

## ASHLEY HORNE for GOVERNOR

His Record as Confederate Soldier Without a Blemish--A Sterling Democrat

As Farmer and Business Man He Has Been Successful--Public Spirited and Patriotic, He Leads in All Progressive Movements.

TO THE DEMOCRATS OF NORTH CAROLINA:—

Ashley Horne, of this place, is a candidate for Governor, subject to the action of the democratic state convention.

I have known Mr. Horne all of his life, and feel that it is not out of place for me, of my own knowledge to state what manner of man he is. He is a native of Johnston county; is sixty-five years old; had a common school education, but in early manhood volunteered as a private in the Confederate army, and following the fortune of the army of northern Virginia for four years, and surrendered with it at Appomattox. His record as a soldier is without blemish.

After the war he had neither the time nor ability to complete his education. Necessity required him to go to work. The first year after going home he cultivated a crop, then clerked in a store, and in 1867 began merchandising for himself. He prospered, made friends of his customers, and many of the men who began to trade with him forty years ago are still his customers and friends.

As a farmer and as a business man he has been successful and he has also embarked in other lines of business. Now he is regarded as one of the most successful men in the State. While he has other large lines, and is engaged in banking, insurance, manufacturing, merchandising, he is still a large and active farmer. He is not merely a farmer on paper, but every day during the crop season a visitor would be apt to find him in the field, actually carrying on large, active, and successful farming operations. And so well informed does he keep himself on market prices of farm products, that many will recall that during several recent years he has published cotton letters which have contained wholesome advice to the farmers with regard to holding their cotton. This advice has proved to be well founded, and there is no estimating the money it saved the farmers of the State, and they were not slow in expressing their gratitude to him. In fact he is on all business propositions a very practical and wise counsellor.

He was one of the organizers of the Cotton Grower's Association, and he has established warehouses somewhat on the line of the bonded warehouse system now advocated by that association.

He has always been a straight, regular and organization democrat. He has voted the democratic tickets as they were printed.

In the early 90's when populism was making such headway among the people, he opposed it, but he understood the hard conditions under which the farmers were suffering; and, instead of denouncing their movement as many unwise men did, he treated them with kindness and sympathy, dissuading them from leaving the democratic party, but never denouncing them. In the country immediately contiguous to Clayton, populism never made any headway, and one of the reasons it made no headway, was the wise and kindly manner in which the farmers were treated by Mr. Horne and other democrats. After the fusion of populism and republicanism carried the state, and when many democrats felt that it would be

best for us to make some arrangement with the populists by which the state could be redeemed, Mr. Horne was outspoken in his denunciation of the movement. Six or eight years before he had been moderate and conciliatory in dealing with the populist, for he understood the burden which the farmers were then staggering. But in 1898 he had no sympathy for any movement looking to a fusion with Butler, Russell and Thompson. He was outspoken in denouncing any such proposition. He came to the state convention in 1898 and threw his whole influence in favor of a straight fight.

If there is one idea in Mr. Horne's mind, or if there is one motive in his life which predominates over all others, it is his opposition and hatred of monopolies and combines. He has always stood for the individual and in favor of the freest competition. He does not believe in any law which gives one man an advantage over another, and he believes that any agreement between two or more men, or two or more companies to restrict competition, or to create a monopoly is a crime against human right and ought to be punished in the severest manner. He is a practical trust fighter. Not a trust buster on paper, but a man who has systematically and earnestly fought monopolies in the only way he found it practicable to fight them.

When the cotton oil industry became important he was one of the men who organized the first cotton oil mill in Raleigh. When he ascertained that the American Cotton Oil Company had obtained control of that mill, he sold every dollar of his stock and retired. When it appeared that the fertilizer business was going into the hands of large concerns, he was one of the men who helped organize the Caraleigh Phosphate & Fertilizer Works, near the city of Raleigh. Propositions were made to buy that mill out. Mr. Horne opposed it and offered to become responsible for the future of the mill himself provided it was kept independent. A few years ago, when it appeared that the American Cotton Oil Company and the Southern Cotton Oil Company would control the cotton seed market of the south, and they possibly might combine and regulate prices, immediately Mr. Horne assisted in the building of an independent mill at Clayton, which mill is now owned and controlled by Clayton people and run independently. It provides an independent market for seed, and furnishes independent of other companies fertilizers.

He is president of the Clayton Cotton Mills. In 1902 many North Carolina mills favored going into a combination, so as to effect, it was said, large economy. The proposition was made to Mr. Horne to have the Clayton mills included in the merger. He declined to even submit the proposition to the stockholders. The fate of that merger justified the wisdom of his course.

He was one of the first men to advocate the formation of home insurance companies, both fire and life, and to stop the outflow of North Carolina money for insurance. He was one of the early stockholders of the North Carolina Home, and is an officer and direc-

tor in a number of successful life and fire companies.

One of the rules of his business life is to give the preference where practicable to do so, to local and independent companies, rather than to foreign companies or large combinations of capital. As far as it is possible to do so, he taboos trusts and monopolies. From the purchase of the oil which lubricates his machinery to the placing of insurance upon his property he always gives the preference to local dealers and independent companies.

