

THE DAVIE RECORD.

MOCKSVILLE, N. C., WEDNESDAY, DECEMBER 6, 1899.

NO. 36.

NOW IS THE TIME.

SPECIAL INDUCEMENTS TO BUYERS TO REDUCE OUR PRESENT STOCK.

You will find the work of a Dollar at our Store something wonderful, for we have dropped the prices Down!! DOWN!! DOWN!!! It will PAY you to look over our assortment. It will give your eyes a feast and your thoughts food for satisfaction, and will show you an easy way to procure just what you want and need, for a trifling outlay. We keep up the Quality. We keep down the Price.

We offer you a rare opportunity to SAVE MONEY on your Shoes, Underwear, Nations, Table and Glassware, Kitchen Furniture, Tinware, etc. Here are a few prices that will make you think you have been paying too much for your goods:

Children's Undervests, 5c, 8c, 10c, 15c, each.
Ladies' Fleece-lined Undervests, 15c, 25c and 50c each.
Men's Undershirts, 15c, 25c, 40c, 50c, 75c.
Ladies' Union Suits, Fleece-lined, 25c and 50c each.

GREAT BARGAINS IN SHOES.

We have a few sizes 2 1/2, 3 and 4s that we have too many of, and have made the price 40c on the dollar to make them go. Only a small lot. Come quick, if you want a rare bargain. Also offer Men's Heavy, all leather Plow Shoes, \$1.00 pair. Men's nice Sunday Shoes, Lace or Cong., 1.00 a pair; Children's \$1.00 pair. All kinds, 25c per pair and up. Come to see us and save money on your shoes. Don't forget our 5 and 10c Counters. They are loaded with great values of useful articles for your nickle.

We have our headquarters for Xmas Toys of all kinds. Will display a larger stock than ever before, of Dolls, Toys and Fancy Goods of all kinds, cheap prices all through the store. Come and look whether you want to buy or not. No trouble to show goods. Respectfully,

NEWMAN & KING.

420 Liberty St., WINSTON, N. C. Franklin's Old Stand

DR. F. G. CHEEK

EYE SPECIALIST.
Office over Jacobs' Clothing Store,
WINSTON, N. C.

Furniture!

If You need
Furniture of any Kind

IT WILL PAY YOU TO SEE

B. F. Huntley's Stock,

—HE SELLS—
FIRST-CLASS FURNITURE AT
the Right prices, stock always Complete.

436 and 428 Trade Street,
WINSTON, N. C.

WHEATON

Winston, N. C.,
—CALL ON—

BROWN, THE JEWELER.

I have a Nice Line of Watches,
Jewelry and Silver Ware, Specia-
les and Eye Glasses, etc. Fine
Repairs done while you wait and
fully insured for one year. Prices
to suit the times.

Yours for business,
BROWN, THE JEWELER.
48 Liberty Street. Next door to
Robert's the gun man.

I Want Your Eggs,

CHICKENS, POTATOES,
ONIONS AND OTHER
FARM PRODUCE.

At Highest Market Prices Will be Paid
Call on me when

YOU COME TO TOWN.

A well Selected Stock of Groceries
Always On Hand.

Yours to Serve,
D. M. MILLER,
Salisbury, North Carolina.

SOUTHERN

RAILWAY.

STANDARD RAILWAY

OF THE SOUTH.

The Direct Line to all Points.
TEXAS,
CALIFORNIA,
FLORIDA,
CUBA AND PORTO RICO.

Strictly First Class Equip-
ment on all Through and Local
Trains.

Pullman Sleeping Cars on all Night
Trains. Fast and Safe Schedules.

Travel by the Southern and
you are assured a Safe, Com-
fortable and an Expeditious
Journey.

Apply to Ticket Agents for Time Ta-
bles, Rates and General Infor-
mation, or address

R. L. VERNON, F. R. DARBY,
T. P. A., C. P. & T. A.
Charlotte, N. C. Asheville, N. C.

NO TROUBLE TO ANSWER QUESTIONS.
FRANK S. GANNON, M. OULP,
Gen. Man. Traf. Man.

W. A. TURE G. P. A.
WASHINGTON, D. C.

The Davie Record,

PUBLISHED EVERY WEDNESDAY.

E. H. MORRIS, Editor.

TERMS OF SUBSCRIPTION:

One copy, One Year, - - - \$1.00
One copy, Six Months, - - - .50
One copy, Three Months, - - - .25

MOCKSVILLE, N. C., DEC. 6, 1899.

JUDGE CLARK REVIEWED.

In the Asylum Cases the Judge
Gave His Assent to the Doctrine
in Hoke v. Henderson—Change
of Mind Quite Recent.

