

Volume, XIV.-Number, 46.

MORGANTON, N. C., THURSDAY, FEBRUARY 2, 1899.

\$1.00 a Year, in Advance.

HERALD OFFICE.

.. BRING TOUR ..

Job Printing

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First-Class Work at Lowest Prices.

PRINTER THE PROPERTY OF THE PR

Commissioner's Sale.

S commissioner, appointed by a decree of the Superior Court of Burke county, rendered at the Spring Term, 1898, in an action entitled L. A. Bristol, receiver, and others against Wm. H. Pearson and others, I will, on

Monday, February 6th, 1899,

expose to sale a certain lot on West Union street, in the town of Morganton, with the residence, out-buildings and improvements thereon, described and bounded as follows, to-wit: Beginning on an oak (now down), corner of Union and Anderon streets, and runs with Union street north 58 degrees east 6 poles to a stake, corner of the B. S. Gaither lot; then north 33 degrees west 347 feet with the Gaither line to a stake; then south 58 degrees west six poles to a stake on Anderson street; thence with Anderson street 347 feet to the beginning. Being the lot on which the said W. H. Pearson now resides, and being the tract coneved by S. T. Pearson and wife to W H. Pearson by deed of date the 1st day of February, 1890, recorded in Book U age 152, in the office of the Register of beeds of Burke county. Terms of sale Sale made subject to a mortgage 8540 and interest due the Southern Guarantee and Investment Company, of \$50,000 in bonds, at a rate of in-Greensboro, N. C.

This 3d day of January, 1899. W. C. ERVIN, Commissioner.

Execution Sale.

virtue of two several executions issued from the Superior Court of Burke county and directed to me in two that I think ought to be embodied several civil actions, entitled the Atlantic National Bank against the Herald Publishing Company and the National Park Bank against the Herald Publishing Company, I will, on

Monday, February 6th, 1899,

expose to sale, for cash, to the highest oidder, at the court house door in the town of Morganton, a certain lot, the should be worked first, and simulproperty of the defendant, lying on Green street in the town of Morganton, beginning at a stake in Green street, J. L. Laxion's corner, and runs with J. L. Lax- the roads to be taken in payment ton's line north 40 degrees 10 east 140 o a stake: thence south 49 degrees 15 east 22 feet to a stake; thence south | ing county convicts on the roads, 40 degrees 45 west 140 feet to a stake in line of Green street; thence with Green street north 49 degrees 15 west 22 eet to the beginning, excepting therefrom the chimney attached to the Herald building, and the land on which the foun- his term, for good behavior. And lations of said chimney are built. This January 4th, 1899. C. M. McDOWELL, Sheriff.

Commissioner's Sale.

S commissioners appointed by a de cree of the Superior Court of Burke county at the Spring Term, 1898, in a civil action entitled the National Park Bank against the South Mountain Club and others, we will, on

Monday, February 6th, 1898,

expose to sale, to the highest bidder, at the court house door in the town of Morganton, all that certain property known as the "Burkemont property," consisting of certain tracts of land on Burkemont conveyed by R. A. Deaton, commissioner, and J. H. Pearson and wife to W. C. Ervin and S. T. Pearson. Sale will be made first in lots and then as a whole, the sale to be reported at the highest price obtained. Terms of sale: 20 per cent in cash on day of sale, 40 per cent in six months and 40 per cent in twelve months. Notes bearing per cent interest to be given for deferred payments and title to be retained until purchase money is fully paid. Plat can be seen in office of F. B. Davis after January 15th.

This 3d day of January, 1899. F. B. DAVIS. F. H. BUSBEE, Commissioners.

Sale of Valuable Hotel and Gold Mine.

