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Don't fail to register. If you have not registered, do so at once. Save your liberties.

THE CAUCASIAN will be full of interesting matter from now till the election.

White men, the Simmons ballot-stuffing machine is trying to disfranchise you. Stay at the polls on election day and see that your liberties are not stolen from you, by the operation of the Simmons election law.

THE CAUCASIAN is being read and appreciated by hundreds and thousands of Democrats in the State. It is giving them facts which they can't get elsewhere.

If you want a ball pen to vote in apply to the Simmons ballot-stuffing machine where they are made to order for the purpose of robbing men, white men, of their liberties, should they vote against the disfranchising amendment.

If you want your neighbor to vote intelligently in the August election, send him THE CAUCASIAN.

A Democrat was heard to say the other day that "if they were going to steal the election, there was no need of holding an election That his father taught him that a man who would steal eggs, would steal the hen that laid them, and that a man who would steal votes, would steal anything he could lay his hands on." All Democrats are not rogues and cut throats.

W. E. Ham, of Pikeaville, Wayne county, was in Wednesday and paid his father's subscription. He said the amendment would not get one-fourth of the votes in his township. He further said a man by the name of Aycock, a Democrat, was out making speeches against the amendment. He said that if the Democrats carried it they would have to steal it.

At every public speaking get up one or more clubs for THE CAUCASIAN. See our campaign offer.

If you would not trust a dishonest and tricky man who deceives you in business transactions, would you trust your political liberties in his hands? The Simmons machine pledged the people that they would not submit any disfranchising amendment. They deceived the people in 1898, and they will rob them of their liberties now if they can.

We have some able contributors to the columns of THE CAUCASIAN, and it will interest you to see and read what they say. If they give the truth accept it If it is not the truth, show wherein it is not. The people want the truth at any cost.

If the amendment, when first proposed, by the legislature at its session in 1899 was such a perfect constitutional scheme as all the Democratic machine lawyers claimed, will they explain why it was amended at the recent session of the legislature? They brought forward this amendment with the deliberate purpose to disfranchise illiterate white men, but seeing that these honest citizens could not be deceived into voting away their political freedom, the wise (?) solons coupled together sections 4 and 5. This does not make the amendment constitutional, nor does it remove the danger to white men's rights, but it proves clearly that they were covertly endeavoring to disfranchise white men. Finding the indignation so intense against them, they changed the amendment. But the masses have no confidence in the machine and will not endanger their liberties.

SIMMONS' WAIL.

In the News and Observer of June 29th appeared an interview with Simmons in which he says that if his machine is defeated in their efforts to capture the legislature, then that body will throw out enough votes to defeat the amendment should it receive a majority of the votes cast. The people will defeat the infamous and odious disfranchising scheme in spite of Simmons' ballot thieves and constables placed at the polls solely to intimidate honest freemen. They will defeat any other damnable scheme he may devise to rob white men of their liberties.

Simmons says: "They will throw out the vote from nearly every county in the Second and Sixth districts that MAY give a majority for the amendment."

Now, we have time and again proven that the negro is the great source of Democratic strength—in fact the negro counties are veritable Gibraltars of Democracy. Simmons frankly admits that the second district, which is well known as the "black" district "MAY" give a majority for the amendment. Then, too, there are some "black" counties in the sixth district, and, according to Simmons, they "may" also give a majority for the amendment. Now, let us address a few words to the white men of North Carolina who reside in the white counties.

Here is a bold intimation from Simmons that the "black belt" "MAY" go Democratic, thus, by counting the negro vote for the amendment, they will defeat the expressed will of the white men of the State. He proposes, by debauching the ballot box to put on the white men this most odious scheme to rob them and their sons of the right to vote in the future. Will the honest, sturdy yeomanry of the State endorse, support or tolerate such a diabolical purpose on the part of Simmons to count the negro vote against them in order to pass this monstrous disfranchising scheme?

Will they permit Simmons—so Indian like in form, feature and action; so Indian-like in characteristics, treachery and cunning—to intimidate them with his armed election constables, and rob them and their sons of the highest privilege conferred on them by the constitution—their sacred right of the ballot—by counting the negro vote?

