

The Rutherford Star

AND WEST-CAROLINA RECORD.

"BE SURE YOU ARE RIGHT AND THEN GO AHEAD."—DAVY CROCKETT.

VOL. VII.

RUTHERFORDTON, N. C., MARCH 7, 1874.

NO. 4.

PROFESSIONAL CARDS.

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Physician, Surgeon and Obstetrician.
Offers his professional services to the citizens of Rutherford and vicinity.
All cases entrusted to his care will receive prompt attention.
He may be found at his Office or Residence when not professionally absent. 1 ly

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" Month, 21.00
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The highest market prices paid for Green and Dry Hides.
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Go down into your hearts and take the keys of them and ransack your private cupboards and narrowly observe what junkets your souls have hitherto lived upon, and gone behind the door and there secretly and stoutly made a meal of them. As dogs have bones they hide and secretly steal forth to gnaw upon, so men have sins they hide under their tongues as sweet bits.—Goodwin.

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Special arrangements, when electrotypes are furnished.

Objectionable advertisements, such as will injure our readers, or the character of the paper, as a high-toned journal, will not be inserted.

Any further information will be given on application to the publishers.

Young Grimes

BY MRS. PARTINGTON.

Old Grimes is dead—that good old man
We ne'er shall see him more;
But has left a son who bears
The name that old Grimes bore.
He wears a coat of the latest cut,
His hair is new and gay,
He can not bear to view distress,
So he turns from it away.

His pants are gaiters—fitting snug
O'er patent leather shoes;
His hair is by a barber curled—
He smokes cigars and chews.

A chain of massive gold is borne
Above his flashy vest;
His clothes are better every day
Than were old Grimes' best.

In fashion's court he constant walks,
Where he delight doth shed;
His hands are white and very soft,
But softer is his head.

He's six feet tall—no post more straight—
His teeth are pearly white;
In habits he is sometimes loose,
And sometimes very tight.

His manners are of sweetest grace,
His voice of sweetest tone;
His diamond pin's the very one
That old Grimes used to own.

His mustache adorns his face,
His neck a scarf of blue;
He sometimes goes to church for change,
And sleeps in Grimes' pew.

He sports the fastest "cab" in town,
Is always quick to bet;
He never knows who's President,
But thinks "Old Pip's in yet."

He has drank wines of every kind,
And liquors cold and hot;
Young Grimes, in short, is just the sort
Of man—Old Grimes was not.

Detectives.

Some people in this world are continually on the look out for some notorious sin. Nothing seems to give them more delight than to hear of some poor, unfortunate creature, in an evil hour, and under strong temptation, plunging into heinous crimes. These persons search for sin as men search for hidden treasures. It is a little strange that this class of persons rarely search themselves. They weigh everybody else in the scales, but suffer themselves to go unweighed. They, as a whole, are a set of notorious sinners, blind to their own sins, and keen-sighted to the faults and failures of others. Their morality consists in detecting how far others fail and come short of doing their duty. They are a kind of religious detectives, who conceal their own faults by making public the faults of others.—Yorkville Enquirer.

The Republican Party in North Carolina.

PLATFORM.

The following is the platform of the Republican party in North Carolina adopted in Convention at Raleigh, April 17, 1872:

The Republicans of North Carolina in Convention assembled do **Resolve**, 1. That the platform of the Republican party of North Carolina, as heretofore enunciated in its Conventions, are hereby reaffirmed, and events have proved that their practical enforcement is essential to the welfare of the country, and to the maintenance of the rights, interests and liberties and liabilities of the people.

2. That the Administration of President Grant meets with our hearty and unqualified approval, and our delegates to the National republican convention, to assemble at Philadelphia on the 5th day of June next, are instructed to vote for his re-nomination to the Presidency of the United States.

3. The Republican party of North Carolina favors as rapid a diminution and as early an extinction of all internal revenue taxation as the exigencies of the Government will permit, for the reason that the details of its collection are necessarily offensive, and in many respect, oppressive to the people.

4. That the internal revenue taxes on the distillation of fruit be abolished.

5. That the republican party of North Carolina recommend to the congress of the United States the passage of a general amnesty bill, and the adoption of all necessary measures for the enforcement and protecting of the civil and political rights of all classes of American citizens.

6. That in a free and representative government, we recognize the paramount obligation to provide efficiently for the general education of the people, and we respectfully recommend and ask of the national government, such aid, by the provision of a public fund, or the donation of public land to the purposes of establishing schools in the several States, as will secure to the masses of the people of all classes the benefits of a liberal education.

7. That we fully endorse the acts of congress, passed to secure equal rights and protection to the citizens of the United States, in the several States; and we respectfully recommend a continuance of the present laws and the adoption of such further legislation as will more certainly secure to the citizens, full and practical enjoyment of all their rights, privileges and liberties.