DY virtue of a deed of trust duly exe-D cuted to me by E. S. Walton and wife and recorded in the Register's office of Burke county, I will offer for sale at the court house door in Morganton, N. C., on

Monday, February 6th, 1899,

the following described real estate in Burke county: Two certain tracts of land lying and being in Burke county and State of North Carolina, adjoining the lands of J. C. Mills and others and bounded as follows, to-wit;

FIRST TRACT.—Being the undivided one half interest of E S. Walton in the Glen Alpine Springs tract, with a threestory hotel building, cottages, barns and other improvements, containing 300 acres, more or less, as particularly described in a deed of date the 18th day of June, 1896, by Thos. G. Walton to E. S. Walton and others, recorded in Book C No. 2, page 435, in the office of the Register of Deeds of Burke county, N.C. SECOND TRACT. - Known as the Satterwhite Gold Mine tract, with the mining machinery and appliances and improvements thereon, as particularly described in a deed from Thos. G. Walton to said E. Stanly Walton of date the 13th day of June, 1896, as recorded in Book C No. 2, page 433, in the office of the Register of Deeds of Burke county, N. C.

Terms of sale cash. This January 5th, 1899. E. B. CLAYWELL,

Administrator's Notice.

AVING qualified as administrator of the estate of J. P. Hall, deceased, all persons indebted to said estate are requested to come forward at once and law has yet been passed. make settlement. All persons having claims against the said estate are hereby notified to present them within twelve months from date hereof or this notice will be plead in bar of their recovery. This 17th day of December, 1898.

W. S. HALL, Administrator dec22-6t.-pd.

COUCH SYRUP

The House has passed a bill that ought to have been passed years ago, and that is a bill removing the legal disabilities of married Will cure a Cough or Cold at once. It positively relieves all throat troubles. the legal disabilities of interest bmall doses. Price 25 cents at druggists, women in regard to titles to real

GOOD ROADS LEGISLATION.

A Letter on the Subject from Captain J. C. Mills, of Burke County, to Representative Hoffman-A Suggestion that Burke County be Authorized to Issue \$50,000 in Bonds.

To the Editor of The Observer:

The following letter to Representative Hoffman on the subject of good roads, may be of interest to your readers:

J. H. Hoffman, Esq: House Representatives:

important roads, leading from

Morganton to contiguous counties

taneously. Provide for work on

of road taxes. Provide for work

odds how much of his time be may

have served, when he is eaught

and brought back that he goes into

a chain gang de novo; and in ad-

dition for a time long enough to

believe under a law of this kind

that very few would run away,

and they would be brought back,

and put in the chain gang, unless

they left the State pro bono pub-

lico. The present system is bar-

barously unjust, that puts almost

the whole burden of keeping up

who do not own the horses, wagons

and carriages, and therefore make

tended over a long period of time.

Yours respectfully,

The Legislature.

Franklin Times.

of the Legislature has passed.

Something over five hundred bills

have been introduced but a great

majority of them are of a private

are closely scrutinizing every bill,

and unless there are good reasons

for their passage they are killed in

the Committee rooms. No election

Both branches of the Legisla-

ture adjourned on Thursday of

last week in honor of Gen. R. E.

A bill has passed placing the

Atlantic and North Carolina Rail-

road in the hands of the Demo-

About three weeks of the time

Brindletown, Jan. 23.

J. C. MILLS.

of our people is composed of

pay the cost of his recapture.

amendment to the State constitution in regard to the public school fund. This proposed amendment provides for an equitable distribu tion between the races of the Dear Sir: I see from the pro school taxes raised under the genceedings of the present and pre. eral law. That is, let those taxes ceding Legislatures that many be distributed as they now are counties are moving for better without any discrimination on acroads, and I think that a large count of race or color. But it promajority of your constituents vides that the voters of either race would say "well done," if you can (white or black), living in any procure an act of the Legislature county, city, township or territory, authorizing Burke county to issue may levy a special or extra school tax on the property and polls of terest not exceeding 6 per cent, that race for only the schools of for the purpose of improving ber that race. That is, the whites may public roads. The question to be levy a special tax on themselves submitted at a proper time, to for the benefit of only their own vote of the people thereon. I reschools, and the blacks can do the spectfully suggest some provisions same. We think this proposition is fair and just, and hope it may in such an act. In the first place be adopted. the roads should be properly lo-The House has very properly cated, by a competent engineer. passed a bill providing for the with a view to macadamizing them publication of the sketches of at some future time. The most

