Harbors Congress submits to you the following article, the columns of your paper. When the Congress of an earlier day linked together the Rivers and the Harbors of the country and committed their care and improvement to one committee, it did wisely. The improved harbor is no less a necessity than the improved in-

land waterway, and each is dependent ence to the export trade-with the bringing the products of the interior to the harbor and the harbor speeding their products on their way to foreign ports, in the near future, as it is to be hoped, also to the rich markets of the Orient, awaiting the products of the American farmer cot. ton grower, cotton goods manufacturer and all industrial establishments

in the United States. The Harbor and the River. The improvement of the harbor is necessary to the business interests of the entire country and to their proper development as the improvement of the river, especially when the export trade of the United States is concerned. The fact of the improvement of the river and the harbor being of equal necessity was long ago recognized by the Congress of the United States. Unfortunately, and because of conditions which do not now exist, the improvement of the harbor, like the improvement of the river, barely advanced beyond a state of recognition Their importance was not appreciated in the rush of railway building and in the belief—now frankly abandoned— that with the coming of the railway the question of transportation had been completely solved.

It is an infirmity of humanity that present means of relief are, too often taken as adequate and permanent means of relief. The railways have proven inadequate to transport the freight offerings of the country, not because of lack of willingness of effort on their part but because of the tre mendous growth of inland commerce and the export trade. The first has made the inland waterway an absolute ly and completely recognized necessi ty. The second has made the adequately improved harbor a necessity The inland and the outland trade are

now uniting in just and reasonable assertion that the business interests of the country not only require an adequately and improved waterway to the harbor, but an adequately im proved harbor in order that the offer ings for export be expeditionaly and properly handled and forwarded to their destination. The one improvement is complement

tal to the other and the National Rivers and Harbors Congress is finding strong support because of its broad and comprehensive policy with regard to the river no less than to the harbor and to the harbor no less than to th

Kansas, Missouri, Illinois. The speech of Hon. Lawrence M Jones, of Kansas City, President of the Missouri Valley Improvement Association, delivered before the National Rivers and Harbors Congress, at Washington, in December, 1906, was peculiarly Western in its forcefulness that is to say it went directly to the very heart of the subject of the improvement of the inland waterways, the natural highways of trade and of commerce, and of the harbors, the natural highways of trade and of commerce, and of the harbors, the natural gateways to the country needing only the improvement of both for the unshackling of trade and of commerce and the complete development of the resources of the United States. Publicity Department of the National Rivers and Harbors Congress respectfully and confidently asks you to give space to the following article in your

The West to the East. In addressing the National Rivers at its December meeting in 1906, Honorable Lawrence M. Jones, of Kansas City President of Missouri Valley Imhappy in voicing the call of the West to the East for reciprocity in action, and for continued action in the work of making the rivers and the harbors of the country what nature intended them to be, but which man has for too long neglected—the natural highways and gateways of the trade and commerce of the United States and of each State and section of the country. Insisting that the time had arrived "for the general expansion of our national policy towards all works of Internal improvement which have

heretofore, ocupied a subordinate place in national expenditures" and that the greatest question in economles to-day is the question of transportation. Mr. Jones thus happily addressed the members of the Congress from the eastern slopes of the Alle-'We have been told that some of

our eastern friends are opposed to improving the western waterways. We are not prepared to believe that. have a warm feeling for the east. We remember when you loaned us money at healthy rates of interest-when we had good collateral to offer. We wish to inform you that we are now wearing tailored clothes and are buying your paper in the west-when you offer us attractive rates of interest and the proper amount of collateral. We have always paid willingly for the improve ment of your rivers and harbors. But the time has come when we are asking that the great internal waterways -that the great rivers of the west have some attention from the government and we ask you of the east to take as liberal a view of the question as the west did when you desired the government to improve your rivers and your harbors.'

It was a call from the great wes to a cosmopolitan assemblage having but one object in view-the adequate improvement of the rivers and the harbors of the country under a fixed policy, having no particular section to be favored but embracing in its platform the whole country and the water ways thereof. The speech of Mr. ones, expressed in homely but most forceful and truthful words, was a cal to the east that was reciprocated. The justice of the demand with the advanages to come from its fulfillment no less than the inadequacy of the rail ways to carry the freight offerings make river and habor improvements assured-if persistence in the demand To Interior Cities (River)

The great prominence which is held by the question of the improvement of the rivers and the harbors of the country, and the deep interest attaching to the question so vital to each and every commercial, industrial, min-ing, agricultural and financial enterprise in the United States-an interest which is shared by your communi--brings confidence to the Publicity Department of the National Rivers and Harbors Congress that you will give space to the following article in your columns, and more especially so question of present tonnage on inland waterways, instead of tonnage the improved stream would be capable of bearing, is a subject of no little

