

When so distinguished and aristocratic a personage as Mr. Richmond Pearson desires to send to THE HERALD a marked copy of a paper containing a criticism upon the Supreme Court of North Carolina we are warranted in supposing that he intends to invite a reply.

Complying with this apparent wish we note in the first place that Mr. Pearson assumes throughout this opinion that the Supreme Court of North Carolina decided in Harris vs. Scarborough that our election law required that the given name of the elector should appear upon the registrar's books as an essential prerequisite to his right to vote. However, it may hereafter be judicially determined, this question did not arise and was not passed upon. Mr. Pearson's declaration, then, that 25,000 voters of the Ninth Congressional district are disqualified by the decision of the Supreme Court is founded upon a false and groundless assertion.

We have been told that Mr. Pearson was educated by his distinguished father for the profession of law; but if he did not understand the opinion when he read it, he is not fit to play the role of critic of our highest judicial tribunal. If he had the legal acumen and knowledge to understand it and wilfully misrepresented it he is unworthy of public confidence.

The election law provides that "no registration shall be valid unless it specifies as near as may be the age, occupation, place of birth and place of residence of the elector as well as the township or county from whence the elector has removed in the event of a removal." The case referred to gave rise to a construction of this portion of the act only. Judge Graves held in the court below that where a voter gave the place of his birth or residence as "North Carolina" simply, the registration was not sufficiently definite to be valid under the requirements of the statute. All of the five justices comprising our Supreme Court concurred in sustaining the opinion of that able jurist; agreeing that the act was mandatory and constitutional and must be enforced by the courts.

Judge Graves held further, that the presumption of law was that the registrar as an officer acted honestly in the discharge of his duties and therefore it must be assumed that when he asked the voter where he was born, where he resided and from what place he had removed, it was the fault of the latter if his answer was not sufficiently specific to meet the requirements of the statute. The then Chief Justice, Augustus S. Merrimon, the present Chief Justice, Jas. E. Shepherd, and Justice Avery, who wrote the opinion of the court, sustained Judge Graves in this last view, while Justices Clark and Davis were of opinion that it was incumbent upon the registrar in such case to show that he did not mislead the voter. Small luminaries of the law—much smaller in their own estimation than Mr. Pearson seems to be and not vain enough to overrule the opinions of Supreme courts—have learned in the elementary books that the law always assumes that courts constituted and officers appointed by law act honestly in the discharge of their duties until the contrary is shown. If it were otherwise, any person whose vote has been rejected by the judges of election on the ground that he had been convicted of an infamous crime could cast the burden upon them of proving that they acted honestly in depriving him of the right to vote or subject them to the pains and penalties consequent upon a failure to discharge their duties.

Those of us who look at this question from a standpoint not so elevated as that occupied by eminent jurists (? like Mr. Pearson, think we understand the sound and practical reason that induced the legislature to enact this law, which it had the right to pass, as well as the sense of duty which impelled the majority of the court to enforce it as they found it enacted upon the statute books. Let us illustrate: One hundred boys just twenty years old are imported into one of the small counties of the Ninth Judicial District ninety days before the election with the ostensible object of working a mine, but in reality with the fraudulent purpose of electing a candidate for the legislature nominated by a party that cannot carry the county without their assistance. If each of these boys be allowed to register the place of his birth, residence and the point from which he has removed as "North Carolina" they may depart

from the county leaving no trace to show whence they came and whence they have gone. On the contrary, if they appear to be too young to vote those who are interested in maintaining honest elections can, if they are forced to give the names of counties from which they came and in which they were born, write to such counties and verify or disprove their statements. But a still more serious question is presented in case of those who are disqualified because they have perpetrated infamous crimes. There are probably ten thousand men in the State of North Carolina to-day who are justly disqualified as voters on account of their own infamy. These men might be so distributed as to control the balance of power in the whole State and in each of its nine congressional districts if they were allowed to register far from the scenes of their crimes and convictions and give no means of verifying or disproving their allegations as to age or other qualifications or disqualifications. We see no reason why honest, qualified electors should not be required to tell where they were born and where they came from in order to prevent their influence and power as voters from being neutralized by fraud and villainy. The same purpose could be accomplished if a felon should be allowed, for the purpose of avoiding detection, after concealing the county of his birth and conviction, to come to the polls and claim the right to vote unless the registrar who had possibly entered the names of five hundred men, could recall the fact that this particular person was one of those who declined to give him more specific information.

