

# THE MORGANTON STAR.

OL. III.

MORGANTON, N. C., FRIDAY, SEPTEMBER 30, 1887.

NO. 30.

## ROYAL BAKING POWDER

Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness, more economical than the ordinary kinds, and cannot be sold in competition with the multitude of low test, short weight and inferior phosphate powders. Sold only in the Royal Baking Powder Co., 105 N. 3rd St., N. Y.

## BRADFIELD'S FEMALE REGULATOR

A SPECIFIC FOR WOMAN'S DISEASES

Painful Suppressed and Irregular Menstruation or Monthly Sickness.

It is taken during the CHANGE OF LIFE, great relief and danger will be avoided. Send for "MESSAGE TO WOMEN," mailed free.

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## THE WILMINGTON STAR.

REDUCTION IN PRICE.

Subscription is called to the following reduced rates of subscription, cash in advance:

The Daily Star. \$3 00 per Year, \$1 00 per Month, \$1 00 per Quarter, \$1 00 per Six Months, \$1 00 per Year.

THE WEEKLY STAR. \$1 00 per Year, \$1 00 per Month, \$1 00 per Quarter, \$1 00 per Six Months, \$1 00 per Year.

Our Telegraphic News service has recently been largely increased, and it is our determination to keep the Star up to the highest standard of newspaper excellence.

Address: W. H. BERNARD, Wilmington, N. C.

## NEW STORE AND NEW GOODS.

Arthur Evans,

Post-Office Block.

Deals in Watches, Clocks, Jewelry, Silver Ware.

FANCY GOODS, ETC.,

HAVING 25 years' experience in the largest manufacturing houses in Europe and America, I am prepared to furnish all kinds of watches, jewelry, etc. All work guaranteed.

## FOUTZ'S HORSE AND CATTLE POWDERS

No Horse will die of COLIC, BOYS or LUNG FEVER, if FOUTZ'S Powders are used in time. FOUTZ'S Powders will prevent HOOD CHOLERA. FOUTZ'S Powders will prevent GAPS IN FOWLS. FOUTZ'S Powders will increase the quantity of milk from twenty per cent, and make the butter firm and sweet. FOUTZ'S Powders will cure or prevent almost every disease to which Horses and Cattle are subject. FOUTZ'S Powders WILL GIVE SATISFACTION. Sold everywhere.

DAVID E. FOUTZ, Proprietor, BALTIMORE, MD.

FOR SALE BY

JOHN TULL, Morganton, N. C.

## FARMERS OF BURKE.

Beef in Asheville is worth from 6 to 6 cents, on foot.

I am paying 5 cents cash on foot for all I use at the Market House.

Look out for all beef buyers and make them pay 5 cents net.

My bid to furnish the Asylum for one year was 7 cents per pound, and the State had to foot the bill.

RUFUS AVERY.

### Open Letter from Capt. J. C. Mills.

Correspondence of The Morganton Star.

BRINDLETON, Sept. 17, 1887.

Will you permit me, through the medium of your paper, to publicly protest against the action of our County Commissioners, in declaring, and entering on the record, that a majority of the qualified voters of Burke county had voted in favor of a railroad subscription of \$48,000. At the time the vote was taken it was universally understood, and had been *semi-officially* announced, that the road, if built at all, would be built by the "Carolina Central Syndicate," and that it would infallibly be a competing line with the Richmond and Danville road. That was the great inducement. I stated then, and think so still, that this project was an egg, laid by the managers of the Richmond and Danville company, and if the chicken was ever hatched, they would use it, or wring its neck whenever it suited them to do so. But be that as it may, I protest, sir, that no majority of the people of Burke county have ever voted for this subscription; but on the contrary, they have twice repudiated the proposition, or at least, and emphatically refused to sanction it. I shall show further on, and conclusively I think that,

Article 7, Section 7, of the Constitution requires, that before any county, city or town or other municipal corporation, can incur any debt, or levy and collect any tax, except for ordinary expenses, the same shall have been approved, by a majority of ALL the qualified voters therein.

