

DAILY STANDARD

JOHN D. BARRIER & SON,
Editors and Proprietors.

OFFICE - IN - BRICK - ROW.

THE STANDARD is published every day (Sunday excepted) and delivered by rics. Rates of Subscription:

One year.....\$4.00
Six months..... 2.00
Three months..... 1.00
One month..... .35
Single copy..... .05

THE WEEKLY STANDARD is a four-page, eight-column paper. It has a larger circulation in Cabarrus than any other paper. Price \$1.00 per annum in advance. Advertising Rates:

Terms for regular advertisements made known on application. Address all communications to THE STANDARD, Concord, N. C.

CONCORD, N. C., JUNE 5, 1899.

NORTH CAROLINA COLLEGE - ITS CHARTER AND CONSTITUTION OF BOARD.

We have been reluctant to attempt to tackle constitutions, but inasmuch as even members of the board of North Carolina College have asserted to us and it has been noised abroad that North Carolina College can't be removed, placing the Lutheran church in the State in a most ridiculous light before the world and chilling the zeal of some friends not of the Lutheran church in Concord who mean to not miss the opportunity to get the college if it can be had, we take up the charter and the constitution of the board of directors and we hope we will not fail to put at rest all questions of the feasibility of getting the college if it is not drawn by the greater zeal of some other town.

We quote verbatim only those parts bearing on the matters at issue.

The charter is entitled "An Act to Incorporate the Trustees of North Carolina College."

It was ratified Jan. 21, 1859.

Section 1 says:

"Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That Christopher Melchor, Matthias Barrier, Samuel Rothrock, Daniel I. Dreher, Daniel Barrier, Jacob Crim, Levi C. Groseclose, Paul A. Siffert, Joseph A. Linn, Godhard D. Bernheim, Caleb A. Heilig, John Shimpoch and Daniel H. Bittle, and their successors duly elected, be, and they are hereby made, constituted and declared a body corporate in the name of the 'Trustees of North Carolina College,' for the instruction of youths, in the various branches of science, literature and art, with perpetual succession, with all the immunities and privileges and subject to all the restrictions prescribed in chapter 26 of the Revised Code, entitled 'Corporations.'"

Section 2 relates to conferring degrees by the president and professors, by and with the consent of the trustees.

Section 3 relates to the prohibition of evil influences.

Section 4 says:

"Be it further enacted, That the Trustees of said College shall at no time exceed eighteen in number; and when vacancies occur in the Board of Trustees, they shall be filled by the Evangelical Lutheran Synod of North Carolina, and such other Synods of the Lutheran Church as may hereafter become associated with it in patronizing said College; and in case such Synod or Synods fail to fill such vacancies, then the Trustees shall have power to fill vacancies in their body."

Note that Synod chooses these directors to fill vacancies.

The section provides for filling them by the board only in the one supposed emergency.

Section 5 says:

"Be it further enacted, That said College be situated at Mt. Pleasant, in the County of Cabarrus.

Now if you magnify this section above the spirit and evident intent of the whole scheme, and make the location paramount to the interests or very existence of the institution and emphasize the words SHALL BE SITUATED you may nail the college down to its present location and if its doors were closed there the Synod could not use the name for a similar institution located elsewhere. Are charters ever granted without specifying location or central place of business? Surely not. Equally sure is it that the law-making power that grants the charter will amend the same in the interests of the institution or enterprise when the incorporators desire. Charters are easily changed to suit the wishes of incorporators for the promotion of chances to accomplish the original design.

Section 6 says:

"Be it further enacted, That said corporation may take, hold, bargain, and sell, such real estate, moneys, stocks, and other personal chattels, as may be necessary for the transaction of its business, and carrying out of the purposes of its creation, not exceeding in value four hundred thousand dollars."

Here, we think, is clearly vested the power to sell the property where it is now located and buy or receive, as donated, all real or personal property that it can acquire at any point, and the Synod's believing that the purposes named in section 1, viz "the instruction of youths" can be more successfully accomplished by such removal the power is not left wanting.

Section 7 relates to the date of going into effect.

We now follow with the "Constitution of the Board."

Section 1 says:

"This Board shall be known as the Board of Trustees of North Carolina College, located at Mount Pleasant, Cabarrus County, and under the control of the Evangelical Lutheran Synod of North Carolina, as provided for in the Charter."

In this section, consistent with the charter, it names the college at Mt. Pleasant, and when the charter names a different place this section will be quickly changed to suit, but note that it unequivocally says, under the control of the Evangelical Lutheran Synod of North Carolina. It says, too, as provided for in the charter, and the charter names Mt. Pleasant, but there is no reason to believe that the location was a consideration paramount to the success of the college or parallel with it. The major purpose was a college "for the instruction of youths" and not the interests of any location.

Section 2 says:

"Every Trustee before he takes his seat as a member of this board shall solemnly subscribe the following formula, viz: Sincerely approving the Charter of North Carolina College with its accompanying regulations, I do solemnly declare and promise in the presence of God and this Board, that I will faithfully endeavor to carry into effect all the provisions of said Charter and regulations and thus promote the design of said College."

