

MARION RECORD.
Entered at the postoffice at Marion, N. C. as second class matter.
ARRIVAL AND DEPARTURE OF TRAINS.
SOUTHERN RAILROAD. West bound train arrives at Marion at 1:57 p. m., and leaves at 2:04. East bound train arrives at 4:15 and leaves at 4:31 p. m.
C. & N. C. RAILROAD. Train arrives at 12:45 p. m., and leaves at 4:15 p. m.
SUBSCRIPTION RATES.
One Year \$1.00
Six Months .50c
Three Months .25c
Marion, N. C., January 17, 1905.

Judge BYNUM, of Morganton, has removed to Greensboro, where he will practice law.
Judge J. L. GREEN, who succeeded Judge Bynum, is holding his first court at Durham.

An open letter to the legislature: For the sake of suffering humanity and the animal kingdom do not forget the roads.

We trust our representatives will see that private gates are not allowed across public roads after the legislature adjourns.

The fusion legislature has taken all the authority from Lieutenant Governor Doughton, so far as appointing committees goes. This is unprecedented.

The Raleigh News and Observer says that on Monday night in the republican caucus, a negro was robbed of \$32. It's too sad, to think that one of the pure in heart should be robbed in his own household.

We were in error some months ago when we predicted that the republicans would swallow the populists. It is precisely the contrary. The pops. have come the Jones act, and swallowed the radicals, niggers, wool and all.

The Legislature Monday voted to repeal the law letting the public printing to the lowest bidder. The democrats made a hard fight against repealing the law, but under the leadership of Jim Young, the bill went through. The printing will be disposed of as fusion patronage.

Many farmers sit in the grocery on a box of soap talking politics hour after hour. If such would stay at home, attend to their own business and to their cattle, they would then help to make themselves and their country prosperous. They could then turn with more righteous leisure to the saving of their country.

We are informed that our representative in the legislature will secure the passage of a bill which will authorize the erection of a new jail in Marion. As a matter of fact, public necessity demands the passage of such an act. We would suggest that the lot upon which the old jail stood be sold, as it is a valuable lot, and one purchased on a back street, which can be bought for a small sum of money, and which will be much more suitable for the location of a prison.

An Important Decision
The decision of the Supreme Court in Burke County vs. the Catawba River Lumber Company effectually puts a stop of floating timber in such streams as the Catawba and John's rivers; the logic of the decision being that any land owner along these streams can prevent the floating of logs through his property. It would be the height of folly for any lumber company in the face of the opinion filed by Justice Macrae to attempt to float logs without first getting an easement signed up by every riparian owner between the mill and the source of timber supply. Without this it would be subject to innumerable suits for damage, and would be liable at any time to have its business tied up by an injunction sued out by any one of five hundred interested land owners. The sum and substance of the opinion is, that the court having decided that these rivers are not "floatable" streams, they are consequently private property as much under the control of the land owners as their fields and garden—property in which no rights can be acquired save by deed. The importance of this phase of the case overshadows the point at issue in the suit, in which Burke county asked for an injunction to protect the low county bridges across the two rivers mentioned from the logs floated down by the defendant company.—Morganton Herald.

VINCES SUCCESSOR.
REPUBLICANS NAME JETER PRITCHARD AS THE MAN.
FROM APPRENTICE TO SENATOR.

The Vote Stood 33 to 21 Against Hooton—Settle Says Hooton's Retirement did it. Had only Two Years Schooling.
From the News and Observer.
Pritchard 38, Hooton 21.
That is the story of last night's caucus, and Jeter C. Pritchard, the son of the Snickers from Madison, will be the next short term United States Senator from North Carolina.

The meeting was called to order about nine o'clock by Representative Lusk and lasted two hours and a half.
The ball was opened by Representative White, (Rep.) of Bladen, who called the previous question, which renewed on the question of nominations of candidates. This vote was the decisive one, having been 33 to 21, in Pritchard's favor. The Madison man never fell from his figure.

Ewart withdrew in favor of Pritchard.
Before the vote was announced Walsger got the floor and moved to make it unanimous, which would have been done with a hurrah but for one thing; Lineback refused. Like the old guard, he wouldn't surrender. But there were checks that took the walls all the same. Lineback continued to kick even after he was a corpse.

