

THE TRIBUNE.

W. F. RUCKER, Editor. L. D. MILLER, Manager.

PUBLISHED EVERY WEDNESDAY, AT RUTHERFORDTON, N. C. \$1.00 PER YEAR; CASH IN ADVANCE.

WEDNESDAY, FEBRUARY 6, 1901.

NEW JAIL.

Among the many urgent and immediate needs of Rutherford county, perhaps that of a substantial county prison stands conspicuously among the foremost. But, before this acquisition is realized, however, the question as to the real need, or as to whether the county can possibly do without it, may involve a long process of thought in the minds of some of our people; and the outcome of their much thinking may be that the county can get along without it; but that a new jail is needed can hardly be contradicted by thinking men. The vital question in regard to any public improvement, should be relative to the amount of benefit derived therefrom and not whether the community can live without it. The time has been when the best known means of transportation was a wagon or a canoe, and certainly the country lived, but no one will pretend to take the position that railroads and steamboats are not beneficial to the country. So we may have a prison already, but it is old and it is failing to meet the end for which it was built, then why not do away with it and avail ourselves of the safety and conveniences afforded by modern architecture? A new jail is needed, because the old one is unsafe, and because it is an unfit place of confinement, inadequate to satisfy the present need of the county. The report of almost every grand jury goes toward confirming the assertion, and even laying aside these reports, all of which are founded upon personal inspection, the frequency of escapes recently stand out as bare facts that cannot fail to impress the one conclusion upon the mind of every citizen. Why lock up a man at all when he can climb to the roof through an open chimney, where he needs but the aid of a string of sufficient strength to render good and effectual his escape? A new jail is needed because of the incapacity of the present one. Our jail was perhaps sufficient at the time of its erection, but it is not so now. Then the population of the county was small, and the number of prisoners in proportion thereto; but with the growth and increase of people the want of proper accommodations becomes more and more apparent, and if it were a safe place for the confinement of breakers and offenders of the law, overcrowded apartments would be injurious to the good health of the prisoners. Often before the sittings of our superior court, the place becomes so crowded that there is scarcely room for its occupants. Rutherford county is just now beginning her process of growth and development, and with all of her natural resources, there is no reason why she should not fit herself with the modern and best means for improving her government and executing the law, all of which her wealth has placed within her reach. She would suffer little inconvenience on account of a debt of ten or twenty thousand dollars, the cost of modern and safe building for the confinement of its prisoners. If we may offer a suggestion, the site most suitable for a building of this kind, is the vacant lot opposite to and in front of the court house; or if the county prefers to not go to the expense of purchasing another lot, the site in the rear of the court house, which already belongs to it, would be an excellent situation. We hope that the board of county commissioners and the citizens of the county as well will give the subject some serious thought.

IMPEACHMENT PROCEEDINGS.

The Committee Adjourns Till Thursday Without Taking Action.

The Raleigh Correspondent of The Charlotte Observer, February 5th, says: The House judiciary committee, which adjourned at 12:15 this morning, did so to meet this afternoon, when it again took up the matter of impeachment. One member said this morning he believed there would be either severe reprimand in the presence of the Legislature or impeachment. He rather thought there would be impeachment. He added that Connor was very conservative as to impeachment, but that Graham was "hot for it." Some of the Republicans who talk are saying one purpose is to force the judges to resign. Public sentiment here is that there will be no impeachment. No pressure for it outside of a coterie in the Legislature has been found, people who profess to know assure me.

This afternoon the House judiciary committee had a three hours' adjourned impeachment session. There was much speech-making. The principal speakers were Allen, Connor, Winston, Robinson, Spaulding, Green, Whitaker, of Guilford, and Brittain. The discussion was whether there should be impeachment of Judges Furchesano Douglas or whether something in the nature of a reprimand spread upon the journals, should not be chosen. Connor strongly favored the latter course. No vote was taken and it was decided to adjourn until Thursday. If the vote had been for impeachment, a number of those who so recorded themselves would have demanded reconsideration and postponement. There are some directly opposed to impeachment, and a member of the committee says that there is no doubt that after deliberation, a number who now lean toward impeachment may vote against it. One of the committee made a stirring speech against any action at all, saying that it was a dangerous precedent, and added that if the impeachment idea was carried into effect it would strike one of the best judges in the State, as he had issued a mandamus for the payment of some claim expressly forbidden by the Legislature of 1897. He also cited a case many years ago in which the Supreme Court ordered the payment of the Governor's salary. The question was asked in the course of the discussion why the Supreme Court waited until after the Legislature was out of the way before it granted the mandamus in White's case.