Lex, in Morning Post.

In recent years in this country,
mutterings of anarchy have been
heard. They have been generally
confined to a reckless class, and to
the crazy cries of irresponsible
fanatics.

Now, for the first time in this
country's history, it distinctly em-
anates from the judicial bench. One
of the judges of the highest court
of a great State openly, flagrantly
and recklessly flies the flag of law-
lessness, of resistance to constitu-
tional authority, of revolution, of
destruction to all order and all law,
and of a relapse to that condition
of barbarism to express which there
is in our language just one word—
Anarchy. In orderly and law-
governed communities, the anar-
chists who attempt to put in prac-
tice their destructive doctrines are
sent to the prison or to the hang-
man. The State of Illinois so dealt
with them some years ago. This
example seems not to have been
successful when we see their doc-
trines advocated by a judge of the
highest court of the realm.

Is this language too strong? Let
us see.

Judge Clark distinctly says that
the Supreme Court has "acted un-
constitutionally;" that it has "ex-
ceeded the powers confided to it;"
that it has "violated four separate
sections of the Bill of Rights;" that
it has not merely rendered an "er-
roneous judgment, which if it were
that, would have to be obeyed, but
that it has gone beyond its juris-
diction and has violated the limits
put upon it by the constitution,"
so that its decree is null and void
and "gives no protection to anyone
who acts under it."

Here is the highest court of the
State, determining a case over the
subject matter of which it has juris-
diction. The court has determined
it. Four of the judges concur in
that determination. The fifth has
a right to say and does say that
the determination is erroneous, that
the court has erred, that it has
mistaken the law, that it should
have decided the other way. In
this contention the dissenting judge
may or may not be right. But if
the judgment of the court is not to
be obeyed, then we have an end of
government by law. The red hand
of revolution and anarchy has got
its grip upon us, and the only law
is—

"The good old rule, the simple plan,
That he shall take who has the power,
And he shall keep who can."

And there is a judge of the State's
highest court, inviting resistance to
his decrees. Says he, this decree
is "no protection to anyone who
acts under it." So, it follows, the
defendant is not bound to obey it.
He may shoot down the marshal of
the court, or the sheriff with the
judicial writ in his hands; and, if
there be meaning in words emanat-
ing from a mind insane with
selfish ambition and recklessly riot-
ing in the hope of placing a po-
litical party which it has been so
recently scheming to destroy, the
conclusion is irresistible that violent
resistance to the court's decree is
strongly invited.

Judge Clark has discovered that
judges like Ruffin, Daniel and Gas-
ton were wrong in their decision in
Hoke vs. Henderson. So they may
have been. Judges are not infalli-
ble. But the general consensus of
the legal mind of to day is that in
all qualities which go to make great
lawyers and great judges, these
men were infinitely superior to
some of those who have succeeded
them. But when did Judge Clark
discover that Hoke vs. Henderson
was not good law? He says that it
is "matter of astonishment, that
after 1865 any one could be found
to urge before the courts that Hoke
vs. Henderson was an authority in
North Carolina." Matter of aston-
ishment! It is undeniable that
thoughtful and conservative men,
considering his official position, are
astonished at Judge Clark. It is a
consolation to have it from his own
pen that he is astonished at him-
self. Astonished, he says, that for
the last thirty-five years any one,
lawyer or layman, should agree
with Gaston and Ruffin. And he
is astonished at himself! Why?
Only a year or so ago, this same
Judge Clark concurred in decid-
ing three important cases involving the
control of the asylums of the State,
and his decision was based upon
Hoke vs. Henderson and literally

upon nothing else. The only ques-
tion was, are these cases like Hoke
vs. Henderson? The authority of
Hoke vs. Henderson no lawyer or
judge disputed, and no judge, per-
haps, was so vigorous in his loyalty
to and in his laudation of that great
case, as was Judge Clark. The
court, Judge Clark concurring,
characterized the opinion of Chief
Justice Ruffin as "great." Now
Judge Clark says he is astonished
that anybody, since Judge Clark
got to be a grown up man, should
have regarded it as authority! In
these very cases, cases which are
quite young and quite recent, but
are old enough to ante-date the last
election, the same Judge Clark with
the rest of the court says: "It is
settled beyond question that a pub-
lic office is property and is a vested
right." This same Judge Clark,
speaking since the last election,
now says that a public office is not
property, and is not a vested right,
and in uncounted pages he rails
and rants at those whose judicial
opinions do not conform to the vic-
issitudes of political parties. Again
said the court: "It is settled be-
yond question, that a public office
exists by contract between the State
and the holder."