Pritchard's room 109, at the Yarbrough, was packed. All had on hats except Pritchard. His handsome head showed to great advantage, and his handsome face, with courteous, honest, kindly Newfoundland dog eyes—and modest as a boy with it all.

Dr. Carver had a joint of possum wrapped up which he was exhibiting to the crowd in Pritchard's room as the supper he was going to sit up with if necessary. Spears said he was the happiest man in America.

Pritchard strolled into the hall; he was met by the scholar y figure of Butler. Butler's hand was cold and collegate; Pritchard's was warm and full of blood and grip; for he has a powerful frame. Butler cautiously, even then, but cordial as he took Pritchard's hand said: "Well old man." One had come from the college, the other the case; for when Pritchard was sixteen years old he had walked from Jonesboro, Tennessee, to Bakersville, N. C., his present home. His mother when he was 12 had stood him up on a box in the office of the Jonesboro Tribune to learn type setting, and later, she herself had worked with him, and his brother George, 20, in Washington, Tenn., to purchase a school. Later got two years schooling—all he ever had, and when he set out for Bakersville, he had ten cents and a chicken that his mother had bundled up for him.

He arrived and looked for a job, got it in a newspaper office and afterwards married the daughter of his employer's brother. Then later he becomes United States Senator.
Such is the beginning and up-to-date end of this man.
All things happen in America. And to tell the truth, there is a touch of pathos even in the victory of the man.
For it all started with ten cents and a poor boy.
The New York Herald says of the prospect for cotton manufacturing in the South: "In the recent progress of the South nothing is more striking than the development of its cotton manufacturing industry. Within the last four years the number of mills has increased from two hundred and fifty to four hundred, and the capital invested from sixty one to ninety seven million dollars. This rapid development has been due chiefly to Southern enterprise, but now that New England manufactures have entered that field their lead will doubtless be followed by others. We have long ago pointed out that the South was destined to become a great cotton manufacturing center, and events are rapidly confirming that view. McDowell county has plenty of fine water power, transportation facilities, cheap homes and the healthiest climate in the world. Bring on your factories, New England friends, and we will show you the road to wealth."

The Young Man in Politics.
The Salisbury Herald has an interesting article showing how untrue it is that there is no chance in public life for young men in North Carolina. It has often been alleged that the democratic party of this State forces its young men to the rear and reserves all its honors for gray-beards. It does well to honor the old men, for "the Logy head is a crown of glory," but it certainly has not neglected those of a younger class. The Herald gives as Dress and O'Connell as young men who have been elected Speakers of the House, and might have mentioned Rose. It refers to ex-Chief Justice Shepherd, of the Supreme Court, and Baykin, Brown, Battle and Allen, of the Superior Court. We supplement its list with Hoke and Winston. Among the solicitors, it names Long, Webb, Jones, Barber, Fou and Woodard, and might have named McNeill and Allen. The present Attorney General, it truly says, "looks almost a boy," and the State's Lieutenant Governor is a young man. Congressman Bower and Crawford, it remarks, are nursing their first babies; and the list could be a good deal prolonged. We do not suppose there is a State in the Union in which young men have a more open field than they had in North Carolina while the democrats had possession of the State. Their favors have not gone by age; there has been no other test than merit; whoever was able to measure up to this standard was eligible otherwise if within the legal age limit. We are not charging that any other party in the State is reserving young men, but only supporting the contention of our esteemed contemporary at Salisbury that the democratic party certainly has not done so.—Charlotte Observer.