To those who have inquired into the history of reconstruction and Republican rule in North Carolina it is easy to comprehend how the old machine politicians of the party are cramped by the salutary requirements of this law; but as we cannot impute to Mr. Pearson any such disreputable design as that of wholesale colonization of the ninth district or of his doubtful counties for the purpose of electing a member of Congress or many members of the legislature, we are at a loss to understand why he should work so zealously to restore that ancient state of things that existed when he was a young Republican in the consular service and presumably was posted in the current political history of the State.

If Mr. Pearson is bent on posing in his splendid palace perched on the top of Richmond Hill as the tribune of the honest voters of the ninth congressional district who have neither complained nor have cause to complain of being deprived of the electoral franchise, we commend to him the propriety of pulling off his kid gloves and coming down among the people in order to find out whether they condemn courts and legislatures for not allowing the votes of hired thieves to neutralize those of honest men. We think he will find that he has not the power to shake the confidence of the people of the State in the ability and fairness of Merrimon, Shepherd and Avery as justices of our highest court or make them believe that in a great crisis when individual right or personal liberty is imperilled they could ever have been so intimidated that they would not maintain the dignity and power of the judiciary even in the presence of violence and tyranny. Mr. Pearson appeals to his defeat chief Justice Shepherd who is the only one of the three condemned justices who is to be before the people for re-election this fall. Upon what grounds? Does he expect the people of North Carolina to declare Shepherd incompetent or dishonest, and in so doing heap obliquely upon the memory of Merrimon and the name of Avery?

With his grace, the Duke of Richmond, opposing the Democrats in the ninth district and with the "Bull of the Brushies" beginning to bellow in the eighth, things promise to be lively enough. There is just one good thing about the candidacy of Pearson and Linney. Should they be successful, all parties could lay claim to having won the fight. Even if this were not so, the party that got knocked out might reasonably expect, from the fondness these gentlemen have shown for the spice of variety in their political broth, to have them back on their side of the fence before the two years term expired.

If the Senators who have been putting in the last few weeks cutting the heart out of the Wilson bill had to face their constituents at the polls next fall they would have been much more sparing of the knife.

Our neighbor, THE MORGANTON HERALD, hits the nail square on the head most of its time.—Hickory Press and Carolinian.

MORGANTON is very anxious to have the Press Association meet here this year, and we are glad to know from Mr. Sherrill, the very efficient Secretary of the Association, that in all probability Morganton will be selected as the place of meeting. A formal invitation was extended to the Association by the town during its meeting in Newberne last year, and the Morganton Chamber of Commerce has just issued another invitation for fear the old one may have been mislaid. We can assure the members of the press that this ancient borough, as hospitable and generous as she is old, will try and do the thing up brown if they honor her by accepting her invitation.

A LETTER FROM MICHIGAN. Col. C. R. MILLER Gives His Impressions of Morganton and Tells Why Northern Democrats Are So Proud of It. Correspondence of The Morganton Herald.

ADRIAN, Mich., March 10, '94.—I thought a short time since it would be advisable for me to go South for a month or two, and this brought Morganton to my mind particularly. Spring months in your Piedmont little city, it seemed to me, when there three years since, are more beautiful and healthful than in any part of the country I have visited.

One thing I particularly liked was the fact that the controlling element in your business and social life was young, energetic, hopeful and progressive. Another thing I liked was that the absence of political bigotry and intolerance, the presence of which, in many far sections of the South, prevents the immigration of many Northern men and even disgusts and drives away many who have tried the experiment with the hope of finding there pleasant homes and better fortunes. Men are not going to emigrate to a land, no matter how fair, where they can not, without danger of physical violence or social ostracism, express their sentiments when and where they please; and if it be in matters political, that their ballot should be unquestioned, when given in support of their sentiments, and fairly counted as given. Were it not for the belief that these conditions do not exist in all parts of the South, there are many most excellent and enterprising men in the Northern states whose brains, brawn and money would, ere this, have made many waste places in the South to blossom like the rose, and have added many thousands to its population and millions to its wealth.