North Carolina's regiments in the Confederate army, which have been written under the supervision of Judge Walter Clark by the survivors of those regiments. A general road law has been inroduced and is favorable reported tute reported.)

estate. The present law places them in this respect on the same

level with lunatics, idiots and in-

ness in this State, on the same level

One of the most important bills

yet introduced is one proposing an

with our own corporations.

by the committee, somewhat simiand that one-fourth of the time lar to the Rockingham road law for which any convict may be (Chap. 120 of Acts 1897). This sentenced shall be deducted from till was carefully prepared by Prof. Holmes. per contrar, if he runs away, no

The House has refused to pass the bill to abolish or interfere with the dispensary at Fayetteville.

A bill has passed placing the penitentiary in the control of the Democrats, the same to take effect February 10th.

The Motz Dam Torn Out.-More Litigation to Follow,

Lincoln Journal.

It will be remembered that at the last term of the superior court Mr. Jno. M. Motz, as agent of his father Col. Wade H. Motz, was the public roads upon that class tried on a charge of maintaining a nuisance, the unisance being the dam across Clark's creek at the the least use of them. This class Motz mill. The result of the trial was a verdict of guilty, and the large majority of the whole, and judgment was a heavy fine and an would I presume vote to have the order to abate the alleged nuisance greater part of the burden taken by removing the dam. The prooff their shoulders, and all others secutors agreed to tear out the who want to do right would vote dam and pay their share of the likewise. Of course, if we worked costs, while the defendants pay long term prisoners, they would the costs of the defence. The dam have to be guarded; but we would was to be torn out in 90 days. need at most but one chain gang. That time expired Monday and a My first thoughs on this subject crowd gathered to remove the dam, was to impose a resonable tax on the prosecutors being accompanied property to improve our roads, but by their attorneys. Col. W. H. I think now a bond issue would the Motz, with his attorneys, was presbetter plan. The money for the ent and forbade the destruction of bonds would be available as fast his prorerty under penalty of prosas it was needed to rapidly put our ecution. The prosecutors, howroads in good condition, and the

ever, proceeded to tear out the time for paying them could be exdam, removing several feet of it. The parties engaged in the de struction of the dam, will, we Of course the interest would have understand, be prosecuted and the to be paid promptly and regularly

case will come again into court. We badly need better roads and This dam has been standing for nearly a bundred years, and with- law and all amendments to it. we can never have them until we are ready to promise to pay for out it, the fine milling property is practically valueless.

Martello Towers In England.

Whatever may have been the defen sive value of martello towers a century ago it has entirely evaporated now. There are a good many of them on the coasts of Essex. Suffolk, Kent and Sussex. These massive round towers, some 40 feet high, were regarded as and very likely were splendid defenses at the time they were erected, but they have long been used only for coastguard pur-Italian coast towers which were erected as a protection against pirates. Warnor local nature. The Committees ing that a suspicious craft was in sign was given by striking a bell with a martello or hammer. It was the powerful defense made in 1794 by Le Tellier at the tower of Mortella with only 88 men against a simultaneous sea and land attack, led by Lord Hood and Major General Dundas, which brought them into favor in this country. It was thought that they would be a splendid defense against "Boney " - London

Chronicle. Ancient Glassmaking. When the council of ten ruled Venice, they issued a decree regarding the art of glassmaking. It runs: "If a workhis country to the detriment of the republic, he shall be desired to return. If he disobey, his nearest relatives shall be imprisoned. If, in spite of their imprisonment, he remain obstinate in his wish to live abroad, an emissary shall be told off to kill him."

THE LEGISLATURE.

Bills From Committees. Raleigh Nives, 27th.