Mr. Horne is not identified with any particular faction of the party. He is neither conservative nor radical, so called. He is a democrat plain. If elected to office, he will not endeavor to build up any faction, nor to create any personal following looking to his future advancement. He will be content to serve the people in the office of Governor for four years, and at the end of the term return to private life. He will not attempt to use the great office of Governor as a stepping stone to higher honors.

Mr. Horne will not make a canvass of the State prior to the convention. If nominated, he will take the stump and ably uphold the democratic cause. He is able to make, and will make, a strong and vigorous canvass, but he will not expect busy people to come out and hear him speak when he is canvassing for himself and not as the standard bearer of his party.

Mr. Horne's personal life is without spot or blemish. No person, however much he may differ with Mr. Horne in politics or otherwise, can be found who would impugn his personal honor or believe him guilty of an improper act. He has been a sober, moral man all his life. He was a temperance man when temperance and prohibition were not popular. As far back as 1891 he voted for prohibition. He has always stood for temperance, for the home, the school, and the church.

He has always been a progressive man; and, while by far the largest tax-payer of his section, he has always voted for special taxes for schools and good roads, and has favored everything that promoted the welfare of his community, regardless of its financial effects upon him.

Mr. Horne favors the strict enforcement of the laws passed by the last general assembly regulating railroads and requiring them to give better service at reduced rates. He believes in holding corporations to their duty and within the law, and doing this with a strong bold hand. He has always favored strict regulation of corporations; has always favored requiring railroads to perform their duties vigorously, and at the lowest possible rates, and he never rode a mile on a railroad pass, believing that railroads should serve and not boss. More than thirty years ago when the rates on cotton between Clayton and Raleigh were too high, he organized a wagon train and sent the cotton through the country, until the railroads, in disgust, asked him to name what he thought was a fair rate. This he did, and this rate between Clayton and Raleigh has never been exceeded. He has always opposed the granting of special favors to railroads. In 1885 he was a member of the state senate. The Richmond and Danville railroad proposed to build to Murphy, if the State would donate free the use of several hundred convicts. Mr. Horne was anxious as any other to see that work completed, but he thought the Richmond and Danville was under obligations to build it at its own expense. He voted against the donation of the con-

victs, and was one of the senators who signed a protest against the measure.

This is a brief account of Mr. Horne's life. He is in the race today. He is encouraged by promises of support from every section of the State. We believe he will be nominated.

In conclusion, I beg to say if you want to support a Confederate soldier for Governor, Mr. Horne is the man. If you want a successful business man, and a life-long farmer, for the office, Mr. Horne is the man. If you want a man who has been a consistent and life-long enemy of trust and combination, Mr. Horne is the man. If you want a man who has been a leader in the industrial development of his section, Mr. Horne is the man. If you want a man who has always stood for good roads, for temperance, education and morality, Mr. Horne is the man. If you want a man for Governor who will give his whole time to that office and who will not aspire to other positions, Mr. Horne is the man. If you want to support a straight, fire-bred democrat, who has never turned either to the right or to the left, but who has consistently fought the party's battles for more than forty years, Mr. Horne is such a man. If you want a man for Governor who will fill the office well, who has never done and will never do an unworthy or improper act, who will never do anything that will require defense, apology, or explanation, Ashley Horne is such a man.

J. T. ELLINGTON,  
Clayton, N. C.

### GLENN ANSWERS FINLEY.

The State Has Obeyed All Orders Legally, Says The Governor, But The Railroads Have Regarded None.

Governor Glenn issued Monday the following statement in answer to that given out Saturday night at Asheville by President Finley, of the Southern Railway:

To the People of the State:

Since W. W. Finley, president of the Southern Railway, has seen fit to publish the railroad side of the unfortunate controversy now going on between the State and certain railroads, the Council of State and the State's attorneys deem it best that as Governor I also give to the public the facts, in order that it may see whether it is the State or the railroads that are trying "to hamper or interfere with the orderly course of judicial procedure."

The General Assembly at its last session, upon the reports made by the various railroads to the corporation commission, based on their receipts and disbursements, passed an act regulating passenger rates and fixed the maximum charge at 2 1/4 cents. The act was self-executing; nothing had to be done by the corporation commission or the Attorney General to give it force, but by the express wording of the statute it was to go into effect July 1st, 1907. Before that day arrived the Southern Railway and the stockholders of the Atlantic Coast Line applied to a circuit court of the United States to enjoin the corporation commission and Attorney General from putting said rate into effect. This application on the part of the Southern Railway was based on entirely a different report of the earnings than the sworn one given to the corporation commission, its officers contending that a great mistake had been made in the first report in that it made the intra-State net earnings too large.

All those who have studied the question will see that if the act went into effect on July 1st, 1907, without the intervention of the corporation commission and the Attorney General, then when Judge

Pritchard enjoined the corporation commission and the Attorney General he acquired jurisdiction over the persons and not the subject matter, and his decree was a vain thing. He was powerless to enjoin the Governor, the judges and other State officers, because the constitution of the United States forbids it. They will all agree that the State courts had jurisdiction of the subject matter, whether constitutional or unconstitutional.

