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STATE NEWS.

Judge Cable gave his decision in the penitentiary case against the Fusion appointees. An appeal will be taken to the Supreme court.

It is said three Virginia oyster barges are dredging oysters in North Carolina waters. It is some time since these pirates gave any trouble.

Only 2,119 votes were cast in the entire county of Wake on the road law question and 2,258 were against it. This looks very much as if the agitation for good roads was a futile affair.

At Pilot Mountain, a few nights ago, Mr. Daniel Marion's tobacco factory, with much manufactured tobacco, was burned. The insurance on the stock is \$6,800; on the building, \$800. The loss is not known.

There is not a dollar in the Durham county treasury. This bad state of affairs is said to be due to the register of deeds, who has got the tax books in such a muddle that the sheriff cannot collect the taxes.

The executive committee of the State Alliance, which has been looking for a suitable site for the Alliance shoe factory, has made its tour of inspection, met, discussed the offers and finally adjourned without making any decision.

At Mount Holly Dr. McNary and Mr. Stokes had a difficulty, from which trouble is feared. Dr. McNary, while visiting a young lady, heard some one at the window, and upon going out a man began to fire upon him. He accused his rival, Mr. Stokes, of the deed, which he denies.

The News and Observer says and in which all join in the commendation: Mr. Chas. F. McKesson announces in well chosen words his introduction into journalism as one of the editors of the Morganton Herald. He has talent and loves Burke. These two requisites can command big success.

The Supreme court has decided that the famous Arrington investigating committee was not properly constituted and not entitled to pay. The decision sustains Treasurer Worth, who refused to cash the last warrants issued to the committee. They were paid mileage and per diem for their first sitting.

The Chapel Hill correspondent of the Charlotte Observer states the following: Your correspondent is informed by the business manager that the University Magazine will not appear again under the present organization. It is to turn over a new leaf, and will in the future be conducted by the students alone, most probably. The general opinion is that more contributions must be supplied by undergraduates.

"My God Abernethy" would be a mild exclamation for Senator Vance if he were alive, after reading the proceedings of the trials of the Abernethy professors in Morganton. One of these professors wrote a book once with the title "The Hell, You Say", and was reported to have in preparation another, "In the Devil of a Fix". It seems that the titles of these novels are to have a personal application.—Raleigh News and Observer.

The Marion Record under the head of "A New Party," says editorially: The Record has the information, however reliable it may, that there is a very decided movement on foot among the silver men in the State toward the organization of a new political party, whose platform shall contain only one plank, the free coinage of silver at the ratio of 16 to 1. The only test of party fealty will be an honest advocacy of free silver above all things, no matter what a man's former affiliations may have been.

Warren C. Coleman, chief of the North Carolina committee of the colored department at the Atlanta Exposition, is anxious to have a large delegation at the Exposition on the colored folks' day, November 11th. He has been in Raleigh this week attending the fair, and tells, with great pleasure, of his success in getting the President's autograph on the register of the North Carolina department of the exposition. "It was the only place," added Coleman, "where the President registered while he was in Atlanta." A North Carolina man, white or colored, is hard to beat.—News and Observer.

THE PRESIDENT OUT OF IT.

He Will Not be a Candidate for a Third Term.

A Washington dispatch to Sunday's St. Louis Globe-Democrat says:

President Cleveland has taken notice of the third-term talk. He has told a member of the cabinet that he will not permit his name to be considered in connection with the nomination next year. The expression came about through a conversation started by the member of the cabinet regarding party plans next year.

With another member of the cabinet the President has gone still further in declaration of his position on the coming campaign. He not only told this secretary that he was not to be considered as a possibility, but he added that he had no wish to exercise any influence upon the party. He said in about so many words that there would be no administration candidate for the presidency, and he bade this secretary exercise his own inclinations in the coming campaign.

Members of the cabinet regard these expressions as definitely settling both the third term movement and the question of administration influence being given in any direction. They know now that Mr. Cleveland will not permit his name to be considered, and also that there will be no administration candidate. The result is seen in the freedom with which the members of the cabinet are taking individual positions.