Bills and resolutions were re A bill will be passed placing ported back to the House from foreign corporations, that do busi-

Standing Committees as follows: do pass"-

Caswell county to levy a special

To allow the Richmond and Petersburg, and the Petersburg and Carolina Railroads to unite.

To declare the Southeastern Railroad Company duly incorporated.

To ratify the consolidation of the Alantic Coast Line branches in Virginia.

To amend section 116 of the code. To amend chapter 1, Laws of 1895, in regard to probate of deeds in Bertie conn ..

To incorporate the town of Man-

To appoint extra commissioners for Caswell county. To appoint L. G. L. Taylor a justice of peace in Rutherford

county. To amend the road law of Gra-

ham county. To amend the law (chapter 57, Laws of 1897), in regard to public

To incorporate the Citzens Bank of Elizabeth City. (with amend-

To regulate the movement of timber in North Carolina. (Substi-

To amend the election law passed in 1895. (Substitute re-

To repeal the act allowing fishing in certain streams in Tyrrell county. Referred to Com-

With recommendation "that they do not pass"-

To repeal chapter 17 of the code -to apply only to Tyrrell county. To incorporate the Elizabeth City and Camden ferry.

To provide against incompetent service on railroads.

The following bills having been enrolled were daly signed and ratified, and are now laws:

To amend the law prohibiting fishing in certain streams in Henderson county.

To promote temperance in Dare

To amend the law prohibiting fishing with nets in certain streams in Sampson countp-

To incorporate the penitentiary and provide a government for it. To amend the charter of the

Cabarrus Savings Bank. To reduce the price of Supreme court Reports to \$1.50.

To amend the charter of James. ville, Martin county. To amend the charter of the city

of Fayetteville. To permit the establishment of a fish culture station.

To incorporate the Roanoke their quaintness. Bridge and Railroad Company. To amend the charter of the town of Salem.

To regulate the duties and powers of certain constables. To amend the law regulating the

sale of real estate for partition. To repeal the Fusion election

To repeal the oath prescribed for officers of banks and corporations, To authorize Morganton to pur-

chase and electric light plant. To improve the roads in Anson

Tell the Truth. Statesville Landmark,

The Landmark has no desire to indulge in captious criticism of the poses. Their name is derived from the Legislature. It has frequently expressed the very highest opinion of the members of that body. There are among them some of the ablest men in the State, and the members as a whole are honest, honorable, conservative and men of ability who have the welfare of hind locked doors. the State at heart.

When the Legislature met the Democratic members adopted a resolution that only white men should be given positions under it, that no sons of members should be given positions as pages, and that man carry his art beyond the limits of no member should be elevated to any office within the gift of the Legislature. This action was right and proper and was universally applanded. The campaign was made on the color line and it is not | hurry. -Syracuse Herald.

right to give even a small minor position to colored men when there are plenty of white men willing and anxious to take the places. Neither is it right or proper to allow a man who has succeeded in getting himself into office to quar-With recommendation "that they | ter his children or other relatives on the public treasury when he To amend the act anthorizing has places at his disposal. We have already had too much nepotism in the Democratic party in North Carolina.

> But we have asked if these reso lutions have not been violated by the appointment of a son of Representative Brown, of Stanley, a page, and have received no answer. It is charged also that a son of Representative Ranson, of Mecklenburg, has a position as page and it is further charged that negroes are employed as laborers Are these things true? Haven't any of the Raleigh papers nerve enough to print all the facts in the case? If they are not true the public should know it and if they are true the public should know it Let us not wait until the next campaign for our political edemies to develope these things to our embarrassment. There was no sense in adopting the resolutions if they are not to be lived up to; there is no sense in attempting to deceive the people. It is not only wrong to deceive them but it pays infinitely better, as a matter of policy, to deal honestly and candidly with them at all times.

The Landmark has no axe to grind in this matter. It had no candidate for any place and cared little as to who got the places except that they be given to deserv ing Democrats. But we have called attention to this again, for the third time, because we don't every man who offers to register ception if any is being practiced. | tor and actual bona fide resident

A Shoemaker's Accounts.