In support of my understanding of this particular clause of the Constitution, I will state, that I introduced in the House branch of the last Legislature, a resolution embodying the idea, and in words substantially the same as those contained in the preceding paragraph and there were 42 votes for, and 11 against the resolution. Moreover, any one who will take the trouble to look into the "Laws of 1887," will find that nearly all the railroad charters that authorized counties, or other corporations to subscribe for stock, provided that the proposition should be approved by a majority of *all* the qualified voters. It was at first objected on the part of some of the members, that to insert the word "all" before qualified voters, was unnecessary, that a majority of the qualified voters meant, of course, a majority of *all* the qualified voters. It was afterwards, however, admitted, that it might be best to insert the word "all," and thereby avoid any possible appearance of ambiguity. And there never was, during the entire session of the Legislature, a single instance where this amendment was offered, that it was not accepted, or adopted.

There are, Mr. Editor, in our Constitution three clauses, (Sec. 4 of Art. 5, and Sections 1 and 2 of Art. 13.) that provide that certain specified questions, shall be determined, "by a majority of the votes cast," but Art. 7, Sec. 7, says that a question of the kind under consideration, must be determined by a majority—not "of those who shall vote thereon," but by a majority of the qualified voters.

Sec. 10 of the act of the Legislature, incorporating the Southern and Western Air Line R. R. company, authorizes any county through any part of which the road may run, to subscribe to the capital stock thereof, *Provided*, that if an election regularly held, after due notice shall have been given, "a majority of the qualified voters of such county shall vote for such subscription."

Now, I ask in the name of com-

mon sense if this language doesn't mean a majority of the whole number of qualified voters? I ask if the commissioners didn't so understand it, when they issued their order for a new registration,—for the single purpose, as they said, of enabling them to ascertain what number would be a majority of the qualified voters? I ask if they didn't so understand the Constitution and the Statute, when after the January election,—at which a majority of those who voted, voted for subscription,—they issued their *excuse* for another election?

I adhere to the opinion that the commissioners had no authority of law, for ordering the second election. Section 14 of Art. 2 of the Constitution forbids any law being passed, to raise money on the credit of the State, or to impose any tax upon the people, or to *allocate any county, city or town to do so*, unless the bill for the purpose, shall have passed three several readings in each House of the General Assembly, on three different days, and unless the yeas and nays on the second and third reading of the bill shall have been entered on the journal.

These requirements were all complied with in the act incorporating the Southern and Western Air Line R. R. Co.; and in pursuance thereof, an election was held on the 2d Tuesday in January; and right then, I believe all authority derived from the act ceased and determined. There was lawful authority for holding an election, but not any number of elections. Suppose, Mr. Editor, that the first proposition for \$50,000 had been carried—and it was carried if the second one for 48,000 was,—for the result of the election each time,—was practically the same. But the order of the Commissioners for another election, was an official acknowledgment that the original proposition had been defeated. But let us suppose that there had been at the first election, an undisputed majority in favor of subscription, will the commissioners, or anybody else contend, that they could lawfully have ordered another election, for an additional subscription? And yet, Mr. Editor, preposterous as it may appear to you, this is precisely the predicament in which the commissioners have placed themselves. If it be true, that they had the lawful authority to order the second election, and if it be also true that there was a lawful majority in favor of subscribing \$48,000 then it is likewise, and necessarily true, that there was a lawful majority in favor of the original proposition to subscribe \$50,000,—for there was in both cases a majority of the votes cast in favor of subscription, and in neither case a majority of the registered vote. So that, it seems to me, we have either subscribed \$98,000 to be given away to some party or parties to the people of Burke unknown, or we have subscribed nothing at all.

It should never be forgotten either, that each time when the commissioners ordered an election—"It was further ordered, that if at the election so held, a majority of the qualified voters of Burke county, shall vote in favor of making said subscription, then the subscription shall be made."

But let us go back, Mr. Editor, to Art. 7, Sec. 7 of the Constitution, for I have still higher authority to sustain me, in my interpretation of that much talked about clause, than any I have hitherto quoted. Aye, the highest! even that of the Supreme Court itself! In the case of "McDowell vs. the Construction Co." that went up from Rutherford county, and was decided by the Supreme Court at its last term,—one of the questions was, whether a *lawful* majority of the qualified voters of

Rutherford county had voted for subscription.