The telegram of Pritchard, Bearson and Linney to Judges Furchesano and Douglas, published to-day, assailing the integrity of members of the Legislature, was also discussed and strongly denounced. It was the first time politics had been mentioned during the entire investigation by any member of the committee. The Republican members of the committee said this to-night. One of the committee, speaking in the meeting about that telegram begged his fellow-members of the committee not to permit it to goad them into unwise or precipitate action, but to look at it from the point of view that the telegram was written for that very purpose; in other words, that the Republican leaders really desire impeachment, intending to use it as a party lever.

One of the speakers said that much as he doubted the policy of impeachment, yet in his oath, and with the report of the sub-committee before him, he would be compelled, even were one of the judges his father, to support the resolution for impeachment. Another said he did not propose to stand by the report of the sub-committee, as it was a mere rehearsal of Judge Clark's dissenting opinion. He added that if he stood by the sub-committee and its report, he would be certainly inconsistent if he failed to vote for impeachment. He declared he would file a minority report if no one but himself signed it. With him there could be no half-way ground under his oath.

Discussion developed the fact that Winston had always favored impeachment. The open opponents of impeachment are Stubbs, Whitaker and Brittain. The opponents regard the adjournment as a victory and another member says that postponement to Thursday means the defeat of impeachment. It is fair to say that the committee is considering this matter in a very judicial frame of mind and manner and has risen to the dignity of the occasion, and persons on the ground cannot help realizing this. Some members are chafing under criticism which they consider unmerited, and they say they should not be held responsible for the vapors of outside partisans.

An Argument of Merit.

In an argument for the commutation of the death sentence of a negro to life imprisonment, a Mississippi lawyer has presented a novel plea. Taking the life expectancy of the prisoner and his annual value as a farm hand, this legal lunary goes on to show that it would be sheer extravagance to hang him. His value to the state would run up to almost \$10,000. Why hang him, then, and be at an expense for the proceeding, when he can be put to work with security to society and profit to the state? This is a new idea and has some merit. Whether it will find much merit remains to be seen, since money does not pay for the presence of some men.—Atlanta Constitution.

—THE TRIBUNE will be glad to take wood in exchange for subscriptions. Send your subscriptions to THE RUTHERFORDTON TRIBUNE.

Impeachment of Judges.

There is talk of impeaching two judges of the Supreme Court. A committee of the Legislature is looking into the matter. This committee is composed of men in whom the people may rely. They are not going to take a bitter partisan view of the matter and advise an impeachment because a few hotheads demand it. Neither will that committee shrink if they believe the two justices deserve and the best interests of the State demands an impeachment. To impeach men in high places is a very serious thing, and we do not believe that the present Legislature will take such steps unless it is plainly a duty. Conservative North Carolina will not submit to such a gross injustice as impeachment without high cause; and we do not believe any one will be impeached for partisan reasons. If a justice of the Supreme Court deserves impeachment, the sooner he gets it is too long a delay; but wise and conservative men must lead and not hot-headed partisans. We do not believe there will be any impeachment, because we do not believe there is sufficient ground, and we have no fear of the Legislature impeaching for any but a just reason.—Concord Tribune.

The Proposed Libel Law.

We are surprised to learn that the Judiciary Committee of the House is unfavorably disposed to the very conservative and just libel law proposed in the measure which passed the Senate a few days ago, by which newspapers may be protected from malicious prosecution. It is not asked by the press, nor contemplated by the bill, that any publisher shall escape the penalty of a malicious abuse of his privilege as such publisher, but that he shall be exempt from malicious prosecution by those who, in good faith and as a public duty the publisher may criticize. The London bill as it is called, is drawn with great care, affording every protection necessary against a depraved press, only aiming to protect the honest press from vicious prosecution. We hope if the committee has reached such conclusions as reported, it will consider the matter and report it favorably. If this cannot be done, let it go back to the House on its merits and be determined by that body accordingly.—Morning Post.