There was a shoemaker I met not long ago, says a writer in Chambers' Journal, who had a most elaborate method of keeping his "books." Against the wall of his workshop he had a large board erected, which he painted black Into this board he used to drive hobnails, tacks, brass and steel rivets and other nails used in his trade to represent work done. For instance, the solling of a pair of boots woud be represented by a small piece of leather tacked on to the board by means of a brass rivet, but if the boots were hobnailed, then a hobnail was used instead of the brass rivet. A steel rivet indicated a patch on the sole, and a patch on the upper was shown by the addition of a piece of thin leather. New boots were shown drawn in chalk, as were also the hieroglyphics representing the custom-

Some peculiarity of manner, dress or surroundings was chosen to indicate whose account it was. The parson's account was placed under the rough drawing of a church: the curate, who wore glasses, was represented by a sketch of them: a couple of circles, one blank and one with a dot in the center, stood for the postman, who had lost one eye. A beer barrel was the innkeeper's sign; the village pump did duty for the milkman, while the schoolmaster was per-sonated by the drawing of a cane. The old man was a great wag, but he never had his accounts challenged in spite of

Concerning Appendicitis. Dr. H. R. Lemen of Alton, Illa, says "I often meet people who have such a do not eat grapes, tomatoes, figs or fruits containing little seeds because of a fear that these seeds will lodge in the appendix and cause appendicitis.

"Whenever I hear a person say he denies himself fruits because of this fear I take occasion to assure him that it is useless to take any such precautions. If you like fruit, eat it, for appendicitis, seven in ten instances, is due to other things than seeds. Little particles of food of any kind can lodge in the appendix and produce appendicitis, even a bread crumb being capable of it. In addition, a great many cases are caused by something entirely outside the appendix, something causing

"To all I would say, 'Go ahead and eat anything you like, for all precautions you may take are not going to save you from appendicitis if you are going to have it. The inexplicable things to which the majority of cases are attributable cannot be guarded inst and it is useless to fight the

The quorum which ratified the United States constitution for Pennsylvania was secured by abduction and held be-

"Trivial" is derived from the Latin for three ways, and means the petty gossip of the crossroads. The Time It Worked.

Little Johnny always wanted to sleep in the morning, and finally Papa Mo-Swatters wondered how he would ever he was at a reception with his wife. get the boy up betimes. At last he and they met the handsome Miss Blank, struck upon the following "Johnny, the furnace fire is all fixed,

and the ashes have been carried out, he said, "It's a good thing I didn't and the leaves raked. Breakfast is almeet her before I married you, my most over and only three pancakes dear."

Johnny forgot his ablutions in his

MAIN FEATURES OF ELECTION LAW

Skeleton of the Bill Agreed Upon by the Sub-Committee. News and Observer.

The main features of the election law to be recommended to this Legislature have been practically determined on by the subcommittee having the matter in charge. The election machinery, the nature of the ballot the, right of the elector to vote, these are, breadly speaking, the features that have engaged the most carefull attention and regarding which a decision has been reached by the committee.

There will be chosen by this Legislature a State board of elections composed of either five or seven persons, most probably five, that will perform the duties usually intrusted to such bodies and will serve for two years.

The State board of elections will appoint for each county a county board of elections to be composed of three persons. The county board of elections will appoint at each precinct a board of elections composed of one registrar and two poll-holders.

All vacancies in the offices of registrar and poll-holder will be filled by the county board of elections except such as may occur on election day. These will be filled by the precinct board.

The most stringent regulations will be adopted to prevent the registration and voting of imporced negroes or others not justly voting of nonresidents and couvicts. The burden of proof will be shifted from the challenger to D. 1898. the would be elector, compelling propose to be a party to any de- to show that he is a qualified elecof the precinct where he would cast his vote. This will work no hardship to the qualified voter but will effectually bar the person who is not qualified. The counties along the border where, under the present law, negroes from Virginia and South Carolina have been wont to come over on election day and vote as they would go to a horse race or a dog fight, will be protected.

