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NORTH STATE HAPPENINGS

Occurrences of Interest Gleaned From All Sections of the Busy Tar Heel State

INAUGURATION OF GOVERNORS

Does Not Assume His Duties Until Several Days After Term Begins—Administration of the Oath—Where the Inaugurations Have Taken Place.

Richard H. Battle, in North Carolina Education.

It is singular that practically a Governor-elect in this State is never the actual Governor for several days after the Constitution says his term is to begin. Article III, section 1, provides that the term of the Governor and the other executive officers shall commence the first day of January next after their election and continue until their successors are elected and qualified; and section 3 says the returns of election "shall be sealed up and transmitted to the seat of government by the returning officer, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of both houses of the General Assembly." Article II, section 2, provides that the General Assembly shall meet biennially on the first Wednesday after the first Monday in January, after their election. So, it cannot officially be known who is the Governor-elect until the Legislature shall have met and the Speaker of the House has opened and published the returns of election. The result is, that the new Governor cannot be inaugurated until about the 10th or 15th of January.

Of course, the difficulty might be met by the calling of the Legislature to meet in special session some time between the day of election (the first Tuesday after the first Monday in November) and the first of January following; but as this would be an expensive and inconvenient expedient, the out-going Governor holds over a few days.

How it Came About.

The reason this state of things exists is, that under the old constitution which was replaced by that of 1868, the General Assembly met on the third Wednesday in November, and the returns of election were received and published before the 1st of January succeeding; and the provision about the commencement of the term of office was copied from the old Constitution.

So now, the out-going Governor holds over until some day agreed on, about a week after the meeting of the General Assembly, when the returns of election having been opened and published, everything can be in readiness for the inauguration of the new Executive.

The Oath of Office—Where and by Whom Administered.

As a condition precedent, or precedent, or preliminary to the Governor's assuming the office, it is required that he shall, in the presence of the members of both branches of the General Assembly, or before any justice of the Supreme Court, take an oath or affirmation that he "shall support the Constitutions of the United States and the State of North Carolina, and that he will faithfully perform the duties appertaining to the office of Governor." etc.

As the exact day for the inauguration is not fixed, so the place is not fixed; but the ceremony is nearly always held in the presence of the members of both branches of the Legislature, and the oath administered by the Chief Justice or an Associate Justice of the Supreme Court. It might, however, be administered in the presence of the General Assembly by a justice of the peace for Wake county. I think this has been done when there happened to be no Justice of the Supreme Court present in the city.

Where Some Notable Inaugural Ceremonies Were Held.

Before the war of 1861 to 1865, the inauguration ceremonies, including

Parade Blazes.

Rocky Mount, Special.—A seven-thousand dollar fire in part of the business district of the city last week was checked only by the persistent and well-directed fight by the fire department of the city. The fire originated in a colored restaurant on Washington street, about three o'clock Thursday morning, and, fanned by high northeast wind, spread rapidly. A dozen buildings were destroyed and while they were, with one exception, all frame structures, their contents were in many instances a total loss.

Doings of the State Legislature Condensed—Interesting Items from Day to Day.

In the Senate Wednesday there was another long discussion of game laws, the specific bill under discussion and finally passed being that to permit non-residents to hunt on lands of their father or sons in this State without paying the Audubon tax. An amendment was adopted striking out a clause that would allow a non-resident guest of a landowner to hunt tax free.

Bills passed were of local and private nature. In the House also bills passed were not of general interest. The bill for the maintenance and support of the Stonewall Jackson Training and Industrial School was introduced by Julian, carrying \$15,000 for 1909 and \$20,000 for 1910 for maintenance and \$20,000 annually thereafter, and an additional \$10,000 each year for 1909 and 1910 for administration building and other necessary buildings.

Mr. Harrison by request presented the bill appropriating for the school for the deaf and dumb at Morganton \$50,000 annually for maintenance, \$40,000 for erecting and equipping a primary building, \$3,000 for painting and repairing buildings and renovating the boiler house and \$800 for a specialist on eye, ear, throat and teeth.