Society Lags in Its Duty.

One of the most prominent charities in the city of New York after eighteen years of good work is closing up its career. Not that there is no longer need of it, for there is more than ever to do, but because society, upon which it depended for support, has lagged in its duty. To meet the annual expenses, the ladies insisted upon precarious Waldorf-Astoria teas and displays of kindred nature. An appeal to their rich husbands to convert the displays into cash was unavailing, as the tea was regarded as the most important part of the whole programme. At least, the gentlemen connected with the institution decided to be no longer ticketed as an adjunct to a social function, and have thrown up the commission. The straightout charity for charity's sweet sake is somewhat lonely.—Atlanta Constitution.

When you want a physic that is mild and gentle, easy to take and pleasant in effect use Chamberlain's Stomach and Liver Tablets. Price 25 cents. Samples free. Every box guaranteed. For sale by Twitty & Thompson.

TRUSTEE'S SALE OF REAL ESTATE.

By virtue of the power contained in a deed of trust, executed to me by J. E. Bostic and wife, on the 5th day of April, 1893, and duly recorded in Book "F" at No. 18, reference to which is hereby made, and because of default made in the payment of the indebtedness thereby secured, I will sell for cash, to the highest bidder at public auction, at the county court house door in the town of Rutherfordton at the hour of 12 o'clock m., on Monday, March 4th, 1901, all the land conveyed by said deed of trust and described as follows: The certain tract of land lying and being in Duncane Creek and Colfax township, Rutherford county, N. C., and more particularly described and defined as follows: Being land on Cherry mountain, adjoining the lands of James Philbeck Gilbreth and others, beginning on a stone pile, corner of the "A. Gettys" old tract and runs west 78 poles to a Hickory in the fork of a branch; thence south 16 poles to a small water oak on the Philbeck line, containing, by estimation, one hundred and seventeen acres, except seventeen acres, the line to begin at a stake at the east corner on the Gilbreth line, near a spring and runs to the Philbeck line so as to cut off seventeen acres. For further description call on Harrill Brothers at Rutherfordton, N. C., and see deed of trust also. This January, 30th, 1901. A. G. BRENZER, Trustee.

MORTGAGE SALE.

By virtue of a deed of trust executed by Jenima DePriest and husband, G. W. DePriest, on December 19th, 1898, as follows:—Three tracts lying together and constituting one body of land and adjoining the lands of Pink Digh, J. A. and Thomas Philbeck and others and being the tracts conveyed to Kate Faison by B. L. Ryburn, trustee, on December 17th, A. D. 1898, and recorded in Book "62" of Deeds, No. 178 of Register's office of Rutherford Co., N. C., to which deed and the record of same reference is hereby made for full description of said tract by metes and bounds.

1st tract, 163 acres lying in Sunshine Township on Mike's branch of Tobacco Creek and being that tract deeded G. W. DePriest by A. M. Biggstaff and wife and others on February 19th, 1888, to which deed and record of same reference is hereby made for full description of said tract by metes and bounds.

2nd tract, 85 acres more or less adjoining the other tract and being the land conveyed to G. W. DePriest by A. W. Hunt and wife on November 5th, 1888, to which deed and record of same reference is hereby made for full description of said tract by metes and bounds.

3rd tract, 49 acres adjoining the tract foregoing and being that tract of land deeded G. W. DePriest by R. R. Biggstaff and wife, S. C. Eiggerstaff and others on November 2nd, 1893 by deed recorded in Book "72" No. 48, page 48 of Register's office of Rutherford county, North Carolina, to which deed and record of same reference is hereby made for full description of said tract by metes and bounds. This January 15th, A. D. 1901. R. L. RYBURN, Trustee.

NOTICE.