The separate ballot will be adhered to, the committee not deeming the blanket ballot suited to conditions in this State. The ballots will be of uniform size, color and weight and will be entirely devoid of device. These details will be left to the State board of elections, which will prescribe the ballot to be used; the ballot itself being furnished as heretofore by the parties or candidates.

Separate boxes bearing the names of the candidates will be provided and the voter will be allowed to put his ballot in the box for himself, though he may, it he so desires, as the election officers to deposit the ballot for him. All ballots deposited in the wrong box will be thrown out as under the present law.

The State board of canvassers will be composed of the State board of elections, together with wholesome fear of appendicitis that they | the Governor and Secretary of State.

> Bismarck and the French. Bismarck had no great opinion of the French. He believed that they are too easily swayed by popular catchwords "Talk to a Frenchman about liberty, equality and fraternity, tell him that his nation is the greatest in the world, and you can do anything with him. You can impress the French more than any other people if you tell them it is done in the name of freedom." Asked his opinion in the case of a

certain French spy, he said: "It's a sad case. You've got to hang him, but do it with the utmost politeness, so as not to hurt his feeings "-Exchange. Equal to a Fairy Story.

Bilkins was seated in an easy chair njoying his paper while his wife was busy with fancy work. Bobby, the 4-year-old son of the household, on the floor was fighting a battle with tin soldiers. Presently the little fell of his play and exclaimed

"Mamma. won't you please tell me a fairy story?" "I don't feel like it tonight, Bobby," said Mrs. Bilkins. "Go and get your paps to tell you what detained him down town so late last night."—Ohio State Journal

Missed the Combination. He is one of those gushing old beaus who think flattery the key to favor with the gentler sex. The other evening at whom he fired a whole battery of compliments. Then turning to his wife

"Indeed it is." she smiled sweetly, "for her. I congratulate Miss Blank."

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Made from pure cream of tartar.

Safeguards the food against alum.

Alum baking powders are the greatest menacers to health of the present day.



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Notice to Creditors.

AVING qualified as administrator of A. W. Wilson, deceased, notice is hereby given to all persons having claims against the estate of said intestate to present them to the undersigned for payment on or before the 29th day of December, A. D., 1899, or this notice will be pleaded in bar of their recovery entitled to vote. There will be no and all persons indebted to said estate are hereby notified to come forward and settle at once and thereby save costs. This 29th day of December, A. D. 1898. A. H. WILSON, Admr. of A. W. Wilson.



TRY ALLEN'S FOOT-EASE, this season your feet feel swollen, nervous this season your feet feel swollen, nervous and damp. If you have smarting feet or tight shoes, try Allen's Boot-Ease. It warms the feet and makes walking casy. Cures swollen and sweating feet, blisters and callous spots. Relieves corns and bunions of all pain and is a certain cure for Chilbiains and Frost bites. Try it today. Sold by all druggists and shoe stores for 25c. Trial package FREE. Address, Allen S. Olmsted, Le Roy, N. Y.

SHAKE INTO YOUR SHOES Allen's Poot-Base, a powder for the feet It cures painful, swollen, smarting, nervous It cures painful, swollen, smarting, nervous feet and instantly takes the sting out of corns and bunions. It's the greatest comfort discovery of the age. Allen's Poot-Ease makes tight or new shoes feel easy. It is a certain cure for Chilbiains, sweating, callous, tired, aching feet. Try it today. Sold by all druggists and shoe stores, 25 cts. Trial package FREE. Address, Allen S. Olmsted, Le Roy, N. Y.

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Tables, Rates and general information, F. R. DARBY, R. L. VERNON, C. P. & T. A. Charlotte, N. C. Asheville, N. C. No Trouble to Answer Questions. J. M. CULP, T. M. W. A. TURK, G. P. A.

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