Deprive the white man of his right of suffrage and he is nothing else than a slave. Are the men who till the soil and who work in our factories, ready for the chains of slavery to be riveted on them by the Simmons ballot-stuffing machine? White men of North Carolina, it behooves you to guard jealously your rights and the rights of your sons while you now have them. When once destroyed they can not be regained. The Simmons ballot-stuffers intend, if possible, to count sufficient majorities in the negro counties to overcome the majorities cast against the disfranchising scheme in the white counties.

Let the white men of the State pile up such an immense majority against the ballot-box stuffing, disfranchising Democratic machine, as will thwart its purpose to crush out liberty and independence, even if that machine shall be successful in counting all the negro counties in favor of the amendment. Another prediction made by the People's party is clearly verified by Simmons' wail. Early in the current year it was predicted that before the close of this campaign Mr. Simmons and his henchmen would be active and fertile in devising schemes for manipulating and counting the negro vote and this very purpose is clearly disclosed in what he says.

White men, zealously work to preserve your liberties!

SIMMONS TRIED TO DISFRANCHISE WHITE MEN IN 1892.

It is fresh in the minds of all the farmers of this State that in the election of 1892 Simmons, who was then Chairman of the Democratic Executive Committee, sent out a "secret circular," the sole purpose of which was to disfranchise thousands of voters.

He endeavored, by the use of his secret circular, to prevent every man who did not have his FULL name on the registration books, from voting.

Let us illustrate: If a man in 1892 was registered John D. Brown, he would not have been permitted to vote if Simmons' secret instructions had been carried out; for Simmons through his "secret circular," contended that the voter should have been registered by his FULL name, John Doe Brown.

Simmons was then endeavoring by secret and treacherous methods, to disfranchise white men just as he is now trying to do by this infamous amendment.

Are the honest but unfortunate illiterate white men, willing to trust their most sacred political liberties in the hands of "secret circular" Simmons?

His purpose in 1892 through the operation of his election law, was to disfranchise white men, and no man who loves liberty will trust him now.

Mr. Aycock swears he "believes" that the amendment would not disfranchise white men if adopted. It is not what Mr. Aycock "believes," for he might believe that the moon is made of green cheese, yet his belief would not make it so. White men will not risk their political liberties on what Aycock "believes."

DO YOU WANT YOUR BOY DISFRANCHISED.

That feature of the amendment which provides that every boy, 13 years old or under, must be able to read and write after 1908, will operate to disfranchise thousands of honest, poor boys, because these boys, through no fault of their own, will not be able to obtain an education. Every farmer and operative in the factory will hesitate before he will vote for an infamous scheme that will put his boy politically beneath the town "nigger" dude.

Suppose that the father, who works in the factory, and whose boys are compelled to work also, should die, his sons would grow up in ignorance because they would have to work to make a living, and no opportunity would be afforded for them to get an education. Is there a father who would vote now to put his boy in such a position? Is there a father who is so lost to a sense of justice and righteousness that he would so act and put his sons greatest political privilege in danger? Mr. Aycock says that white men will always be allowed to vote because they "inherit" it. If there be any force or truth in this argument, then why do not all white boys inherit the right to vote after 1908?

If the father "inherits" the right to vote because he is white, then in the name of common sense and common honesty, why cannot the father transmit to his son forever the right to vote?

Fellow countrymen, freemen, this amendment was not brought for ward SOLELY for the purpose of eliminating the negro from politics, but to remove thousands of honest, independent, liberty-loving white men, who will not obey the behest of the Simmons machine.

To prove that it is the purpose to disfranchise white men, they make the payment of poll-taxes a condition precedent to voting, and they also added a requirement that all boys in the State 13 years old or under shall be able to read and write after 1908. Was this intended to strike down the negro or the white boy? Clearly it was intended for the white boy.

There is no WHITE supremacy in this feature of the amendment which was intended to degrade the poor WHITE boy and make him a SLAVE.

From such an awful condition of affairs let all who love liberty, justice and fair-play reverently and fervently pray that the good people of the State may be spared. It can only be accomplished by defeating the infamous bollot-stuffing Simmons disfranchising machine.

INCOMPETENCY AND EXTRAVGANCE

As the voters of the State already know, the present legislature not only made more grave blunders, but also passed more unconstitutional laws than any other legislature since the foundation of the State.

But this is not all. The records show that it has also outstripped all others in excessive and extravagant use of the people's money.