The Judge of the Superior Court (after having the facts) decided, that it was not essential to the validity of the subscription, that a majority of *all* the qualified voters of Rutherford county should have voted in favor of it; that it was sufficient that a majority of those who actually voted, voted for subscription; and that absent voters were assured in law, to have assented.

Secondly, he decided, that the official declaration, and entering of record, by the County Commissioners that a majority of the qualified voters had voted for subscription, was an adjudication as to that fact, and was final and conclusive.

In both the conclusions of law, the Supreme Court decides that the judge (below) was mistaken. Justice Merrimon, in delivering the opinion of the court, says: "That registration is one of the necessary qualifications of an election for any particular purpose, is required to turn and depend upon the vote of a majority of the qualified voters of a county, city or town, and the election has been held it becomes necessary to look to the registration books to ascertain who were the qualified voters and what number of them would make a majority at the time of the election. 'It seems to us,' continues the judge, 'that the interpretation we have thus given to the term 'qualified voters,' is the necessary as well as the reasonable one.'"

"Now do we think the second conclusion of law, upon which the court based its judgment correct. It cannot be, that a determination and exercise of authority by County Commissioners frequently involving questions, and rights of the gravest import are absolutely final and conclusive.

In conclusion, Mr. Editor, I would like to ask of our commissioners, if they have ever read this decision of the Supreme Court, and if they have, I would like to enquire if their recent action is not a defiance of and contempt of the court.

J. C. MILLS.

The town that sits down on its hind legs and waits for some one to come along and drop an occasional big fat worm into its lazy, open mouth, will get left. Fat worms are scarce, and the only way to get the best ones is to rustle for them. Keep your money at home; patronize them who patronize you, and spend your money among your own illustrations, where you stand a chance to get it back. Every dollar you spend with home people may find its way back to your pocket. But a dollar spent in some other town is gone forever and helps to build up that town, while every dollar spent here helps to build ourselves up. Figure the thing down fine and you will see that you lose money when you buy away from home, even if you get articles cheaper abroad.—*London (Tenn.) Recorder.*

### In Brief, And To The Point.

Dyspepsia is dreadful. Disordered liver is misery. Indigestion is a foe to good nature.

The human digestive apparatus is one of the most complicated and wonderful things in existence. It is easily put out of order.

Greasy food, tough food, slopy food, bad cooking, mental worry, late hours, irregular habits, and many other things which ought not to be, have made the American people a nation of dyspeptics.

But Green's August Flower has done a wonderful work in reforming this sad business and making the American people so healthy that they can enjoy their meals and be happy.

Remember:—No happiness without health. But Green's August Flower brings health and happiness to the dyspeptic. Ask your druggist for a bottle. Seventy-five cents.

### POLITICAL POINTS.

The *Times* would like to see Mr. Carr Governor and Col. Polk Lieutenant Governor. These are pure, able men, full of zeal for the honor, progress and material advancement of the State, and from "Murphy to Manteo" there cannot be found any other two men of greater integrity, strength of character and official qualification.—*Concord Times.*

The *Banner* desires most respectfully to present the name of that learned and most excellent gentleman, Maj. C. Dowd for Governor. He is too well and favorably known to require any words of commendation. He is certainly very popular in Western Carolina, where he is best known, and can easily carry the State. Let us have Dowd.—*Rutherford B. News.*

Now, good Democrats, better office-seekers than Linney have left us, and it has never affected the ranks in the least; so put him down, dead, died with thirst and ambition. If there are any more such men please walk out of ranks; don't wait one day, for the party is a poor body to humor such people. York and many others have gone the same way.—*Con. Statesville Landmark.*

Major Charles M. Steadman, of Wilmington, N. C., Lieutenant Governor of North Carolina, and one of its most prominent Democratic leaders, is in the city, stopping at the Barrett House. He says that the Democracy of the Old North State are enthusiastic in their support of President Cleveland's administration, and will manifest their satisfaction by a sweeping majority at the next election. It is likely that Major Steadman will head the Democratic State ticket in his State next Fall.—*New York Star, 16th.*