Don M. Dickinson, of Michigan, the ex-Postmaster General, who is a frequent visitor at the White House, but whose influences there is probably not as great as he would have people believe they are, has been trying to spread among the office-holders the idea of organizing to control delegations to the next national convention. He has endeavored to give this the appearance of an administration movement. There is good authority for the assertion that the President and the members of the present cabinet do not encourage or countenance Mr. Dickinson's efforts.

In his recent conversations with those members of the cabinet to whom he talks most freely the President has said that it will be a glad day to him when he gets out of office. He has said that he never returned to Washington with such reluctance as the last time. His language justifies the inference that he regrets his presidential career did not end with one term.

ALL FOR MCKINLEY.

Republicans Hold a Jollification Meeting at Asheville.

The Republicans around Asheville seemed to be booming for McKinley. The Citizen of the 7th has the following: Had William McKinley, the great high priest of protection, stepped into the court house last night, he would not have been required to stretch his imagination greatly to believe that he had walked in on a convention that had been called for the purpose of putting him into the field for the presidency. It was Republican jollification night, and the hosts of the loyal packed the court house to give voice to their hilarious feelings, the aforesaid feelings having been induced by the result of the November elections.

The list of speakers included such shining lights of the Republican party as United States Senator Pritchard, State Senator Moody, Judge H. G. Ewart, Eug. D. Carter, W. W. Rollins, Richmond Pearson, C. J. Edney, of Henderson, John A. Hendricks, of Madison, F. P. Axley, of Cherokee, and J. F. Morphey of McDowell.

Enthusiasm was rampant, and the speakers were frequently cheered on their way. Every one stood for McKinley for the presidential nomination, and Senator Moody predicted a solid McKinley delegation from North Carolina.

Danger From Catarrh.

The most important feature about that very common complaint, catarrh in the head, is its tendency to develop into some other more serious and dangerous disease. The foul matter dropping from the head into the bronchial tubes or lungs is very liable to lead to bronchitis or consumption, that destroyer which causes more deaths in this country than any other disease. As catarrh originates in impurities in the blood, local applications can do but little good. The common sense method of treatment is to purify the blood, and for this purpose there is no preparation superior to Hood's Sarsaparilla. The powerful action of this medicine upon the blood expels every impurity, and by so doing cures catarrh and gives health to the entire organism.

"THE HELL YOU SAY!"

Professors Bound to Keep the Peace.

YOU'RE "IN A DEVIL OF A FIX."

Two Squires at Morganton Hear the Rutherford College Feud—The Testimony of the Handsome Daughter of A. C. Gunter.

Special to the Charlotte Observer.

MORGANTON, Nov. 8.—The Gunter-Abernethy trial, which has aroused so much excitement here, was called this morning and the case was opened by Justice of the Peace, Powe. Avery and Perkins appeared for the plaintiff and S. J. Ervin and W. S. Pearson appeared for the defense. The defense prayed a removal and continuance but this was denied by the court. Squire Powe did leave the bench and called Magistrates Beck and Somers to try the case.

Immediately the case was opened the arguments of the counsel became hot and many legal points were discussed. The defendants were Prof. W. E., Prof. L. B., and Prof. A. T. Abernethy, and they stood charged with threatening the life of A. C. Gunter. Prof. W. E. Abernethy submitted and pleaded that what he had said should not be used against his brothers. This was overruled by the court and Prof. W. E.'s declarations were used against the other brothers as evidence of a conspiracy. This decision brought forth a heated discussion from Col. Pearson, whose speech was a good one. The evidence brought out the facts as follows:

Miss Viola Gunter, daughter of A. C. Gunter, and with a beautiful young lady, testified in a very clear manner that on the night of October 9th they retired at 10 and at 10:30 were aroused by breaking glass. She said she jumped out of bed, lit a lamp and put on her wrapper. She looked over the house and out of doors but saw no one. The next morning she went out in front of the house and there on the ground she found a note which proved to be anonymous. She said it was obscene and insulting. The note was shown her in court and she identified it. Counsel for defense insisted on the note being read but the plaintiff objected. Miss Gunter's father said that on the following Saturday night, October 9th, she and her father were at home about 8 p. m., when they heard pistol shots all around the house. She said her father left in search of assistance and that just a few minutes after he left some one knocked. She went to the door and there saw W. E., L. B., and Arthur T. Abernethy. She said Prof. Will asked for her father, whereupon she said, "He is not here." Prof. Will said, "Yes, he is here, for he was seen here this evening." She insisted that he was not, when Prof. L. Berge said, "Yes, the damn coward is here, and just let him stick his head out." Prof. Arthur T. said, "Tell me where he is and I will go after him." She told them to search the house but they did not, and after standing the at door talking to the girl for 20 minutes they left.

Miss Gunter said they were all drinking. She said further that Prof. Will said that he had some business to settle with Mr. Gunter and that if he could find him one of them would head a funeral procession and that if he (Prof. Will) fell his brothers would finish it up.

Rev. T. H. Edwards swore that Prof. Will told him that the only reason they did not lynch Gunter was that he could not be found and that Gunter should not live at Rutherford College. Prof. Will also said to Mr. Edwards that he had heard that he (Edwards) had been circulating libelous reports about the college and that he would be the next to join Gunter. Mr. Edwards swore that Prof. Will also said, "No man can live here and antagonize me." Mr. Edwards is a very old man and was a rather amusing witness. He would not be respectful to the counsel for the defense and said that he was not afraid of all of the Abernethys.

Dr. I. P. Jeter swore that at the fair

here, October 16th, Prof. Will told him Gunter had slandered the women of the village and injured the college patronage by writing damaging letters. He also told Jeter that Gunter could not live there any more.

P. W. Patton testified the same thing as told him by Prof. Will.

J. W. Campbell was sworn and said that he heard Prof. Will say at the barber shop here this morning that the prosecution might put him under a peace bond or even put him in jail but that Gunter should not live at the college. This statement hit the defense hard.

Horace Goode swore that on the night of October 9th Prof. Arthur T. Abernethy asked him (Goode) to join a gang to whistle up Gunter.

Several other witnesses from Rutherford College testified, to threats by Prof. W. E. Abernethy on Gunter's life and that if he came back he would only be given time to pack up and leave.

Prof. Will Abernethy admitted to several witnesses that he went to Gunter's house with a pistol.

Miss Viola Gunter said her father had not been home since the night of October 12th, when he left in the night and walked to Morganton. She was alone in the house with her 11-year-old sister.

The sum total of the evidence is that Gunter was afraid for his life and left home. The Abernethys had threatened him and he came here for protection and to-day's trial is the result. The Abernethys offered no evidence at all in their own defence.

The sensational scene of the trial was at 2:30, just after the train got in. Miss Viola Gunter arrived on that train and, accompanied by her brother, came into the court house. Her father jumped up, threw his arms around her and kissed her. She did not seem nervous and was not a bit bashful and disconcerted through all the trial, including a half hour she was on the witness stand. She is a pretty young lady, with a good figure, and was very stylishly dressed in black. She wore a dainty hat of black and a fashionable box coat and altogether she looked very handsome and attractive. In her testimony she was hard on all the Abernethys, and spoke sarcastically of them.

Prof. W. E. Abernethy's side of the story is as follows: He says he found out several weeks ago that Gunter was slandering the women, their good name and the college. He said he and his brothers went to see Gunter about it and intended to kill him but they did not find him.

The trial, a very interesting and sensational one, consumed all day and it was 5:30 p. m., before the evidence and arguments were all in. I. T. Avery for plaintiff made a fine speech, condemning the Abernethys and praying the court to make an example of them and uphold personal liberty in Burke county. In a very few minutes Magistrates Beck and Somers announced their determination to require a peace bond of W. E. Abernethy, L. Berge Abernethy and Arthur T. Abernethy and fixed the amount at \$1,000 justified bond from each of the three defendants. On top of this they will each have to file a bond for his appearance at the next term of the Superior Court here. The offense is a very grave one, hence the large bonds, for they are big bonds and will be hard to raise. At this time the three Abernethys are in custody of Sheriff Webb, and have not yet made up the bonds. They may possibly be kept in custody for several days or sent to jail. The case has caused a great deal of excitement but is now disposed of till the spring court. The Abernethys are men of prominence and have always borne good characters heretofore.