By virtue of a decree of the Superior Court of Rutherford county in the cause entitled Jackson Terry and others vs. Hannah Rich and others, filed in said court on the 10th day of January, 1901, for cash, at public outcry, on Monday, March 4th, 1901, a certain tract of land lying in Rutherford county, adjoining the lands of Geo. Gurley, Wheeler and others, and known as the "Bargain Tract," beginning at a Spanish Oak on the bank of the spring branch, and runs North 50 West 76 poles, crossing said branch and "Harrill Bargain" creek to a Hickory on the Brocklet line; thence with the line of said branch to a Pine on said line; thence South to a Black Gum or conditional corner made by Whisnant to L. H. Smart; thence with the top of the mountain as it meets the line of the McCarty line, containing 50 acres, more or less, of the land above described. That portion of the land allotted to Hannah Rich as her dower, will be sold together with that part exclusive of dower. That is, the 50 acres will be sold as a whole, subject to the life estate of Hannah Rich in the portion of land allotted to her as dower. Said land will be sold for partition among the parties to the proceedings. This January, 30th, 1901. W. J. MOSE, Commissioner, McBrayer and Justice, Attys.

NOTICE.

By virtue of a decree of the Superior Court of Caldwell county, I will sell on the premises, on Monday, February 19th, 1901, the following described tracts of land, to-wit: The first tract lying and being in Rutherford county, on both sides of First Broad River, adjoining the lands of Elijah and Elish Waters, containing 20 and 3-4 acres more or less.

At the same time and place, I will sell a second tract, said tract lying and being in said county, on the waters of First Broad River, adjoining the lands of A. E. Ledford, L. F. Brackett, W. G. Crow and others, containing 156 acres, more or less. Terms of the sale: One-half cash, and the balance on six months time, with approved security. The deed will be withheld until payments are made. W. D. HICKMAN, Commissioner.

EXECUTOR'S NOTICE.

Having been appointed under the will of, and having qualified as executors of A. B. Long, Sr., deceased, late of Rutherford 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 23rd day of January, 1902, or their recovery. All persons indebted to said estate will please make immediate payment. This 23rd day of January, 1901. W. L. AND G. W. LONG, Executors.

NOTICE.

Notice is hereby given that on Wednesday, February 14th, 1901, we will sell to the highest bidder, at the residence of A. B. Long, Sr., deceased, all personal property belonging to his estate. January 23rd, 1901. W. L. AND G. W. LONG, Executors.

NOTICE OF SALE.

Under and by virtue of a decree of the Superior Court of Rutherford county, the undersigned will sell at public auction on Saturday, February 23rd, 1901, at 12 o'clock m., the following described real estate, to-wit: All that tract of land known as the J. B. Eaves home place, situated in Coon Springs township in said county, and containing about 160 acres, and including the home and other buildings thereon. The sale will be on the premises. Terms of sale cash. This January 23rd, 1901. MRS. J. B. EAVES, EX.

NOTICE.

Having qualified as administrator of J. K. Lynch, deceased, I will sell at his old home place on Saturday, March the 9th, 1901, the following lots of produce, to-wit: 1700 bushels of corn, more or less; 175 bushels refuse corn, more or less; 100 bushels wheat and rye, more or less; 6000 bundles of fodder more or less; 20 bushels of peas, more or less; 15 gallons of molasses, more or less. T. M. LYNCH, Admr. February 6th, 1901.

EXECUTOR'S NOTICE.

Having been appointed under the will of, and having qualified as executor of J. W. Goode, deceased, late of Rutherford 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 30th day of January, 1902, or their recovery. All persons indebted to said estate will please make immediate payment. This 30th day of January, 1901. M. L. GOODE, Executor.

NOTICE.

Notice is hereby given that application will be made to the General Assembly, now in session, for an act authorizing an election, in the town of Rutherfordton, for the purpose of voting not less than five nor more than ten thousand dollars in bonds, said amount to be expended in the construction of a system of water-works for said town. E. B. CLARK, Mayor. J. C. MILLS, W. A. HARRILL, J. F. FLACK, Aldermen. Jan. 9th, 1901.

WM. F. RUCKER,

Attorney & Counsellor at Law Rutherfordton, N. C. Prompt attention given to all business entrusted to him. Office in brick building on corner above the court house.