A preacher writing to the *Raleigh Advocate* about a revival, in which he was recently engaged, uses this quaint expression, "The good Lord and a working church were our help." This reminds us of one of Swift Galloway's inimitable stories, in which he makes his hero, a local politician not many removes from a demagogue, say to his hearers: "Yes, fellow citizens, I am an educated man, but, fellow citizens, let me say to you that but for the help of the Lord and a few other gentlemen I should be as ignorant to-day, fellow citizens, as you are, fellow citizens."—*State Chronicle.*

### Electric Bitters.

This remedy is becoming so well known and so popular as to need special mention. All who have used Electric Bitters sing the same song of praise.—A purer medicine does not exist and it is guaranteed to do all that is claimed. Electric Bitters will cure all diseases of the Liver and Kidneys, will remove Pimples, Boils, Salt Rheum and other affections caused by impure blood.—Will drive Malaria from the system and prevent as well as cure all Malaria fevers.—For cure of Headache, Constipation and Indigestion try Electric Bitters.—Entire satisfaction guaranteed, or money refunded.—Price 50 cts. and \$1.00 per bottle at John Tull's Drug Store.

### Lung Troubles and Wasting

Diseases can be cured if properly treated in time, as shown by the following statement from F. L. Johnson, M. D., Greenwood, La.: "I had a severe case of Pneumonia, both Lungs involved; no appetite, sick stomach, general weakness, and complete exhaustion. I gave her Scott's Emulsion Cod Liver Oil with Hypophosphites of lime and soda, according to direction, and she has improved ever since."

If you are bothered with "hard times" and want to learn how to turn your time into money quickly and pleasantly, write to B. F. Johnson & Co., Richmond, Va. They have a plan on foot that you ought carefully to consider.

NO HOUSEHOLD SHOULD BE WITHOUT



The majority of the ills of the human body arise from a diseased Liver. Simmons Liver Regulator has been the means of restoring more people to health and happiness, by giving them a healthy Liver than any other agency on earth. SEE THAT YOU GET THE GENUINE.

L. A. BRISTOL & SON.

The Indians may fight; England may quarrel over the Irish question; Prohibition or no Prohibition in America,

L. A. BRISTOL & SON

Will sell you goods all the same. They are daily receiving large shipments of

### Fall Goods,

Consisting of Heavy Groceries, Confections, Dry Goods, Clothing, Boots, Shoes, Hats, Hardware, Crockery, Willowware, Leather, Sole and Upper.

In short, they keep a general stock—

### EVERYTHING THE PEOPLE NEED.

They are also agents for the sale of the celebrated

### PINE WOOL CARPET,

Manufactured in our own State—Wilmington.

They desire to tender their thanks for the liberal patronage received, and intend, by honest dealing, to merit a good share in the future.

When in town be sure to give them a call. Sept. 2, 1887. tr.

### DISSOLUTION OF CO-PARTNERSHIP

The firm of Howard & Presnell has been dissolved by mutual consent. The business in the future will be conducted by R. K. Presnell. All persons due the firm will please call and settle at once. H. A. HOWARD, R. K. PRESNELL.

### NOTICE.

Having bought the entire stock of goods of Howard & Presnell, I will continue the business at the old stand, where I will be pleased to see all our old customers and as many others as are pleased to call. My purpose is to recruit the stock with

### ALL THE LATEST STYLES OF GOODS

and sell as cheap as the cheapest. I have a large lot of

### Clothing

on hand which I will sell

### AT COST FOR CASH

to make room for new goods. Thanking my many friends for past favors and soliciting their further patronage.

I am respectfully,  
R. K. PRESNELL.

J. W. CAMPBELL & CO.,

Lumber Dealers,

MORGANTON, N. C.

ARE now prepared to fill all orders for lumber—2 1/2 inch Oak, Walnut, Hickory, Cherry and Pine—in bulk or small quantities on short notice and at the lowest market prices.