This unprecedented case, State vs. Hall, is attracting more attention than any case, perhaps, recorded in a decade. Hall standing just on this side of the North Carolina line, fired and killed a man just over in Tennessee. He was tried and convicted in this State. On appeal this was reversed on the ground that "in contemplation of law," Hall was in Tennessee when the killing was done. He was then arrested and held as a fugitive from justice. The judge below refused to discharge him. On appeal, the Supreme Court, by a majority of one, decided that he must be discharged because, not having been in Tennessee at the time of the killing, he cannot be a fugitive from justice. Justice Clark dissents (Justice McRae joining in the dissent) on the ground that if, in contemplation of law, Hall was in Tennessee at the time of the killing, so that he cannot be tried in North Carolina, in the same contemplation of law he must be a fugitive from justice for he cannot now be found in Tennessee, but in North Carolina. He says: "If a mob occupying the Jersey side of the Hudson should shell the city of New York, or from the opposite side of the Delaware should cannonade Philadelphia, under the decision of the court they would be liable to no punishment in New Jersey because 'in contemplation of law' the mobs were in New York and Pennsylvania. But if it is true as contended by counsel, that the members of the mob cannot be extradited because the mob was never in those cities it would be a singular state of things and would place those cities, as well as Savannah, Memphis, St. Louis, Louisville, Cincinnati, and hundreds of other border towns at the mercy of any mob which might assemble with weapons of long range across the State line."

"Who is the best dressed man in the City third Congress?"
"Freelance."
"Why?"
"Because his spring suit cost fifteen thousand dollars."

"Your father is entirely bald now isn't he?" said a man to the son of a millionaire.
"Yes," replied the youth sadly, "the only hair he has left."

Administrator's Notice.
Having qualified as administrator of Henry Johnson, deceased, late of McDowell county, N. C., this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned on or before the 4th day of January, A. D. 1905, or this notice will be filed in favor of their recovery. This January 4th 1905.
M. F. McPherson
Administrator.

—The Record and Atlanta Weekly Constitution one year for \$1.40.

Job Printing.
Once upon a time, two frogs, who had been living in comfort and ease in a cool pool, were accidentally scooped up by a pious milkman in a pail of water which he poured into his can in order to give the milk more body, and thereby increase his revenue. The frogs were very much astonished to find themselves in an unknown element in which it was impossible to support life, and they had to kick very vigorously in order to keep their heads above the milk. One of them, being disheartened by being shut up in the dark in an element entirely new to him, said: "Let's give up and go to the bottom. It is no use kicking any longer." The other said: "Oh, no; and let's keep kicking as long as we can and see what the outcome will be. Maybe things will change presently." But the first frog gave up and went to the bottom. The other kept on kicking; and when the pious milkman came to town and opened his can, behold—the frog had kicked out a lump of butter large enough to float on, and he was sitting on it very comfortably!
Moral—In hard times keep on kicking—Ex.

Notice of Service of Summons.
L. Morgan and J. S. Elliott, Plaintiffs, vs. Arthur Thompson and A. P. Jones, Defendants.
The defendants, Arthur Thompson, will take notice that the plaintiffs, J. L. Morgan and J. S. Elliott have commenced an action in the Superior Court of McDowell County, State of North Carolina, against him and W. P. Jones, to foreclose a mortgage upon certain real estate situated in the streets of said county and State, the summons in said action is returnable to the Spring Term, 1905 of the Superior Court of McDowell County, North Carolina, to be holden on the first Monday in March 1905, in the town of Marion, where and when you are required to appear and answer or demur to the complaint which will be filed within the three first days of the term or the relief demanded therein will be granted. This the 16th day of January, A. D. 1905.
B. E. Prier, Clerk, Superior Court, J. L. C. Reid, Counsel for Plaintiff.

Notice.
By virtue of a power contained in a mortgage deed executed to Lulah Babson on the 3rd day of September 1899, by H. W. C. Cannon, I will sell public auction on the 4th day of February 1905, at the court house door in the town of Marion, the land described in said mortgage to satisfy a debt of \$109 and interest. For a more particular description of said land, reference may be had to Book No. 4, page 196 in the Registers office at McDowell County, January 2nd, 1905.
Lulah Babson
G. H. Gardia, Mortgagee, Assignee.

Valuable Presents Free.
We wish to introduce our new Patent Life Insurance. We know that you will appreciate the very best remedy on earth for the cure of Consumption, Rheumatism, Sick Headache, Kidney Troubles, Typhoid Fever, etc., and that when you have tried this plan you will give us the credit of having saved your life.
We are now offering a special opportunity to our customers to receive a valuable present of \$100.00 worth of goods, if they will purchase a policy of insurance on their lives with us. The goods are of the highest quality and are of great value. We are now offering a special opportunity to our customers to receive a valuable present of \$100.00 worth of goods, if they will purchase a policy of insurance on their lives with us. The goods are of the highest quality and are of great value.