It gives me pleasure to say that, so far as I could judge, Morganton and thereabouts has learned and practices the lesson that liberty in thought, in speech and in political action is a vested right of every citizen, which all are bound to secure and fully protect. For this reason, not less than because its soil, climate, situation and scenery are admirable, your city, county and section of the Old North State, deserve to receive many of the thousands of sturdy men and fair women who are seeking and would seek summer climes and fairer lands for homes.

If this were better known, and the many advantages of your environment better advertised, I am sure you would soon receive many people from the North and keep them and their descendants among you always.

Allow me to say further that the position of THE HERALD on the question of good roads and graded schools is in my judgment, the expression of enlightened and far sighted policy. I hope to see you fight it out on that line no matter how many summers it may take.

Yours, &c., C. R. MILLER. STATE NEWS. The freight depot at Point Rock was burned last Saturday night. Senator Vance, who is still in Florida, is expected to return to Washington in about two weeks. Asheville straight-out Democrats have issued a call for a nominating convention to be held early in April to nominate candidates for mayor and aldermen. The Newberne Journal says two young men have bought 15 acres of ground near that city, which they will engage in poultry raising on a large scale, raising the finer varieties of chickens. James Russell and his brother John quarrelled over a horse collar in Craven county last Thursday, and John killed his brother with a shot gun loaded with buckshot. The slayer fled to the swamps. The Secretary of the Interior recommends an appropriation of \$53,400 for a training school for the North Carolina Cherokee. A big log school building is to be erected at a cost of \$3000 and 250 full-blood Cherokee children will receive instruction. The Union Meetings. Large crowds are attending the union meetings conducted by Revs. Page and Rose, and the interest is increasing with every meeting. The meetings commenced Monday night at the Methodist church, and are held alternately in the Methodist and Presbyterian churches. The choirs of both churches have been consolidated, and the service is excellent. During this week services will be held only at night, but next week it is probable that there will be two services each day. Those attending the meetings have been requested to postpone all social engagements until after the meetings close. Don't buy your Spring Dry Goods, Notions and Shoes 'til you have seen the beautiful line I. I. Davis is now North buying.

OBJECT LESSON IN POLITICS, FOR RICHMOND PEARSON'S BENEFIT. The Working of the Election Law—A Dialogue Between a Superintendent of Counties and a New Convict. Superintendent (addressing a new recruit).—I see the judgment is against William Jones, alias William Peterson, alias William Brown, alias William Thomson, convicted of larceny. What are you doing with so many aliases? You must have been a pretty tough fellow. Convict.—No boss; disstealing is a onst charge. I'm a honest man. I tell you 'bout dem aliases. Dat was 'lection business, you know. My mammy fust belonged to a Jones and my daddy belonged to a man named Peterson Den when mammy was sot free she took up wid a Brown and den wid a Thompson. So you see, boss, I come honest by four names. One day Mr. Heaves come to our house and when he seed me he says: 'Boy, what's your name?' I says: 'Boss, my Chrizen name is Bill, but I got four other names. People calls me by the name of Jones and Peterson and Brown and Thompson.' 'How old is you?' says he. 'Bout twenty,' says I. 'You're a fool,' says he. 'Whar is your mammy?' 'So mammy come outen de house and he says: 'Old woman Democrats is trying to fraud de Publicans outen de 'lection. Dis boy's twenty one years old now, ain't he old woman?' An mammy says: 'I reckon so, boss; if you mean no harm.' Den he tells mammy 'bout de ager, he'll send me round to four places, and I'll be registered at four places; and den I could ride round to all four places in a day and vote in the name Jones and Peterson and Brown and Thompson. Sure nough, boss, I went round and voted at all four ob de places and I done dat every 'lection now for de last two or three. No, boss, I'm no rogue. Mr. Heaves is a big man and he loved I was one of his right hand men of 'lection times, when de colored folks had to look sharp to keep dem down-de-country Democrats from cheating in our own freedom. Not sayin' boss, but whar youse up you kin be to colored folks.' MORAL. That negro is four of Richmonds Pearson's twenty five thousand that (he says) were cheated out of their votes in the ninth district. He settled in Buncombe and if he don't vote at Asheville and in Sandy Mush, Leicester and Fairview townships, Pearson will lose four votes for Congress. Maybe Pearson will lose five, because it must be this very negro that's sailing under false colors and registering at Black Mountain as Zeb B. Vance. I know it hit 'Old Zeb,' because he's registered in the books in Charlotte as 'Zebulon B. Vance' as big as John Hancock's name to the Declaration of Independence. Some old fellow once said: 'Nothin' 'er felt the halter draw with good opinion of the law.' 'Them's the sentiments' of Pearson's outraged country. I don't blame both of them for getting angry and 'cavortin' a little about this new law that curtails their rights and ruins their prospects.—Charlotte Observer.