The official records show that during the last eighteen months of the present Democratic government, up to may 31st 1900, there has been appropriated and misappropriated, the enormous sum of $2,620,786.85. This is an INCREASE over the expenditure by the fusion legislature during the preceding corresponding eighteen months of the preceeding two years of $611,235.32. This is a sudden increase of over thirty per cent; or to be exact, for every one hundred dollars spent by the fusion legislature, the present Democratic government has spent and mispent $130.-60. Has there been any cause or necessity for such a sudden and enormous increase of the use of the people's taxes.

If any shall doubt that these figures are correct, let them examine the official records for themselves.

WOULD YOU TAKE THE RISK?

Suppose you intended buying a tract of land, and had every assurance from the owner thereof that he could give a clear title to the same; but on investigation your lawyer found that there was some doubt about the legality of the title, would YOU take the risk and pay your money for the land? No man with any business qualifications would invest his money under such circumstances.

Freemen, of North Carolina, if you would not risk your dollars on land, about which there was dispute as to the title, will you put in danger your sacred political liberties—your only weapon of protection against oppression and injustice? Let every white man, who can not read and write, think earnestly, soberly, yea, prayerfully, about this momentous question before he votes to destroy his political liberties. Stand for your liberties now, or submit hereafter to galling slavery!

The Democrats in some sections are getting out circulars and distributing them on the sly. It is said Isaac Smith has issued some in reference to Representative Johnson. If this be true, we venture the assertion that some Democrat is behind it. Yet that same man cries "white supremacy" and if a negro was to do such a thing to a white Democrat, he would say the negro ought to be killed. But every thing is right so it is done in the interest of the Democratic party. White man, what do you think of it?

NOT THE AMENDMENT, BUT THE OFFICES.

Democratic leaders and papers are trying hard to make it appear that it is the amendment they want to carry. But it is not. It is the offices they want. The amendment is just a hobby they hope to ride in office on. As proof of this, in several counties, they have nominated men for office who are opposed to the amendment. They nominated them because they were the only men they could hope to secure the office with.

In sections where the sentiment is largely against the amendment, they will tell white Democrats and colored ones, too, that it is all right for them to vote against the amendment if they want to, just so they vote the Democratic ticket. And we venture the assertion that before the election comes off they will tell even negroes that if they (the negroes) will vote for their (the Democratic) candidates they (the Democrats) will vote against the amendment. And Democrats who will want to aspire to office, will not want any one to see them vote. They will fear the future. Watch and see them vote it.

SUPPOSE HE GETS HIS BALLOT IN THE WRONG BOX?

But according to the Charlotte Observer Mr. Aycock made it all clear at Salisbury as follows:

"He pictured two white men going to vote. One is educated, 21 years old, has been in the State two years, in the county six months, and in the precinct four months. He votes. The second is 21 years old, has been in the State two years, the county six months and the precinct four months, but he cannot read or write. His father and grandfather voted before him, therefore he votes.—Charlotte Observer.

Suppose his grandfather was present, he would not be allowed to tell his grandson in what box to put his ballot. Suppose he gets his vote in the wrong box? Would he not be disfranchised? The Democrats got up the election law. A party that would get up a dishonest election law can't be trusted to use the amendment to give every man a free ballot and fair count.

WILL PROTECT HIS SON'S RIGHTS.

"Let us, White Men, carry this question to every white man in the State of all parties, and put the burden upon his conscience."—News and Observer.

Every white man will "put the burden upon his conscience" when he goes to vote, and he will strike down this odious amendment which is intended to rob his son of his right to vote if that boy does not get an education before 1908.

He will not "stifle his conscience," as Frank Winston urged, but he will be actuated by the highest and most patriotic motives in casting his vote. With an honest heart, fraught with love of liberty for himself and his son he will vote against the amendment and the Simmons ballot-stuffers.

REINHARDT HONEST IN KEEPING HIS PLEDGE.

"As we understand it, Representative Reinhardt, in his campaign in 1898, told his people, some of whom were afraid of disfranchisement, that if he were elected he would not vote for any measure the purpose of which was to disfranchise any man. As to the judiciousness of this pledge we have nothing to say, but Mr. Reinhardt made it and he was right in living up to it. We had no sympathy with the attacks made upon him at the recently adjourned session of the legislature, and no honest man should.—Charlotte Observer.