35 COMPLETE NOVELS.
AND YEARLY REVENUE.
We are now offering a special opportunity to our customers to receive a valuable present of \$100.00 worth of goods, if they will purchase a policy of insurance on their lives with us. The goods are of the highest quality and are of great value.

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CAN I OBTAIN A PATENT? For a prompt answer and an honest opinion, write to MUNN & CO., who have had nearly 40 years' experience in the patent business. Communications strictly confidential. A Handbook of Information concerning Patents and how to obtain and defend them is sent free. Also a complete catalogue of mechanical specialties. The Munn & Co. Co. receives the highest honors in the American and foreign exhibitions. Send for the Handbook and Catalogue. It is the best thing you can have. It is the best thing you can have. It is the best thing you can have.

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GEO. H. WHITE, N. D.
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Offers his professional services to the public.
Office over Norton's store, or at Morpheus & White's drug store.

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IS THE BEST
NO SQUEAKING.
And other specialties for Gentlemen, Ladies, Boys and Misses are the Best in the World.
See descriptive advertisement which appears in this paper.
Take no Substitute.
Insist on having W. L. DOUGLAS SHOES, with name and price stamped on bottom, sold by
J. S. BYSART, Marion, N. C.
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means so much more than you imagine—serious and fatal diseases result from trifling ailments neglected. Don't play with Nature's greatest gift—health.

Brown's Iron Bitters
It cures
Dyspepsia, Kidney and Liver Troubles, Constipation, Bad Blood, Malaria, Nervous ailments, Women's complaints.

Botanic Blood Balm
THE GREAT SOOTHING REMEDY FOR All Skin and Blood Diseases.
It purifies, builds up and enriches the blood, and never fails to cure the most inveterate BLOOD AND SKIN DISEASES, if directions are followed. Thousands of grateful people sound its praises and attest its virtues.

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Prepared according to the formula of DR. W. A. HAMMOND.
In his laboratory at Washington, D. C. Chamberlain's Eye and Skin Ointment is a certain cure for Chronic Eye, Granular Eye, Lids, Sore Nipples, Pimples, Eczema, Tetter, Salt Rheum and Scalp Itch, 50 cents per box. For sale by druggists.

TO HORSE OWNERS.
For putting a horse in a fine healthy condition try Dr. Cad's Conditioner. They tone up the system, aid digestion, correct the appetite, relieve constipation, correct kidney disorders and destroy worms giving new life to an old or overworked horse. 50 cents per package. For sale by druggists.
Morpheus & Streetman.

Damaged Hardware.
I have a lot of hardware, slightly damaged by fire, for sale at reduced prices. Call and see me.
J. S. Bysart.

THOMAS MEDD.
Notice.
All persons who owe me either by note or account are respectfully urged to pay me at once. I need the money, and must have it. Please pay and save cost.
Respectfully Yours,
W. M. McD. Higgins.

Do You Buy Clothing?
If so it will pay you to go to

Collett & Gillam,
AT MORGANTON, N. C.
For anything you want. Save your Railroad fare by going to see them, or send order for what you want. Satisfaction in fit, style, quality, and

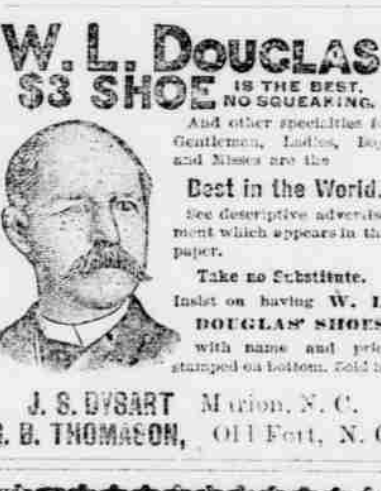
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The largest stock in Western North Carolina.

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ELEGANT SUITS FOR MEN AND BOYS! GENTS' FURNISHINGS!

Overcoats and McIntoshes, best goods and latest styles.
We will compare goods and prices with Wanamaker or anybody else. Square dealing and one price to all. Call on us or send us your orders. We keep every article found in a first-class clothing house.
Respectfully,
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