Tonnage on the Rive If the question of "present tonnage"

had been taken into consideration as fine in Judge Long's court is another the prime and moving factor in the act of bad faith, for it was expressly earlier days of the United States, it is agreed that both parties would try to exceedingly improbable that capital would have been induced to invest in the construction of railways. But the builders of railways looked to the country it was designed to pierce with the rails, to its possibilities of mine, of field, of forest and of climate and procured their charter, subscribed their capital stock, overcame engineering difficulties and constructed their lines through territory which then was a wilderness but to-day is teeming with commercial and industrial life.

There was no tonnage across the Alleghenies, save in the Conestoga wagon, when the first railway was prolected in Pennsylvania. There was no onnage on the plains save the tonnage which was carried in the prairie schooner when the project of a great transcontinental line was suggested as a possibility, and like conditions existed when the Baltimore and Ohio, the Erie, the New York Central, the Georgia midland, the Illinois Central and other great arteries were projected. But trade and commerce, mining and agriculture, the church, the school nouse, the newspaper and an intelligent and pushing citizenship followed the construction of the railway—and vast tonnage also followed in its wake. To-day the tonnage of the country is so enormous in its proportions, and in creasing at rates that stagger belief that the magnates of the trunk systems frankly admit their inability to handle the freight offered to them for ransportation. The excess of freight must find a

highway at once continuous, safe, effi-cient and reliable—and that highway can be found only in the waterway with the test of merit being in its capability to bear tonnage if adequately mproved, not in its capability to bear tonnage in its unimproved conditions nor in the fact that, being unimproved the tonnage is light. Tonnage follows the highways of trade and commerce The history of every improved water way demonstrates the fact. If existin onnage had been the test in early days, no railways would have been constructed. But the railways were onstructed and tonnage has followed so enormously that the one solution of the question to-day is admitedly to be found only in the improved waterway harbor.

CURRENT COMMENT.

Do not fail to read the article en titled "Guilty of Bad Faith."

GUILTY OF BAD FAITH. Raleigh News and Observer.] The ink was hardly dry on the agreement entered into between the State authorities and the Southern Railway officials to expedite the cases growing out of rate reduction before the attorneys of the Southern Railway were guilty of gross bad faith. They rushed off to Asheville, saying they would ask Judge Pritchard to modify his order in the case in accordance with the agreement. Instead of making that motion, Thom hastened to Asheville breathing out anathemas on the State and de claring his railroad had been "clubbed" into an agreement, and he secured statements in the record that were unfair and unjust to the authorties of North Carolina. If, upon the reading of the statement made in the Federal court when the order was modified, Governor Glenn had an-nounced that he would annul the greement, he would have been more than justified, for under no sort ethics were the statements made by Mr. Thom anything but bad faith as to

the agreement made with Governor The object of Mr. Thom, of course was to try to get into the record for effect upon the Supreme court and for foreign consumption a statement that a fair trial in the North Carolina courts and that they had been "clubbed" into submission-in a word, that their rights had been taken from them y force. Judge Pritchard ought not to have permitted such a statement to have been made in the absence of the counsel for the State. Of course, when court assembles a motion made to strike all this impertment and extraneous matter from the record, and, if the judge does right, he will order it stricken out. Even then, that act of bad faith has mislead a portion of the press and has seemed prejudice the position of the State

in the eyes of uninformed people No case in the annals of North Caro ling was ever tried with more judicial fairness than the two cases. against Agent Green and one against the Southern Railway in Wake Superior Court. Judge Long gave patient hearing and his trial of the case was so fair as to win universal commendation from fair minded people. Those followed the case saw that a principle was being enforced in an orderly way; no force; no nullification, out in the courts in the regular way And yet, after such trial and after an greement to expedite the hearings of the cases in the State and Federal ourts, here comes the Southern Railway and sends Col. Rodman, its chief North Carolina attorney, to protest against the early hearing of the case n the State Supreme court, to which Mr the Southern has appealed. for the Southern Railway agreed to expedite the cases. He sends Col. Rodman to Raleigh to ask the Supreme court to deny the motion of the attorneys for the State to expedite the case. It is a pity Mr. Thom did not come himself and per-

lovernor's office on that memorable Saturday afternoon. The object of the attempt to preent an early hearing of the case, in opposition to the express agreement is, of course, plain to every thoughtful man. The Southern Railway believes he State Supreme Court will uphold the State and Federal Consitutions and give a decision in line with the almost unbroken decisions of both State and Federal Courts. It believes that when it appeals from that decision, if it should be made, that case will reach the Supreme Court at Washington and be argued before the case in Judge Pritchard"s court is ready to be heard. They fear the effect of a decision by the State Su-preme court because they know their

contention is wrong unless they can inject into the case the question of

"clubbed" into retirement from

onally protest against doing the very

thing he agreed to help do in the

the Federal courts. The statement in Judge Pritchard's court that the Southern Railway had coerced and "clubbed" by the State into surrendering some right it had in the Federal court, was an

expedite both cases.