The above is true. Reinhardt in the campaign of 1898 promised just what every other Democratic candidate and speaker did. Even Chairman Simmons and the Democratic papers promised that the Democrats, if given control of the legislature they would not vote for anything that would tend to disfranchise any man. So if Reinhardt is honest in keeping his pledge, then all the other Democratic speakers and papers are dishonest in not keeping their pledges. Take the case.

WHITE BOYS WILL BE DISFRANCHISED.

Mr. Aycock says that if the amendment is adopted it would so stimulate and encourage education that boys now 13 years old and under would get an education before 1908, and would therefore not lose their right to vote. We had a conversation recently with men engaged in teaching, and were informed that in one of the largest and most progressive cities in the State there are 1600 children of the school age. Yet there are ONLY 800 children enrolled, and that the average daily attendance is only 400.

When asked the reason of this large percentage not taking advantage of the opportunity offered to obtain an education, this teacher replied that these children were employed in the factories, and could not attend school. This is an object lesson for Mr. Aycock, and there will be thousands of boys who will not be able to "get an education by 1908." They will not be able then to enjoy the great privilege of voting, but will have to stand aside and see the educated town "nigger" dude walk up to the polls and cast his ballot.

Another teacher, who is Superintendent of schools, in his town, informed us that there are 800 children of the school age in his district, yet there are only 325 who attend school.

Numerous cases could be cited showing that thousands of white children in the State are not now availing themselves of the opportunity to get an education.

The father, who lives by the sweat of his brow, will not vote to make his son a slave, because he is not educated by 1908.

The Law and The Facts

The Action of the Adjourned Session of the Legislature in Amending the Amendment Exposed.

ANOTHER ATTEMPT TO FOOL the VOTERS.

Since the three days session of the adjourned legislature of two weeks ago, Mr. Simmons and his machine have instructed all of the red-shirt organs and speakers who are afraid to meet their opponents in joint discussion, to take a new tack.

He has instructed them to now tell the people each day that since the legislature has put sections 4 and 5 into one section, and has also added another section instructing the Court how to construe the amendment, that there is now no danger of the Court knocking out the "Grandfather Clause" and leaving the remainder to stand, and that therefore the danger of fifty or sixty thousand white men being disfranchised is removed. They now claim that it will all fall together. This attempt of Mr. Simmons and his machine to thus fool the voters of the State is the most arrant case of hypocracy and subterfuge of which any legislature has ever been guilty. It was bad enough to have submitted this amendment at all after the solemn pledges made by every Democratic candidate for the legislature and the whole party machine officially in the last campaign, not to do this very thing. But it is a greater crime to now attempt by legislative juggling to fool the voters into doing that which will surely disfranchise every illiterate white man in the State.

Mr. Simmons knows, and every lawyer in the Democratic legislature knows that the amendments, which they put on the Amendments, will not in the least effect or change the action that the Supreme Court of the United States will take on this amendment when it comes before it. Every lawyer that is worthy of the name knows that the Court will knock out one sentence or part of a section that is unconstitutional and leave the other half of the same section to stand as quick as it would knock out one whole section of an act or a constitutional amendment and leave the other section to stand. Every lawyer in the United States will admit that the greatest authority on constitutional laws of the United States is "Cooley's Constitutional Limitations." Now what does Judge Cooley in his great work say on this very point? We quote from page 215 from the chapter headed "Statutes that are unconstitutional in part." Judge Cooley says:

"The constitutional and unconstitutional provisions may even be contained in the same section and yet be perfectly distinct and separable, so the first may stand though the last fall.

"The point is not whether they are contained in the same section—for the distribution into sections is purely artificial—but whether they are essential and inseperably connected in substance. If, when the unconstitutional portion is stricken out, that which remains is complete in itself and capable of being executed, wholly independent of that which was rejected, it must be sustained. The difficulty is in determining whether the good and bad parts of the statute are capable of being separated within the meaning of this rule. If a statute attempts to accomplish two or more objects, and is void as to one, it may still be in every respect complete and valid as to the other."

What can be plainer than this? Judge Cooley says that the constitutional and unconstitutional parts of an act may be contained in the same section, and yet the Court will knock out the unconstitutional part and leave the constitutional part to stand, as quick as if they were in separate sections; and, besides, notice that he says that if the unconstitutional part has one object, and the constitutional part has another object, then the Court will always in such cases knock out the unconstitutional parts of a section leaving the constitutional parts of the same section to stand and be in full force and operation.