A bill for appropriations for the State Normal and Industrial College at Greensboro was introduced by Connor. It calls for \$100,000 annually for support, and \$50,000 for 1909 and \$50,000 for 1910 in addition for erecting and equipping an infirmary and increasing the dormitory capacity.

Mr. Connor also offered a bill for the protection of employes of common carriers as to contributory negligence and liability. It is modeled after the Federal law as to liability of employer for acts of employes. Another bill that would affect State prohibition was offered in the House and the Senate. It would permit the people of Johnston county to manufacture and sell cider, wine and brandy made from fruit grown on their own land.

Inaugurations of Half a Century Ago

When the population of Raleigh was only a fourth of what it is now, or less, as it was before 1860, and the convenience of transportation from different parts of the State was much less than now, those who wished to attend the inauguration ceremonies could be fairly well accommodated in the hall of the House of Representatives though the galleries were generally well filled by fair and fashionable ladies of the State and the lobbies crowded by men, who did not have the opportunity to witness public entertainments as the men of this generation have.

Politics ran pretty high between Democrats and Whigs in the ante-bellum days, though the issues between the parties now seem insignificant. The ladies participated in the interest. The majority of the city and town people were Whigs, and the wives and daughters of that day generally took pride in the dignified appearance and elegant manners of Whig office-holders. One of them, more notable than others, was seated or standing in the gallery when a Democratic Governor-elect was being inaugurated in place of one of the old regime. He was not as portly or courtly as the out-going Governor and his predecessors for several terms and the good lady craning her neck to see, inquired of a neighbor: "Which is Governor Blank?" And when he was pointed out, she said in accents of disgust: "Sure thing! He is small potatoes and few in the hill!" Unfortunately the excellent wife of Governor Blank was in hearing of the compliment; but of this the partisan lady was inadvertent, and Mrs. Blank's dignity was such that she did not show a ruffled temper. She knew that she had cause to be proud of her husband, whatever a Whig belle might think of his appearance. However, the loyalty of our people to their officers was great in those days, and before very long Governor and Mrs. Blank were courteously and hospitably treated; and Governor Blank's private secretary, an elegant and handsome young man, who afterwards rose to high distinction, became a lion in the fashionable society of our Capital city.

Killed by His Cousin.

Cliffside, Special.—Saturday afternoon Boss Seruggs, son of Elbert Seruggs, fatally shot Fletcher Seruggs, son of Marion Seruggs. These young men were cousins, aged respectively 21 and 19 years. Boss told Fletcher if he said it again he would shoot him. Fletcher repeated the words and was immediately shot by Boss, who used a 32-calibre pistol, the bullet taking effect in his right side just below the ribs. The young man died about 10 p. m. without making a statement, as far as can be learned. Boss says that "he didn't know it was loaded."

Davis: To tax dogs.

Perry, of Bladen: For betterment of public schools and training children for life work. Governor Kitchin transmitted to the House the list of vacancies on the board of trustees of the University to occur November 30th, 1909. The discussion was long and spirited on the bill to increase the salary of the commissioner of Labor and Printing. Several amendments were voted down. The bill on third reading for the \$2,000 salary passed 87 to 20. Much business was done by both houses Friday but not of very

WITH N. C. LAWMAKERS

general interest. Senator Peete, out of order, introduced a bill incorporating the John Charles McNeill Memorial Society.

On motion of Senator Martin the bill for the drainage of wet, swamp and overflowed lands was made a special order for next Thursday. Senator Manning introduced a bill, out of order, amending Revisal 1199, service of summons, and Senator Barringer a bill providing for the purchase of Ashe's history of North Carolina for the rural schools.

The Senate concurred in House amendment fixing the salary of the Labor Commissioner at \$2,000 without a word of discussion. A bill introduced by Representative Turlington calls for the creation of what might be called an automatic system of recorders' courts for the counties, to be adopted and dropped whenever the county sees fit on account of congested calendars or any other reason, the court to sit every Monday at the county seat, presided over by a lawyer elected by the county commissioners for one year, to have jurisdiction over all criminal cases to grade of felony and civil cases involving under \$1,000, with of course, appeal to the Superior Court. The plan is not unlike that of the old inferior courts, with the civil jurisdiction added.