And Judge Clark said so, too.
Now he says that the office does
not exist by contract, and charac-
terizes the mere suggestion as a
self-evident absurdity, and tries to
prove it by piling up page after
page of print to be paid for by the
people, and palpably prepared for
political propaganda.

And now for the climax in this
crusade of judicial lawlessness!
Judge Clark says that the Supreme
Court has no power to declare an
act of Assembly to be unconstitu-
tional and void. And yet this same
Judge Clark has been for ten or
more years sitting in judgment
upon acts of the Legislature and
passing upon their constitutionality,
arrogating to himself this un-
questionable power—a power which
no constitutional lawyer in this Re-
public has denied since the first
few years after the creation of this
government. Time and again has
he joined in deciding acts of As-
semblies to be unconstitutional. At
the same time, in 1897, when he
was preaching up Hoke vs. Hen-
derson and setting aside the asylum
legislation as being under the case
unconstitutional, he held that the
Revenue Act was unconstitutional
and void in so far as it violated the
constitutional equation.

And now he says that in his judi-
cial action, extending through his
judicial career, he has been doing
that which he had no lawful right
to do; that he has been "acting
unconstitutionally;" that he, under
oath, has "exceeded the powers
confided to him;" that he has "gone
beyond his jurisdiction and has
violated the limits put upon him
by the constitution," and has been
rendering decrees which were null
and void and which gave "no pro-
tection to those who acted under
them."

Has this man no friend, no guar-
dian, no proclien and who can or
is capable of saving him from him-
self?

THE death of Vice President
Hobart leaves Secretary Hay in
line of succession to the presidency
in the event of the death of the
president.

Six and a Half Millions Off the
Public Debt.

Washington, Dec. 1.—The debt
statement to-day shows a decrease
for the month of December of over
six and a half millions. The treas-
ury receipts for the month exceed-
ed the expenditures by over six
millions. This is a larger surplus
for a single month than the treas-
ury receipts have shown in the last
six or seven years.

Judge Hunt's Consumption
and Bronchitis Cured.

It surpasses all other remedies
known for Consumption, Bronchitis,
Croup and Disordered Liver. It cures
when all else fails! If your druggist
does not keep it, send direct to Judge
George E. Hunt, Lexington, N. C.
Price 50 cents per bottle.
For sale by C. G. Sanford.

SIX DEMOCRATS WHO WILL NOT VOTE FOR THE AMENDMENT.

Editor of the Asheville Gazette:
Dear Sir—I have always been a
consistent Democrat, but I have at
last realized the fact that the Dem-
ocratic party in this State will not
legislate in favor of the common
people. The proposed constitu-
tional amendment will disfranchise
thousands of white men in this
State, and I shall do all in my
power to secure its defeat. I take
this opportunity of announcing in
the future I shall vote the straight
Republican ticket, and I have five
sons who will do likewise. There
are many Democrats on Spring
Creek who will vote against the
proposed amendment. Your paper
is doing a great work and I feel
sure that the people will sustain
you. Respectfully,

T. L. PLEMMONS,
Spring Creek, N. C., Nov. 21-99.

The above shows that the leven
is working. With a free ballot and
a fair count, the amendment would
be overwhelmingly defeated. The
honest yeomanry are awakening,
and the Simmon's Regulator crowd
will hear something drop at the
next election. Remember!

A Matter of Uncertainty.

A story is going the rounds that
an old church member died, of
whose goodness there was some
doubt, but who was regarded as a
pillar by his pastor, who posted on
the church window a notice in these
words: "Brother Johnson departed
for heaven at 4:30 this a. m.," and
then announced the funeral. Un-
derneath this a newspaper man
tacked a telegram blank, with these
words: "Heaven, 9:40 p. m.—John-
son not arrived. Great anxiety."

Represents a high type of the pre-
paratory school. Uses the most
efficient methods in education. Pre-
pares boys and girls for college and
fits them for business and life. One
of the best to infuse with energy,
to wake up boys and girls to the
duties of life. Represented this
year in a half dozen leading col-
leges and universities. 208 stu-
dents from three States last year.
North Carolina Students this fall
all the way from the Caldwell line
on the west to Jones and Bertie
counties on the east. Expenses
average only \$40 per term of five
months. Competent teachers, firm
discipline, thoroughness in all
things. Good reading room and
excellent literary societies. Stu-
dents can enter at any time and
find suitable classes. Our catalogue
tells of the location, life, aim, and
what it means to a boy or girl to
attend school here. Spring term
will open January 8, 1900. The
progress of the school has been
rapid, and for the past six years,
under the present management, it
has been broadening its field and
raising its standard until now it
stands among the foremost of North
Carolina preparatory schools. Its
reputation is more than local. You
will be pleased with our thorough
work and attractive location. Send
for 50-page illustrated catalogue.
Address R. B. HORN, Principal,
Boonville, N. C.