It will be remembered by those who have read the legal opinion given by that great constitutional lawyer, Senator Teller, on this very point that he says "there can be no doubt about this being the law and the rule by which the Courts are always governed."

This identical extract which we have quoted above from Cooley's Constitutional Limitations has been quoted and endorsed by the Supreme Court of the United States in dozens of cases; so we see that the Supreme Court has adopted as its rule of construction the law as laid down by Judge Cooley, and of course would follow this rule in passing upon this Constitutional Amendment when it comes up before it. Then what would be the result? The "Grandfather Clause" will go out and the educational qualification will be left to stand, applying to every white voter as well as to every negro voter in the State.

Everybody knows that this would result in disfranchising fifty or sixty thousand white voters in this State as sure as there is a God in Heaven. Will any white man vote to do this?

Not only does Judge Cooley take this position; and not only does the Supreme Court of the United States endorse it, but every other writer on constitutional law and constitutional construction takes the same position. Pomeroy in his "Constitutional Construction," page 554, says:

"It is well settled that an act may be void in part by reason of its violation of a constitutional provision, and good as to the remainder "If any part of the act be unconstitutional," said the Supreme Court of the United States, "the provisions of that part may be disregarded, while full effect will be given to such as are not repugnant to the Constitution of the United States, or of the State, or to the ordinance of 1787."

But it is needless to quote authorities further, for all of the authorities are one way, and show that either the Democratic members of the Legislature do not know the law, or else they wilfully attempted to deceive the voters of North Carolina by putting Sections 4 and 5 into one section.

But Mr. Simmons and his newspaper organs and affidavit speakers are telling the people that they went a step further and added a new section to the Amendment instructing the Court how to decide, and they claim that this makes it certain how the Court will decide. This is just as outrageous an attempt to deceive the voters as was their trick in putting sections 4 and 5 into one section. Every case in the Supreme Court reports of the United States and in the Supreme Court reports of North Carolina on this point declare that no Legislature can instruct the Court how to render its decision; and that when a Legislature attempts to instruct the Court that the Court will ignore such attempt and render its decision according to the well established rules of judicial construction.

We will take the time and space to cite only a few of these decisions.

In the case of the United States vs. Claflin (97 U. S. Report) the Supreme Court of the United States says:

"A recital in a statute that a former statute was repealed or superseded by subsequent acts is not conclusive as to such repeal or supersedure. Whether a statute was repealed or not is a JUDICIAL and not a LEGISLATIVE question

Just so in this case, because, whether the "grandfather clause" will fall or not, leaving the remainder of the Amendment to stand, is a JUDICIAL and not a LEGISLATIVE question.

In our own State Reports there are numerous cases. In the 6th N. C. Report, in the case of Robinson vs. Barfield, the Court said:

An act of Assembly declaring that certain deeds which are not executed according to law shall be held, deemed, and taken to be firm and effectual in law in the conveyance of land mentioned in them is UNCONSTITUTIONL, being in violation of the 4th Section of the Bill of Rights, which declares the Legislative, Executive and Judiciary of the Government to be separate and distinct."

In the same opinion the Court said that they would ignore such declaration on the part of the Legislature attempting TO INSTRUCT the judiciary and allowed them to remain "As dead letters on the statute books."

Further on in the same opinion the Court says:

"The Court can neither nibble at the legislative power nor can the legislative stride over the judicial."

In the 32nd N. C. Report (10th Iredell Law), in the case of Houston vs. Bogle, the Court says:

"The right to MAKE laws is vested in the General Assembly; the right to decide what the law is and what it was is vested in the Supreme Court The assumption of a right by the legislative power in December, 1840, to CONSTRUCT the Supreme Judicial power how the law shall be taken and held to have been in 1826 or in May, 1840, *is an infringement* of the distribution of powers made by our form of government and *a breach* of the fundamental principles set forth in the Bill of Rights, Section 4, which says: 'The legislative, executive and Supreme judicial power ought to be separate and distinct from each other.'"