Mr. Gunter Says Whoever Says So and So is So and So.

MORGANTON, Nov. 8.—Whoever accuses me of slandering innocent women is an unmitigated liar. Some statements in to-day's Observer about me are false. Particulars will be written.

A. C. GUNTER.

Roaming Together.

Joe Patchen will spend the winter with John R. Gentry at his home on Alamance Farm.

The two celebrated horses are already there, Richmond, Va., being their last meet, when Gentry was beaten.

GENERAL NEWS.

There was a heavy snow at Elk Valley, just south of Jellico, Tenn., last Sunday morning.

Senator Blackburn is telling his friends at Lexington that he still believes he will be re-elected.

Lieut. Lucien Young denies that his book on Hawaii has been ordered suppressed by President Cleveland.

Roloff, the Cuban insurgent leader, has ordered the peasants to move away from the towns and garrisons.

As a result of the election the Populist representation in the Mississippi Legislature is reduced from 25 to 8.

The President has issued his annual proclamation and has designated Thursday the 28th as Thanksgiving Day.

Prosecuting Attorney Frazier has ordered the arrest of Engineer Thompson of the wrecked Journal building at Detroit.

Complete returns show the Republican plurality in Pennsylvania to be 184,194. Governor Hasting's plurality last year was 241,397.

The Society of Naval Architects and Marine Engineers refuses to petition Congress to grant the Niagara canal enterprise the proposed subsidy.

J. W. Cadman, a relative of President Cleveland's wife, died at Chicago of a bullet wound, self-inflicted, during a spell of dispondency.

President Cleveland is said to regard the recent defeat of the party not as an uprising against the Democrats, but as a revolt against party bosses.

Federal Judge Hanford has issued an order restraining the strikers on the Great Northern railroad from interfering with the operation of the road.

The Paris correspondent of the London Times says that it is understood that only the intervention of the Rothschilds on Saturday prevented the panic at Paris from becoming positively disastrous.

Senator Brice, in an interview with a newspaper in Pittsburg, is quoted as saying that the Republicans are almost certain to elect their nominee for the presidency next year. Mr. Gorman, Senator Brice said, is not annihilated by his defeat.

Oscar Joseph hanged himself in the prisoner's dock of the Police Court at New Orleans. He had been arrested and fined for disorderly conduct and was awaiting conveyance to the parish prison. A great commotion was created in the court.

Sunday the Armenian citizens of Chicago sent the following cablegram to the Marquis of Salisbury, prime minister of England, to Nicholas II, Czar of Russia, to Emperor William of Germany and to Secretary of State Olney: "The eminent danger of a massacre at Zeitoun and general slaughter of Armenians throughout Turkey prompts us to humbly beg your government in the name of humanity to take steps to immediately stop these horrors and secure safety for Armenians."

The Constitution says: Ex-Speaker Crisp is to speak before the State Legislature Thursday, this evening. Mr. Crisp will speak on the political issues of the day in response to an invitation from the legislature. He will devote his remarks principally to the financial issue and will speak out on this question in terms which can be understood by all. The occasion is here when Democrats should speak out plainly. The party has straddled issues long enough. Mr. Crisp is expected to sound the keynote.

The Constitution of the 8th says: Hon. T. C. Crenshaw took the oath of office as railroad commissioner yesterday morning, at 11:30 o'clock, and from that time became a member of that important body. Colonel Crenshaw took the oath in the office of the governor, when there was present several of his friends. He was made the recipient of very many congratulations from his many friends and was kept busy all day shaking hands. Among the personal friends who congratulated him was Governor Carr, of North Carolina, who called on Governor Atkinson during the morning.