Also: the most interesting part of the day's work was in special committee at which Commissioner Young complained of injustice by the late report of his office affairs. Senate bills were passed on final reading Saturday as follows: H. B. to amend Revisal 5313 as to establishing State boundaries, giving Governor authority to sue directly in the Supreme Court of the United States in disputes over boundary between North Carolina and Tennessee. Incorporate the Public Service Company, of Greensboro, which takes over three corporations and will construct an electric railway from Greensboro to High Point.

Klutz: Perpetuate the memory of the great North Carolinian, Daniel Boone. Jones: Amend Revisal 1980, exemptions from jury duty. The following are among the bills appeared in the House on Saturday: McCrary: Create a historical commission to perpetuate life history of Daniel Boone.

Taylor: Authorize commissioners of Brunswick county to offer a reward for capture of J. C. Walker. McLeod: Provide for organization of County of North Robeson from territory of Robeson county. Butler (by request): Repeal Sec. 1699, Revisal and Ch. 499, Laws 1903, perfecting land grants by new entries.

Graham: For relief of Billy Patterson, a free person of color, who served in the Twelfth and Twenty-third Regiments and was drafted for work on breastworks by Confederate government. Poole: Repeal Ch. 638, Laws 1907, relative to game. Mr. Taylor's bill authorizing the county commissioners of Brunswick to offer a reward not exceeding \$400 for the capture of J. C. Walker was passed on immediate readings.

The following bills passed third readings. Amend Revisal 1042 as to sale of property under mortgage, restricting section to personal property. Joint resolution to memorialize Congress to aid in constructing post roads and highways in North Carolina. Amend Revisal 3093, widow's year's support, so as to include child unborn at death of husband. Authorize payment of deposits in bank made in trust and for the relief of persons for whom such deposits are made. (Bank may pay deposit on death of trustee to persons to be benefited.) Empower banks to pay deposits made in names of two persons.

Amend Revisal 1747 so as to extend time for registering grants. Amend Ch. 732, Laws of 1907, increasing salary of assistant librarian of Supreme Court, as amended by committee, from \$15 to \$20 a month. Amend Revisal, Sec. 8, Ch. 87, by abolishing the crop pest commission and putting its duties in hands of board of agriculture. Regulate registration and sale of concerted commercial feeding stuffs. (This is the law recommended by the convention of the Commissioners of Agriculture for the Southern States.) Validate deeds and instruments heretofore executed by corporations (such as land development companies.) Fixing liabilities of bank to depositor in case of forged or raised check. (Depositor must notify bank of fraud within three months after receiving canceled check.)

The following bills were introduced in the Senate on Monday: Fry: Amend Sec. 982, Revisal, relating to mortgages and deeds. Ray: Amend Sec. 3706, Revisal, relating to carrying concealed weapons.

CUBAN GOV. INAUGURATED

Provisional Governor Magoon Escorts General Gomez to the Palace For the Inauguration Ceremonies, and Then Sails From the Island on the New Maine—Cuban Gunboat Sees the Americans Safely Off.

Havana, By Cable.—Major General Jose Miguel Gomez was inaugurated President of the restored Cuban republic Thursday at noon and within an hour after he had taken the solemn oath of office administered by the Chief Justice of the Supreme Court, the American officials who had been in control of affairs since the autumn of 1906 had departed from the island.

The American provisional Governor, Charles E. Magoon, who escorted General Gomez to the palace and there turned over to him the reins of government, sailed on the new Maine. The Maine was followed by the battleship Mississippi and the army transport McClellan. A swarm of small vessels joined in the procession out of the harbor.

A Cuban gunboat also accompanied the ships some little distance to sea with a band on board playing from time to time the Cuban national anthem. Earlier in the day Governor Magoon and President-elect Gomez were seated side by side in the carriage en route to the palace in the wake of a galloping escort of rural guards or native cavalry there was silence on the part of the holiday throngs who lined the sidewalks. Hats were lifted as the carriage swept by, and the salutes were returned in the same manner by the Governor and General Gomez.