The State's officials and attorneys have acted in good faith. How many more acts of bad faith is the Southern to be guilty of before the State is ab solved from an agreement which the Southern broke two days after it was made?

GROWING OPPOSITION TO THE ROOSEVELT DOCTRINE OF CEN-TRALIZATION.

The Sun has taken occasion hereto ore to refer to the character of the speeches which have been delivered during the present year before the various State bar associations. The subject of the principal address at almost every meeting has been suggested by the President's reiterated proposal to centralize in the Federal Government all power to regulate corporations and ndividuals engaged in interstate comnerce, including the regulation of laor employed and of production. Supdementing these extreme views came Secretary Root's speech explaining how the President's plans and theories were to be put into practice in spite of constitutional limitations. This was o be accomplished by changing the by judicial interpretation, such changes being designed to deprive the States of power they had reserved to themselves, but which up o that time had not been as freely ised as the President and Mr. Root hought they should be. Such an exreme and revolutionary programme naturally aroused a protest from consitutional lawyers and men all over the land who consider our present form of government best suited to our conditions and needs. These protests have been voiced by distinguished law yers at the various bar association meetings, and among the speakers have been many prominent members of the Republican party, including Sen ator Knox, of Pennsylvania, who spoke at Yale College, and Mr. John S. Wise of Virginia, who spoke before the Maryland Bar Association, Judge Par ker made this plan of centralization he subject of an able address before the North Carolina Bar Association some time ago, and on last Monday he made another notable speech at the meeting of the American Bar Association in Portland. This latest address reads like a carefully consider ed opinion delivered from the bench Its tone is calm and judicial, and the ositions he takes are well fortified by authorities which he cites.

One of Mr. Roosevelt's plans of cen tralization is for Congress to enact laws regulating labor and production in the States and to enforce such laws by excluding from transportation al products made in violation of th terms of Federal requirements. Judge Parker says this cannot be done. "It is authority to regulate interstate com merce, and not production within State," he says, "that the Constitution confers upon Congress. An attempt therefore, to deny to the harmless and useful products of a State entry into interstate commerce would violate the letter and spirit of the Constitution." The attempts on the part of the Fed eral Government to despoil the States of the powers and functions belong ing to them has already aroused the antagonism and indignation of States, and in the opinion of Judge Parker had not a little to do with the recent conflict of judicial authority in North Carolina. The Judge does not question the jurisdiction of the Federal court in that case por the power the Fourteenth Amendment, to set aside State statutes and State Constitutions as well, if they deprive any person of life, liberty or property out due process of law. "While this he adds, "It seems to me that ourts, both Federal and State, should always bear in mind that comit which has thus far enabled the dua prisdictions to work together so har

oniously for the public good." One good result which may be exected to come from the North Care ina controversy is a decision by the Supreme Court of the United States some of the decisions of this tribuna opon similar questions have in the past conflicted with others and have not been uniform. It is to be hoped that when the decision upon the North Carolina case is reached it will be comprehensive and illuminating and settle finally every conflict and dis Judge Parker quotes from the opin

on of Justice Brewer in the Kansas Colorado case, recently decided. In that case Kansas sought to enjoin Col orado from chartering irrigation com panies which would take water from the Arkansas river, and so diminish the volume of the "American Nile" that the people of Kansas would be deprived of their water supply. The United States intervened, that the rights of the two States a regards the flow of water are subord nate to the superior rights of the Uni ted States to control the whole sy: tem of arid lands. The court decided that the United States has no such rights, it not being conferred by the Constitution. The United States has o power, Judge Parker said, "which is not expressly granted or given by necessary implication." And the rule of interpretation of that which is granted applies precisely to that which prohibited: "in other words, if th onstitution in its grant of powers is o he so construed that Congress shall b able to carry into full effect the pow ers granted, is is equally imperative that where prohibition or limitation is placed upon the power of Congress that prohibition or limitation should be enforced in its spirit and to its en tirety. It would be a strange rule of onstruction that language granting powers is to be liberally construed and that language of restriction is to be narrowly and technically con

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