Yadkin Valley Institute,
Boonville, N. C.

3—THREE MAMMOTH STORES.—3

WE SELL FOR LESS, BECAUSE WE BUY CHEAPER
THAN SMALL DEALERS. SOME SPECIALS:

300 Suits at \$3 50, \$5 00 and \$6 50,
WORTH \$5.00 TO \$9.00.

500 SUITS \$7.50 TO \$10.00, WORTH \$11.00 TO \$15.00.

150 Overcoats, \$2.50 to \$6.50, worth \$3.75 to \$10.00.

200 OVERCOATS, \$7.50 to \$12.50. Worth \$20.00 to \$18.00.

If you have bought of us you know us; if you haven't you
should try us, and learn your saving.

GREAT VALUES in Hats, Shirts, Ties, and Underwear.

Don't Forget the Place when You Come to Winston.

Rock Hill Buggy Co., Rock Hill, S. C.

A NICE ROCKER GIVEN AWAY.

What about that Stove you promised to buy this fall?

We still have left more than a car-load, although our Stove sales have
been immense for the past 60 days.

We are bound to close out this lot of stoves
by January 1st., and to do this we will give

a nice \$1.50 rocker free

with every Stove we sell for the next TEN days. Now
don't wait, but come and get one, for after ten days we
will stop giving the Rocker with Stove. Just received

4 car loads of cheap and medium furniture
and we can save you 25 per cent. Come and see us and
we will sell you.

House, Stoudemire & Company,
CENTRAL HOTEL, SALISBURY, N. C.

THE COMFORT.

Write to us or Come to see Us

when in town, or give us a SPECIAL VISIT, it will pay you—you'll
find what you want here. Not only one, but a BIG ASSORTMENT to
choose from, and the PRICES WE QUOTE WILL OPEN YOUR
EYES to the fact that YOU HAVE BEEN PAYING TOO MUCH FOR YOUR
GOODS. To prove this call on us.

Shoes. Shoes. CAPES, JACKETS Etc.

Ladies and Misses' Calf Shoes, \$1.00;
Ladies, Men's and Misses' whole-
stock shoes, \$1.00 and \$1.25.
Ladies' soft Kangaroo Kid Shoes,
neat and stylish, worth \$2.00, our
price \$1.25.
Ladies' and men's hand-welt Shoes,
made by the best makers, \$1.95,
worth \$2.75.
Boys' and Misses' good serviceable
Shoes, 50c and 75c per pair.

Children's Jackets—all sizes, 75c to
\$3.00 each.
Ladies' Jackets, \$2.50 and up;
Ladies' Capes 50c and up; Ladies
heavy Underwear, 15c and up.
Men's heavy Fleece-lined Under-
wear, 40c and up.
Ladies' Skirts, 75c and upwards.
Ladies' Waists 25c and upwards.

We guarantee to save you at least 25 per cent. on
above goods.

THE COMFORT.

Corner Opposite New Postoffice. WINSTON, NORTH CAROLINA

McDOWELL & ROGERS

Winston's Cheap Clothiers,

—BUYERS FOR—

3—THREE MAMMOTH STORES.—3

WE SELL FOR LESS, BECAUSE WE BUY CHEAPER
THAN SMALL DEALERS. SOME SPECIALS:

300 Suits at \$3 50, \$5 00 and \$6 50,
WORTH \$5.00 TO \$9.00.

500 SUITS \$7.50 TO \$10.00, WORTH \$11.00 TO \$15.00.

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with every Stove we sell for the next TEN days. Now
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4 car loads of cheap and medium furniture
and we can save you 25 per cent. Come and see us and
we will sell you.

House, Stoudemire & Company,
CENTRAL HOTEL, SALISBURY, N. C.

G. T. GLASCOCK & SONS,

GREENSBORO, N. C.

FOUNDERS AND MACHINISTS.

Manufacturers of Turbine Water Wheels, The CAROLINA COOK
STOVE, Heating Stoves, Coal Grates, Country Hollow Ware
Plows, Plow Castings and Feed Cutters.

SPECIAL CASTINGS OF ANY DESCRIPTION.
Every Article Manufactured by Us Guaranteed in Every Respec

E. H. MORRIS, Agent. at MOCKSVILLE, N. C.

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\$1.00 pays for the
paper and 2 tickets.