Can there be any doubt about the meaning of this language? As we have stated above, numerous other decisions to the same effect might be quoted. Indeed, all the decisions are the same way. Can anything be clearer than that the Democratic lawyers of the present legislature are either ignorant of the law or else stoop to a most unworthy attempt to deceive voters whose liberties are at stake?

But Mr. Simmons' red shirt organs and his affidavit speakers (who are afraid to meet the Peoples Party candidates in joint discussion) say, where there is no one present to reply to them, that "the court must of course take notice of the intention of the legislature, and the legislature has in this case declared its intention in a new section as an amendment to the amendment, and that of course the court will decide according to the legislature's declared intention. Now let us see what the law is on this point. To say that the Supreme Court will never declare any one section of a statute void and leave the remainder to stand, where it is clear that the legislature would not have passed one part without passing the others, is practically to say that the court will never declare one section of any statute void without declaring the whole statute void, even though constitutional.

It is to be presumed that every legislature and every Congress when it passes an act intends it all to stand, or it would not have passed it. Was the Supreme Court of the United States governed by the intent of Congress in the income-tax cases? Was it not perfectly clear and unquestioned that Congress never would have passed the Wilson-Gorman tariff act with the rates of tariff duties that it contained had not Congress at the same time and in the same act put in a provision for an income tax to raise thirty or forty millions of revenue? Probably every schedule in that act would have been changed if those income-tax provisions had not been in it. Not only did attorneys call the attention of the court to this fact, but also did Justice Harlan and other justices, in their dissenting opinions. Justice Harlan said:

"The judgment rendered defeats the purpose of Congress by taking out of the revenue not less than thirty millions and possibly fifty millions of dollars, expected to be raised by the duty on incomes. We know from the official Journals of both Houses of Congress that the taxation on imports would not have been reduced to the extent it was by the Wilson Act except for the belief that that could be safely done if the country had the benefit of revenue derived from a tax on incomes. We know from official sources that each House of Congress distinctly refused to strike out the provisions imposing a tax on incomes. The two Houses indicated in every possible way that it must be a part of any scheme for the reduction of taxation and for raising revenue for the support of the Government; that (with certain specified exceptions) incomes arising from every kind of property and from every trade and calling should bear some of the burdens of the taxations imposed."

Yet the court, regardless of the clear intent of Congress, knocked out as unconstitutional the income tax provision, while leaving the other sections.

Every lawyer who is able and fit to defend or to prosecute a chicken thief, much less a ballot-box thief, knows that nothing is better settled than that an alternative thinks all of the sections of the amendment are constitutional, then to let all of them stand; but, on the other hand, if it should find one of the sections unconstitutional, that then it must declare the whole act unconstitutional. Such a proposition is su-

(Continued on Page 3.)

AN UNCONSTITUTIONAL SECTION OF THE ELECTION LAW.

The Legislature, at its adjourned session last week, added two new sections to the election law, numbered 88 and 89. They are as follows:

Section 88. That upon any application being made or any action or proceeding of any kind commenced or had before any judge of any court in this State for a mandamus or order in the nature of a mandamus, injunction, restraining order or order in the nature thereof, to compel, prevent, prohibit or restrain the performance of any act in respect to his duties, against any officer or officers provided for in this act, the matters stated in the affidavit, petition or complaint upon which such application is based or action or proceeding had, shall be taken and deemed to be denied, and no such judge shall issue any such order, temporary or otherwise, until the facts have been submitted to and found by a jury at a regular term of the Superior court of the county in which such officer resides.

No such order shall be made or issued upon any case agreed, or upon facts found by a jury at a special term.

Section 89. That when a jury has found the facts and any judge shall issue a mandamus or order in the nature of a mandamus, injunction or restraining order, or other order in the nature thereof, to compel, prevent, restrain or prohibit the performance of any act in respect to his duties against any officer or officers provided for in this act such officer or officers shall have the right to appeal from such order to the Supreme court, upon giving bond in a sum not to exceed the sum of $100, conditioned to pay to appellee all such costs and damages as may accrue by reason of such appeal. The said bond shall be received and approved by the clerk of the Superior court. A deposit of money, of the amount of the penal sum named in such bond, shall be received by the clerk in lieu of such bond And upon filing such bond or making such deposit such order shall be vacated until affirmed by the supreme court; and until so affirmed the election officer shall proceed to perform the duties imposed by this act, notwithstanding such order.