8. In the opinion of this convention, the democratic majority of the last legislature, by consolidating into one act its numerous propositions to amend the State constitution, endeavored to force upon the people a false issue, and to coerce them into the adoption of obnoxious amendments, and inasmuch as all these propositions must be submitted to the next legislature for ratification, before the same can be referred to the people, therefore

Resolved, 1. That the amendments proposed as a whole do not meet the approval of the Republican party, because their adoption would subvert essential principles of the existing constitution.

2. That Republicans can endorse a portion of said amendments and the next General Assembly may adopt such of them as shall seem best for the general welfare.

9. That we cordially endorse the administration of Gov. Caldwell, and recognize the fact that our people may rely upon his firmness in upholding their interests and defending their rights; and we heartily thank him for resisting the revolutionary purposes of those who designed to deprive the citizen of the protector afforded by the State constitution.

10. That forgetful of personal

preferences we pledge ourselves to support earnestly and without reserve, the candidates presented by this convention, believing that in unity alone is strength, and that principles are more important than men to the republicans of North Carolina.

The following is the plan of organization which was adopted:—
Resolved, That hereafter the organization of the republican party of North Carolina shall be as follows:—

1. A State Executive committee of eleven members, to be appointed by the president of the State convention; and the presidents of the convention shall be *ex officio* one of the members of such committee.

2. A Congressional District committee for each district, to be composed of one member from each county, to be appointed by the Congressional District convention.

3. A county executive committee to be composed of one member from each township, to be appointed by the county convention.

4. A committee of five for each township, to be appointed by the people.

Resolved, That the present organization shall continue to exist until a new one shall be effected.

Resolved, That the representation in the county convention shall be in accordance with the plan of organization of the party heretofore adopted.

The State executive committee is as follows:—

- I. E. West, of Craven.
- T. B. Keogh, of Guilford.
- N. W. Lillington, of Davie.
- G. L. Mabson, of New Hanover.
- S. A. Carrow, of Beaufort.
- J. H. Williamson, of Franklin.
- J. W. Hood, of Mecklenburg.
- J. H. Harris, of Wake.
- R. B. Ellis, of Wake.
- S. F. Phillips, of Wake, *ex officio*.

IMPORTANT DECISION IN BANKRUPTCY.

DISTRICT COURT OF THE U. STATES, FOR THE WESTERN DIST. OF N. CAROLINA.

In Re S. M. Hemphill, } Bankrupt.

On the 9th of July, 1873, a petition for adjudication of Bankruptcy was filed by S. M. Hemphill. Adjudication followed and a warrant issued on the 12th of July, 1873, returnable before H. G. Ewart, Register, etc., Oct. 31st 1873. Between the issuing of the warrant and the return day of the same, to-wit: between the 12th of July, and the 31st of Oct. 1873, the said S. M. Hemphill died.

On the return day to-wit: the 31st of Oct. 1873, D. C. Waddell was appointed Assignee of said Bankrupt's estate. From which statement of facts, the following questions arose pertinent to the said proceedings and were stated and agreed to by D. C. Waddell, Assignee of the Bankrupt, and Messrs. Cocke & Reed, Atty's, who appeared for the Bankrupt, to-wit:

1st. Should the Assignee proceed to sell the estate and effects of the said Bankrupt, and apply the proceeds to the payment of debts proven against the estate? or

2d. Should he allot the exemptions to the widow and minor children of said Bankrupt?

I agree to the above statement of facts. D. C. WADDELL, Assignee.

We concur in the above statement of facts. COCKE & REED, Solicitors for Petitioner.

OPINION OF THE REGISTER, In Re S. M. Hemphill, Bankrupt.

It is conceded that the proceedings in this case do not abate by the decease of Hemphill, Bankrupt. Sec. XII prescribes that if

"the debtor dies after the issuing of the warrant, the proceedings may be continued and concluded in like manner as if he had lived."

The word "proceedings" in the section have been construed in re O'Farrell et al. 2 B. R. 154, and in re Gunike, B. R. 23 to mean such steps as may be taken by the assignee, or other parties in settling the estate. It does not include a discharge, as the provisions of sec. 29th, cannot be complied with except by the Bankrupt himself. The only question presented in the case then is, in what manner should the assignee proceed to settle the estate?

It is urged by the assignee that the entire estate of the Bankrupt has passed into his hands, and should therefore be regarded as assets, subject to division among those creditors whose claims have been proven.

With this view, I do not concur. I am of the opinion that "exempted property does not pass to the Assignee. It is expressly excepted from the operation of the assignment by sec. XIV & Form No. 18. In re Lambert, 2 B. R. 138. The Assignee is not therefore entitled to any of the exempted property, before the death of the Bankrupt the title to such property vests in his Executor or Administrator. In re Hester, 5 B. R. 285.