Judge Whitaker on Jails. In his charge to the grand jury in Winston, Judge Whitaker had the following to say about jails, which some of our Burke County officials would do well to heed: "As you can easily see by the Constitution and the statutes the law particularly and plainly requires that all prisoners shall be so treated that their health, and not be destroyed or injured, and that their comfort shall also be regarded. The law is humane, and in step with the civilization of the age; and reflects credit upon our many respects, great State; but I am sorry to say that, in many counties in the State, this humane law is so utterly disregarded and deliberately violated. Many of the police prisons and common jails are filthy, filled with bad and sickening odors and noxious air, with not even any attempt to provide for the comfort or the health of the persons confined therein. In a certain jail which I visited, there were confined in a cell about 8 by 10 feet, four persons, one of them being an insane man put there because there was no room for him in the Insane Asylum; the cell was poorly ventilated, there was no chair to sit on, no bed or bedstead, unless you signify by that name a thin straw-mattress and a few dirty blankets. In one corner of the cell was an open bucket, which was removed and emptied by the jailer once in twenty-four hours, and in the other corner sat the bucket of drinking water. "As I stood and looked upon that picture my heart ached and my stomach grew sick. The insane man, of course, had committed no crime, and the three others were only charged with some minor misdemeanors; and these three, besides having to endure the filth and offensive odors, breathe noxious air and drink the water which had absorbed the poisonous gases which came from the other bucket were in constant danger of being killed while they slept by their insane cell mate. And this was the enlightenment and civilization of the nineteenth century! To keep such a jail as that to treat even a criminal in such manner, is to deliberately, without excuse or temptation, violate the law of the state, the law of humanity and the law of God. "So anxious is the law that its humane mandates concerning prisoners shall be enforced that every grand jury is required to visit the jail and report its condition to the court; and yet it is as a general rule violated and disregarded in almost every particular."

I. I. Davis has gone to Baltimore and other Northern cities to buy his spring stock.

Before buying your new bicycle look the field over carefully. The superiority of Victor Bicycles was never so fully demonstrated as at present. Our '94 line will bear the most rigid scrutiny, and we challenge comparison. There's but one best—Victor. OVERMAN WHEEL CO. BOSTON. NEW YORK. PHILADELPHIA. CHICAGO. SAN FRANCISCO. DETROIT. DENVER.

THE RECORD BROKEN! ON PRICES OF CLOTHING AND GENTS' FURNISHINGS! Preparatory to new buying, we propose to sell 1000 Cravats at 25c., worth 50c. 75 MEN'S FINE SUITS, COCK-SCREWS AND CLAY WORSTEDS, at 33 per cent. less than cost. Underwear at your own price. GENTS' HANDKERCHIEFS AND SILK MUFFLERS A SPECIALTY. OVERCOATS AWAY DOWN. Just received, a large lot of Odd Pants, from 75c. to \$8.00. Ours is the only Clothing House in town. Others are mixed stocks. COLLETT & GILLAM, THE HABERDASHERS. ACCLIMATED GARDEN SEEDS! A NEW SUPPLY OF BEANS, PEAS, CORN AND ALL OTHER KINDS OF GUARANTEED FRESH SEEDS JUST ARRIVED. A few Pearl TUBE ROSE Balls at 84 cts. each. They are very fine. Mr. W. R. BARKER, a pharmacist (registered) of twenty three years' practical experience, will have entire control of the PRESCRIPTION DEPARTMENT.