These sections are clearly unconstitutional, and will so be declared by the Supreme Court. In these sections the Legislature attempted not only to rob the people of the State of the protection of the courts, but they attempted to rob the courts of a fundamental right and power. If the Legislature can thus rob the courts by statute of one of their most important functions and powers, then the Legislature can as easily by statute abolish every court in the State. No one will contend that the Legislature can do this.

What is the purpose of a mandamus? It is to secure some right or to prevent some irreparable wrong, which right would be forever lost or which wrong could never be undone if the courts were to wait for the slow machinery of their regular terms. Hence the courts have been given power to issue such orders as mandamus to prevent an irreparable wrong and other such emergencies. When an elector who is in every way qualified to vote presents himself for registration, and the registrar in defiance of law refuses to register him, that elector would lose his vote and be disfranchised at that election, unless he could apply to the courts for a writ of mandamus. This is clear, because if the elector must wait for the next regular term of court in his county, and then file his complaint, and then wait until the next regular term, which is called the trial term, the election would have been over many months before the case would ever come to trial. It is to prevent just such wrongs as this that the mandamus is intended, and has always been used. Now it is also clear that Simmons and his ballot-box stuffing machine intend to have their registrars to commit just such infamous outrages in the coming election, and they intend to rob the elector when denied his right to register and vote, of all remedy at law. They deny him an appeal to the courts of justice until after the election is over. This is one of the most outrageous and infamous attempts at legalized robbery that has ever been attempted by any legislative body in the history of the world As day of reckoning is coming for such men and such measures.

Now is the time to send THE CAUCASIAN to your friends. Remember we are sending it below cost.

MORE BLUNDERS AND UNCONSTITUTIONAL LAWS.

The adjourned session of the Simmons lawyer Legislature which met on the 12th to correct the blunders and amend the unconstitutional laws that it made in 1899, has added to its record of incompetency. That aggregation of Democratic lawyers were in session only three days, and yet, they could not get away without making more blunders and passing more unconstitutional laws. So far two serious mistakes and one unconstitutional law has been discovered and there may be others yet to come to light.

They attempted to amend the dispensary law of Macon county, but they put the amendment on the wrong section of the law and thus defeated the purpose of the amendment.

They attempted to create a Supreme Court for Northampton county, and then to take the granting of license to sell liquor from the County Commissioners and to give it to "the Judge of the Supreme Court of Northampton county." This makes absolute prohibition in that county, because the part of the act about "the Judge of the Supreme Court of Northampton county" granting liquor license is unconstitutional, and will fall, while the other parts of the law taking away from the County Commissioners the power to grant license is constitutional and will stand. Even the News and Observer admits this. In its issue of last Tuesday, commenting upon this law, it says:

"The Northampton county liquor law, it will be remembered, was intended simply to change the method of granting license. Instead, however, by a mistake in only one word, it gives the county an absolute prohibition law.

"As pointed out in this paper last week, the ratified bill says the license must be granted "by the judges of the Supreme courts of Northampton county," when it should have said by the judges of the Superior courts.

"There being nothing in the act however, to show that the Superior court judges are meant, that part of the act is a dead letter.

"But the section taking the granting of license away from the county commissioners will stand. Therefore the section conferring this power upon the judges failing no license to sell liquor can be granted in Northampton county until there is some further legislation on the subject."

Thus the same thing will happen to this law as the News and Observer admits, that will happen to the constitutional amendment if it should be adopted. That is, the unconstitutional part will fall while the constitutional part will stand.

This Democratic Legislature seemed to know that it would make more blunders, so it adjourned to meet again on July 24th to correct the blunders that it made this time. When it meets again in July it will be sure to make more mistakes and pass more unconstitutional laws.

Do the people of North Carolina ever want to elect another such a Legislature?

Tuesday's News and Observer had a cartoon in it, representing a white man collecting money from negroes to buy white votes against the amendment. For several days a howl has been going the rounds of the Democratic press, that the Republicans were going to collect money from the negroes to buy white votes. What white votes? They must mean white Democratic votes, for there is no one else to buy, as the others are already against it. This is a slander on the white men in the Democratic party. It is done to keep honest Democrats from voting against the amendment. They want to prepare the way so the machine can say that they were bought with negro money It is one of their schemes to intimidate their own voters. How do you like that, white men?