If there were assets, over and above the exemptions claimed, it would be the duty of the Assignee to distribute said assets, and settle the estate. But in this case, it is not contended that there are assets above the exemptions claimed by the Bankrupt. No title has even vested in the Assignee, therefore cannot control it in any manner. The estate vests in the Executor, or Administrator of Hemphill, deceased.

All of which is respectfully submitted for your Honor's final opinion therein.

Respectfully,
H. G. EWART,
Register 7th District.

After due consideration, I concur in the opinion of the Register. The relations of the Assignee, and the Bankrupt to the property in the schedules filed was fixed at the time of the filing of the petition. Property exempted by the Bankrupt law does not vest in the Assignee, and he has in no case any control of the same. The title to the exempted property in this case remained in the Bankrupt and upon his death vested in the person entitled to the same under the State law, and can not be disposed of in a court of Bankruptcy. Let the certificate of exempted property be returned by the Assignee, subject to exemptions on the part of creditors, and when the report of the Assignee is confirmed, then he will allow the property to be taken possession of by the parties entitled as heirs at law, or next of kin of the Bankrupt.

ROBT. P. DICK,
U. S. Dist. Judge.

A Reprobate.

A person applying to the Judge of Probate for a letter of administration, walks up and raps. The Judge bids him walk in, when the stranger inquires:

"Does the Judge of Probate reside here?"

"I am the Judge of Probate, sir," answered the Judge.

"Ah! all the same, I suppose," said the stranger. "My father died detested, and left a number of fatherless scorpions, of which I am chief. As it is, and being the oldest infidel, the business naturally dissolves on me; and if you will grant me a letter of condemnation, I will see you handsomely sacrificed."

Sydney Smith being ill his physician advised him to take a walk upon an empty stomach. "Whose stomach?" asked the wit.

The President's Message on the Proposed Centennial Exposition.

The President to day sent the following Message to Congress: To the Senate and House of Representatives:

I have the honor herewith to submit the report of the Centennial Commissioners, and to add a word in the way of recommendation.

There have now been international expositions held by three of the great Powers of Europe. It seems fitting that the one hundredth anniversary of our independence should be marked by an event that will display to the world the growth and progress of a nation devoted to freedom and to the pursuit of fame, fortune and honors by the lowest citizen as well as the highest. A failure in this enterprise would be deplorable. Success can be assured by arousing public opinion to the importance of the occasion. To secure this end, in my judgment, Congressional legislation is necessary to make the Exposition both national and international. The benefits to be derived from a successful international exposition are manifold. It will necessarily be accompanied by expenses beyond the receipts from the Exposition itself, but they will be compensated for, many fold, by the commingling of people from all sections of our own country, by bringing together the people of different nationalities, by bringing into juxtaposition for ready examination our own and foreign skill and progress in manufactures, agriculture, art, science and civilization. The selection of the site for the Exposition seems to me appropriate, from the fact that 100 years before the date fixed for the Exposition the Declaration of Independence, which launched us into the galaxy of nations, as an independent people, emanated from the same spot. We have advantage and skill of which advantage can be taken by other nationalities to their profit. In return they will bring to our shores works of their skill, and familiarize our people with them, to the mutual advantage of all parties. Let have a complete success of our Centennial Exposition, or suppress it in its infancy, acknowledging our inability to give it the international character to which our self-esteem aspires.

U. S. GRANT,
EXECUTIVE MANSION, Feb. 25, 1874.

True Religion.

A life of religion is a life of faith, and faith is that faculty by which man sees the invisible, exactly as some animals have the power of seeing in the dark. That is the difference between the Christian and the world. Most men know nothing beyond what they see; their lovely world is all in all to them—their outer beauty, not its hidden loveliness. Prosperity, adversity, sadness, is all the same, they struggle through it all alone, and when old age comes, and the companions of early life are gone, they feel that they are solitary. In all this deep, strange world, they never meet, or but for a moment, the spirit of it all who stands at their very side. And it is exactly the opposite of this which makes a Christian. Move where he will, there is a thought and a presence which he cannot put aside, he is "haunted for ever by the eternal mind." God looks out upon him from the clear sky, and through the thick darkness—is present in the rain drop that trickles through the branches, and in the branches, and in the tempest that crashes down the forest. A living Redeemer stands beside him, goes with him, talks with him as a man with his friend. The emphatic description of a life of spirituality is—"Enoch walked with God."

An Irishman writing from Philadelphia the other day to his friend in the old country, concluded a letter thus: "It is my me good fortune to have till I die—and God nose whether it is so—I'll visit our Ireland afore I leave Philadelphia."

The daughter of an Indiana Congressman elected recently, taking the old gentleman's back pay along with her.

What is the difference between a sailor and a beer-drinker? One puts his sail up and the other puts ale down.