Note, "Sincerely approving the Charter of North Carolina College, with its accompanying Regulations," according to section 2 of charter, would include the acquisition and sale or disposal of prop-

ties of all sorts for carrying out the purposes of its creation, and this is not to be sacrificed for the minor idea of location, which most certainly is essentially incidental and auxiliary to the grand purpose "for the instruction of youths." Note the closing words, "and thus promote the design of said college" which was "for the instruction of youths," and certainly it was and is the imperative duty of every member of the board to consider the interests of the institution above that of locality, even though it involve a personal sacrifice.

Sections 3 and 4 relate to officers of the board and their duties, tenures, etc.

Section 5 provides for opening and closing meetings with prayer.

Section 6 provides for called meetings.

Section 7 provides for inauguration of president.

Section 8 requires the board to look after the professors and section 9 after the students:

Section 10 is:

"At every stated meeting of the Evangelical Lutheran Synod of North Carolina the Board shall forward to said body in writing a detailed and faithful account of the state of this institution. Said Synod may recommend to the Board any measures they may deem conducive to the welfare of the institution, and every such recommendation shall be considered at the next regular meeting of the Board, and may be accepted or rejected as the majority of the Trustees shall see fit."

Note that this section requires of the board to produce a true report of the college, implying essentially that the Synod is supreme and the board subordinate. The remainder of the section gives the board the right by a majority vote to accept or reject its recommendations but nowhere relinquishes the Synod's right to command the board. Even its recommendations must be considered at a specified time.

This section wisely presumes that the board, being a special committee and of a somewhat local nature, might have good reasons for rejecting the recommendations of the Synod in the practical operations of the college. But it warrants no presumption that the board may refuse to comply with Synod's express command.

Section 11 reads:

"All matters requiring the sense of this Board shall be viewed as final whenever voted for by the majority of the same."

Please note the word majority and that an order to remove the college does not require the sense even of the board.

Section 12 is:

"Seven members of the Board shall constitute a quorum to transact any business except reversing, altering, or changing any previous action of said Board, or any of its regulations, which can be done only by a two-third vote of all the members."

Clearly this refers to changing the constitution, etc., for it says "reversing, altering or changing any previous action of the board." This does not meet the case of removal, for the location of the college was not an act of the board but of the Synod.

Section 13 refers to a local board, its powers, duties, etc.

Section 14 prescribes the oath for

[Continued on Fourth Page]

THE RACKET STORE

Special—To close our 1.98 fancy Plaid (all silk) Parasols now 99c. Our 1.68 solid color Chiffon Parasols now 1.25. Nice lot of ladies white, black and cold Parasols, well assorted.

Childrens Parasols 15 to 98c.

Umbrellas. Ladies goods in black and colors, 50c. to 3 00. Special Prices on gents' coarse goods. Worth 45 to 50c. to close at 25c. Nice assortment at 75c. to 1.25. 12 foot Jap Umbrella 3 25

Ladies' Gauze Vests.

Ubleached, 2 1-2 cents. Bleached, 5 cents up. Lisle, 12 1-2 cents.

Ladies' Dress Skirts.

We have a nice assortment. Crash, cotton, 48c. up. Linen, 1.30. White Duck 75c. Navy 98c. White P K 1.25. Denim 75 to 1.50. Wool 1.68 up.

Underskirts.

Black Sateen 49 to 1.49. White Muslin Underware assorted.

Shirt Waists.

Prints 20c. Percale 45 to 75c. Plain or Printed Lawns 48 to 1.19. Printed Organdie 45c. and P K 95c.

Corsets.

Summer Net 25 to 60c. Heavy goods 20 to 85c. See our 48c. line.

Fans. Pa'm 1c. up. Small Jap. 5 to 18c. Our 18c. ones the regular 25c. ones. Hand Painted Austrian, 25, 48, 75, 95, 98, 1.15, 1.25, 1.38.

Gents' Shirts.

1.00 White Shirts for 50 cents. Swiss puff bosoms, 59 to 95 cents. Silk puff bosoms, 95 cents. Percale Shirts 25 cents up. 1.00 elastic seam Drill Drawers 60 cents. Gauze Shirts 15 cents up. Balbriggan Shirts and Drawers 25c. up

Sox.

Special--Regular 8 1-2c. goods at 5c. Our 10c. line usually sells for 15c.

Gents' Cuffs, worth 16 1-2 for 10c.

Dry Goods.

Remnants of plain white and colored Organdie in good lengths at 80c. per pound.

These goods cost you 5 to 7 1-2c. per yard and the same as you pay 15 to 35c. per yard for. We have sold stacks of these goods and every customer pleased. You can't afford to miss this chance to get a fine Organdie Dress for 50 to 63c.

Yard wide Bleaching 5c. New lot of Swiss Embroideries in. Swiss Puffing for waist yokes 85c. Nicer than the 1.25 quality. New lot of narrow Val Lace.

Encyclopedia Britannica, 30 Volumes, ONLY.....\$18.00.

Respectfully,

D. J. Bostian.

If you are not a subscriber to The Standard now is the time to subscribe.

If you have anything to sell you can make it known through The Standard.

THE STANDARD

is published every day (Sunday excepted) and delivered at your door for only 10c. per week or 35c. per month.....

THE STANDARD

prints home and other news that is of interest to our readers and to make it grow better we must have the patronage of the people.....

Give us a trial when you make your next order for.....

Job Work.

Work ready when promised.

If you want to buy anything you can call for it through The Standard.

Advertising rates in The Standard made known on application.