CONSTITUTION CENTURY OFFER

\$2500 Cash.—The Agent's Best Chance.—New Year, New Agents, New Methods.

The Constitution now offers \$2500 in Cash Prizes to agents for the very best agent-work during the first quarter of the first year of the new century. Omitting all contests, except for agents, they place the whole sum to the agent's credit and make the terms equitable for distributing it over the whole territory. To arrange this the South has been divided into four sections, as follows: 1st Section. Virginia, North Carolina, South Carolina and Florida. 2nd Section. Tennessee, Alabama and Mississippi. 3rd Section. Georgia. 4th Section. Louisiana, Texas, Indian Territory and Oklahoma.

This making about an equal number of subscriptions according to The Constitution's list as it now stands.

THE CASH PRIZES ARE:

- For highest list from ANY agent, Jan. 1st to April 1st, 1901, from WHOLE Territory - \$400.00
For the highest list in EACH of the above four divisions from Jan. 1st to April 1st, 1901. After the above list general prize is awarded - - - - - 300.00
For the second highest list for the three months in each section 100.00
For the third highest list for the three months in each section 50.00
For the fourth highest list for the three months in each section 25.00
For the fifth highest list for the three months in each section 15.00
For the sixth highest list for the three months in each section 10.00
Six prizes in each section - - - \$500.00
Total for four sections - - - \$2000.00
For the ten next highest lists from the whole territory at random, not taking any of above prizes, \$10.00 each - - - - - \$100.00
Total cash prizes, from January 1st, to April 1st, 1901, - \$2500.00
The subscribers to be renewed for the three months covered by this contest are 48300 names. These with the new subscriptions secured will doubtless run the list up appreciably in every section. Every newspaper reader in the whole South will be given an opportunity to get on our list.

LAND SALE.

L. T. Sharpe, J. W. Hickman, Denny Cecil Hickman, and Minnie Hickman by their next friend, D. W. Russell, Executor.

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C. Eskridge

Before you have any Blacksmithing done. He does all kinds of repair work. All work executed on short notice and in first-class style. Horse and mule shoeing a specialty. I have a good one-horse wagon for sale. The best is always the cheapest. You had better

THE BOOK STORE.

The place to buy BOOKS, STATIONERY, SCHOOL SUPPLIES, ETC.

A. L. GRAYSON

City Barber Shop, W. H. GIBSON, Prop.

J. G. & L. G. REID, DENTISTS.

Marion and Rutherfordton. All work guaranteed. Our prices reasonable.

Don't Tobacco Spit and Smoke Your Life Away.

To quit tobacco easily and forever, be magnetic, full of life, nerve and vigor, take No-Tobacco, the wonder worker, that makes weak men strong. All druggists, 50c or \$1. Cure guaranteed. Booklet and sample free. Address Sterling Remedy Co., Chicago or New York.

W. H. HESTER!

THE - CHEAPEST STORE

On Earth!

Prices cut to a cash basis. Call and get his prices. A complete stock. New goods arriving every day. Bring me your produce and get cash for it.

Old Man Clover still on hand.

The Bean

Harness Shop

Opposite Court House.

Harness, Saddles, Bridles of All Kinds Always on Hand at Lowest Prices. Will Not be Undersold.

Horse Collars, a specialty. All work guaranteed. Repairing promptly and neatly done.

John P. Bean.

GREAT Clearance - Sale!

We find that we have practically many odds and ends of good Staple Goods that we want to turn into money. Many of these goods accumulated during the Holidays and are staple goods, these will be sold practically without regard to what that they may be worth. In order that we may make room for our immense spring Stock. In this stock are some great bargains, in Clothing, Hats, odds pants, Ladies Capes and Jackets, Dress Goods, Blankets, Underwear, Overcoats, Shirts, also a complete line of everything in the grocery department. Everything in this department is bought by the car load and in this way can save you money.

The Florence Mills,

Forest City C. R. Simmons, Mgr

BORN NOV. 1ST, 1820.

GO. H. MILLS.

DIED JAN. 10TH, 1901.