The corporation commission appeared before the circuit court. Certain private persons bringing penalty suits under the act were also cited to appear; the matter was argued, and without finding that the act was unconstitutional by reason of being confiscatory, the court continued the injunction and ordered the taking of testimony to find out whether the rate was too low, and therefore amounted to a confiscation of railroad property. Did the State officials act "in an orderly manner" on the rendition of this decree, even though they deemed it erroneous? They acquiesced, filed exceptions and proceeded to get ready to take testimony. By letter and otherwise, I advised all private litigants that I could to respect the order made by the court, and would not even employ the same attorneys in the indictments that had been employed by the corporation commission.

The rate law, as before stated, being self-acting, requiring nothing to be done by the corporation commission or Attorney General became a law July 1st and was every day being violated by the railroads by their agents.

Some of the judges, of their own motion, seeing the law thus openly violated and knowing that under the decision of both the State and Federal courts, the circuit court could not enjoin or prevent the operation of this law by enjoining the corporation commission, proceeded to properly charge the grand jury, and have bills of indictment found against the railroads thus violating the criminal law of the State. Remember that "in an orderly course" all State officials who were restrained by the circuit court obeyed its decree. Let us see in what an orderly manner the railroads acted. We will take the indictments in Raleigh and Asheville. In Raleigh a bill was found against the ticket agent of the Southern Railway; when brought into court both the agent and officials of the railroad refused to recognize the State court; would not plead, but stood mute, and the court itself had to enter the plea of "not guilty."

When its agent was put into custody, the railroads advised him to go to jail, which he did, until released from custody by the judge. They put on no evidence to show that the act was unconstitutional and after a verdict of guilty as to both defendants, they would not appeal, which was the "orderly course," but tried to get the agent to go to jail, so a writ of habeas corpus could be obtained from the Federal Court, and now threaten to enjoin the collection of the fine imposed against the railroad, not by appeal, but through that court. In Asheville, the defendants would not recognize the court or give bail; when convicted would not appeal, but went into custody, awaiting Judge Pritchard's return from Raleigh, and applied to him for a writ of habeas corpus. Acting in an orderly manner, the sheriff did not disobey the writ, but carried his prisoner before Judge Pritchard, when counsel for the State argued the State's contentions, and the circuit court has not at this hour rendered its decision.

To sum all up: The State has

in every instance obeyed all orders legally made against it by the Federal Court, but the railroads have refused wilfully to recognize a single order or judgement of the State court, treat it as a nullity, refuse to appeal from its judgements, though this is the orderly way, and tried to carry every case from it to the Federal tribunal. In the legal way, the corporation commission and private persons will obey Judge Pritchard's decree that effects them, and try their cases before him, carrying the same if aggrieved, before the highest court. The railroads will not, if they can help it, allow the State courts, though having jurisdiction, to try them; they will not appeal, if aggrieved, through the usual channels, first to the State and then the United States Supreme Court, but insist on only being tried by one tribunal, to-wit, the Federal courts.

I ask all fair-minded people whether it is the railroads or the State that are "trying to hamper or interfere with the orderly course of judicial procedure." I cannot agree with one of the railroad attorneys, who said State's right ended in 1865. The State has rights, and I dare to maintain them against the encroachments of the Federal courts at the request of the railroads. The State will do nothing rash or revolutionary, but will maintain its dignity by using every lawful means to enforce its laws.

In every way possible that is honorable and in accordance with State's rights, I am willing to meet the railroads in trying to settle this unfortunate complication. I told certain of their officials before they commenced this suit, that if they would wait and test the law, and should find it too burdensome, I would convene the Legislature and ask that the wrong be remedied. I have ordered if they would sell tickets under the law, to advise the stopping of all indictments and hasten the trial of the suit effecting the subject matter, but they will do nothing, attempt no settlement, only insist on the State allowing them to ignore our laws and our courts, and be tried in a court of their own choosing; and then when we refuse they say the State is hampering justice and denying their rights.

Passenger travel for the last ten years has greatly increased, and yet the rates have never been altered by the railroads. The entire cost of operation cannot overcome the increase in the travel—at least it was only just to give the act of a sovereign State a fair trial before rushing into the courts. I repeat the State will commit no unlawful or unseemly act, but to the utmost of my ability I will sustain our courts acting legally in executing their process against all offenders.

Respectfully,  
R. B. GLENN,  
Governor.

The Editor's Song.

"The editor sat in his easy chair, lighting his pipe on his auburn hair. A halo shone over his face fair, but his knees were out and his feet were bare; and he sang a song sad and sweet, while the flies died all around his feet; for he had no food in his shop to eat, and the ground was covered with sleet. Now what in the world was the cuss to do? He had eaten the paste and swallow the glue; he hadn't a drink, he hadn't a chew, and while he starved his whiskers grew; and the villain still pursued her."

He—If 32 degrees is freezing point, what is squeezing point?  
She—Two in the shade.