NEW FIRE INSURANCE AND REAL ESTATE AGENCY. We are prepared to insure your property or sell the same for you. B. F. DAVIS & CO. NOTICE. The copartnership heretofore existing between E. F. Reid and W. T. Powe, trading under the firm name of Reid and Powe, has this day been dissolved by mutual consent. E. F. Reid has sold his interest in said business to T. P. Moore, and the business will be continued at the same place under the firm name of Moore & Powe. All the liabilities of Reid and Powe will be settled by the new firm, and all accounts due Reid & Powe will be paid to Moore & Powe. Respectfully, March 8, 1894. REID & POWE. In retiring from the firm of Reid & Powe, I desire to thank our many friends for the patronage they have extended us in the past and would respectfully ask a continuance of the same to the new firm. Respectfully, March 6, 1894. E. F. REID. Cook's Cotton Root COMPOUND. A potent remedy by an old physician, for Rheumatism, Gout, Gravel, Neuralgia, Sciatica, Headache, Stiffness of Joints, and all the aches and pains incident to the above named diseases. It is a safe and reliable remedy, and is sold in bottles of 25 cents and 50 cents. Sold in Morganton by Davis Bros. Drug Store.

T. L. HEMPHILL, Laxton Building. Feb. 13, '94. THE MORGANTON MANUFACTURING & TRADING CO.

ANNOUNCEMENT! 1866—TWENTY-SEVEN YEARS.—1894 JOHN TULL. (Graduate in Pharmacy.) A new and fresh line of Drugs, Chemicals AND FANCY GOODS just received and to arrive at JOHN TULL'S PHARMACY. Also a full and large assortment of all kinds of PATENT MEDICINES and besides a full line of such articles of every day use as COMPOUND CATHARTIC PILLS, CASTOR OIL, TURPENTINE, SWEET OIL, COPPERAS, EPSOM SALTS AND BLUE STONE for soaking wheat. WHOLESALE AND RETAIL. Best assortment of Toilet Soap ever brought here. A REASON for this. Sensible people do not buy goods of any man for love of country, but because it is to their interest to do so. We know it, and we make it to your interest to trade with us. That's why we sell the goods.

SPICES OF ALL KINDS, such as Ginger, Nutmegs, Cinnamon, Cloves, Allspice, Black and Red Pepper, Celery Seed, Turmeric, whole and ground. Best varieties of Horse, Cattle, Hog and Chicken Poultry and Bird Seed. DIAMOND DYES. We also manufacture from our own tried receipts and put up in convenient form for family use the following elegant preparations: TULL'S SODA MINT. Both liquid and tablet form. A grateful and efficient antacid, calmative and stomachic. Useful in nausea, sick headache, heartburn, indigestion, flatulence, or other symptoms of dyspepsia. It is especially useful in relieving the flatulence, colic and nausea of infants. TULL'S NEW FRAGRANT TOOTH WASH. For cleansing, beautifying and preserving the teeth and gums. TULL'S GLYCEROLE OF BORAX is excellent for softening and whitening the skin, and also prevents and cures chapped hands, face and lips. TULL'S OWN COLOGNE. Lasting and fragrant. Made from one of the oldest and best receipts in this country. For sale in any quantity. TULL'S WONDERFUL CURE-ALL OINTMENT. For cuts, burns, bruises and sores of all kinds, however long standing. And in conclusion—having made a lifetime study of Drugs and Medicine, and being a graduate of 23 years' standing of the largest college of pharmacy in the United States, I fully appreciate the importance of using only Pure and Fresh Drugs, and pay particular attention to filling Physicians' Prescriptions, day or night. Remember we are next to Post Office.