At night fireworks burned throughout the city in the same profusion that characterize the 4th of July in the United States, and the cafes were gay with music and singing. About 3,000 troops are still on the island under the command of Major General Thomas L. Barry. These will be returned to the United States as fast as the transport service will permit, the last of the troops leaving on April 1st.

Cuba begins her new period of independence under conditions which seem as propitious as could be evolved. Peace reigns from the western extremities of Pinar del Rio to the eastern promontories of Santiago province, and no disturbing element is anywhere in evidence.

TWO MORE JURORS ACCEPTED

Nine Men Are Now in the Jury Box to Hear the Cooper Trial—Fourth Verdict is Ordered. Nashville, Tenn., Special.—The ninth day of the trial of Duncan B. Cooper, Robin Cooper and John D. Sharp, for the murder of former Senator Edward W. Carmack closed with two additions having been made to the jury, which now numbers 9. The two recent acquisitions are Gus Knipfer and P. O. Beirman.

Up to Friday Night, 1,165 testaments have been examined in an effort to get the 12 men. Of those who qualified the State challenged 13, the defense challenged 23 and the court summarily excused two after they had been declared satisfactory to both sides.

It is conceded that the action of the State in charging two talents with perjury has greatly reduced the chances of getting a jury at once. Many of those summoned say they may have expressed an opinion at the time the murder occurred, and for fear of an indictment, they disqualify themselves.

After hearing testimony in the case of Juror Whitworth, whose health is said to be such that his life would be endangered by the confinement incident to the trial of the case, Judge Hart was disposed to excuse him at once, but the State asked that a decision be withheld until the next panel was exhausted.

Bulgaria Complains of Turkey's Attitude.

Sofia, By Cable.—The Bulgarian government has delivered a note to the representatives of the powers, complaining of the irreconcilable and uncompromising attitude of Turkey and declaring that the Porte must be responsible for the consequences. The note does not solicit the intervention of the powers but draws their attention to the tension of the situation.

Cold Wave a Blessing to Georgia.

Savannah, Ga., Special.—A dozen reports received from as many towns throughout south Georgia assert that the present cold weather came at the right time to prevent the killing of the fruit crop later on. "It is instead of being a curse a veritable Godsend" is the wording of several reports. Fruit growers all seem satisfied with the outlook for a good fruit crop, though the low temperature records of more than two years' standing have been broken in several places.

CONCRETE BATHHOUSES.

Boston May Build Them—Hoodlums Carry Off Wooden Structures. Boston hoodlums have compelled the authorities there to consider the plan of building the public seashore bathhouses of concrete.

According to the Cement Age it was found that it would be a waste of money to put the ordinary wooden houses in condition before the season brought the full quota of guards to the grounds to protect them. Dewey Beach and Wood Island Park suffered severely during the winter.

All the woodwork that the hoodlum element possibly could get loose was torn away, doors were battered in and practically every inch of lead pipe left on the premises was stolen. Most of the plumbing was taken down by the bath department at the end of the last season to save it from a similar fate.

The continual destruction of city property has reached the point that concrete construction has been recommended for future buildings. The new houses would have heavy iron grating set up in front of the doors and windows to protect them during the months when the buildings are not used. It is figured that concrete would not cost much more than wood, and it might save the annual expense of thousands of dollars for merely replacing what is being destroyed maliciously in the cold season.

Desperate Man Breaks Jail.

Wilmington, N. C., Special.—Jap B. Walker, a white man in jail at Southport, charged with the murder of Sheriff Jackson Stanland, of Brunswick county last December while resisting arrest by a posse headed by the sheriff, made his escape from the prison at Southport by braining the night guard, J. B. Fountain, with some heavy instrument procured in some unaccountable way after he had escaped his cell into the corridor. The guard was disarmed of his pistol and all the cartridges he carried and a white man named Butler, held as an accomplice of Walker escaped too.

Depositor Must Notify Bank of Fraud Within Three Months After Receiving Canceled Check.

The following bills were introduced in the Senate on Monday: Fry: Amend Sec. 982, Revisal, relating to mortgages and deeds. Ray: Amend Sec. 3706, Revisal, relating to carrying concealed weapons.

There is a hacienda, or ranch, in the Mexican State of Durango, containing 10,000,000 acres.