

# THE DAILY JOURNAL

VOL. VI.--NO. 180.

NEW BERNE, N. C., SATURDAY, OCTOBER 29, 1887.

PRICE 5 CENTS.

## LOCAL NEWS.

**Journal Miniature Almanac.**  
New Berne, latitude, 35° 8' North.  
" longitude, 77° 8' West.  
Sun rises, 6:17 | Length of day,  
Sun sets, 5:13 | 10 hours, 56 minutes.  
Moon sets at 9:24 p. m.

### BUSINESS LOCALS.

**FOR RENT**—A convenient dwelling.  
Apply to  
J. F. IVES,  
oc291f.] New Berne, N. C.

**HAMS, Breakfast Strips, Corned Beef, Coddish, Beef Tongues, Bologna Sausage, Northern Blackerel, White Beans, Buckwheat, Mince Meat, Evaporated Apples, Raisins, Currants, Citron, Nuts and Candies.**  
C. E. SLOVER.

**JUST ARRIVED** at Jas. Dunn's  
Choice Small Hams, 4 to 6 lbs.,  
Buckwheat, Fine Syrup, Mince Meat,  
Cranberries, Fresh Cakes and Wafers.

I will give you the **VERY CHOICEST**  
Groceries and at a **SMALLER**  
PROFIT than any house in the city.  
Try me and be convinced.  
THE GROCER, E. B. HACKBURN.

**A NEW Stock of Oil Stoves and other**  
House Keeping Goods at  
GEO. ALLEN & CO.

**PURE Liquors and Wines for Medical**  
and other uses, at wholesale.  
JAMES REDMOND.

**OLD PAPERS** in any quantity for  
sale at this office.

**DIRECT Importation of French**  
Brandy and Holland Gin—arrived in  
bond and duties paid at Custom  
House in New Berne guaranteeing genuine  
goods for sale.  
JAS. REDMOND.

**GARRETT'S** Medoc Vineyard Cognac  
and Wines for sale, at Manufacturer's  
prices, by  
JAMES REDMOND.

**BROWN'S** GEORGIA COTTON GINS,  
with Self Feeder and Condenser.  
All of the latest and most approved  
patterns.  
GEO. ALLEN & CO.

**REDMOND'S** Ginger Ale, Lemon  
Soda, etc., equal to imported.  
JAMES REDMOND.

**BUGGIES, McE. Pater's** make, for  
sale at  
DALL BROS.

**A false alarm of fire** yesterday evening  
drew out the department.

**Read new advertisement** of O. D. S. S.  
Co.'s steamers between New Berne  
and Norfolk.

We publish today a digest of the opinion  
of the Supreme Court in the case of  
Gardner vs. the city of New Berne. It  
is of interest to our city readers.

**Steamer Newberne** of the O. D. S. S.  
Co.'s line will sail on Monday next at  
10 a. m., which will be the regular sailing  
hour hereafter until further notice.

**Mrs. Goodale** reached New Berne on  
Thursday night, but having an engagement  
at Kinston for Friday night, she  
left without delivering the expected  
lecture.

**Personal.**  
John W. Wooten, Esq., of Jones  
called to see us yesterday. He is the  
first farmer to obtain 9¢ for cotton this  
season.

**The Railroad Meeting.**  
A large and enthusiastic meeting was  
held at the court house last night on the  
question of a county subscription to the  
railroad to Onslow. Resolutions were  
adopted appointing a committee of fifteen  
to present the question to the county  
commissioners at their next  
meeting. Full proceedings will appear  
tomorrow.

**Justice's Court.**  
Justice W. G. Brinson was engaged in  
trying several offenders yesterday.

**Lettuce Lucas** and daughter Fannie  
were charged with the larceny of  
clothes and for resisting an officer. The  
facts as near as we could gather were  
these: Salomey Whitfield, col., is a  
washerwoman. On Thursday she had  
a good quantity of clothes on a line;  
late in the evening she went down town  
and when she returned the clothes were  
gone. From information obtained from a  
neighbor she procured a search warrant  
and placed it in the hands of Constable  
Judge P. Stanley, who went to  
Lucas's house and after searching the  
lower rooms went up stairs and when  
he attempted to go into the attic Lettuce  
and her daughter resisted. After a  
little pitched battle the constable entered  
the attic and found the clothes. They  
were held to bail in the sum of one  
hundred dollars each for the larceny  
and fifty dollars each for resisting an  
officer, for their appearance at the  
next term of the Superior Court. Failing  
to give the bond they were taken to  
jail.

**Charles Cannon**, colored, was up for  
the larceny of a gold watch from Mr.  
J. Moberley. The watch was stolen  
from Mr. Moberley in the year 1883,  
and was carried to Mr. S. K. Eaton's  
a few days ago by Windsor Bonner,  
colored, who says he traded with Cannon  
for it some two or three years ago.  
Mr. Eaton having the number and make  
of the watch. Cannon denies that he  
had the watch. He was committed to  
jail in default of bail for his  
appearance at next term of court.

### The Railroad Question.

We publish elsewhere a communication  
from E. G. Hill, Esq., on the Onslow  
railroad question. He speaks out  
boldly as a man should. He enters a  
protest against any more railroad  
subscription until we pay for the one  
already built. He does not take a calm,  
common sense view of the  
condition of things, but seems to  
be irritated over the situation  
of affairs and lays it all to the railroad  
and taxes. He says he "superintended  
the construction of a large portion of  
the present railroad, and property is as  
low in New Berne today as it was before  
the first rail was laid." Well, if  
Mr. Hill's superintending the construction  
of a road makes property low, it  
will be well to see to it that he does not  
superintend the construction of the Onslow  
road.

Mr. Hill knows, or ought to know,  
that our taxes are higher now because  
Craven county has undertaken to do  
what no other county or State in the  
South has undertaken since the war,  
viz: to pay the full amount of her debt,  
principal, interest and interest on interest,  
created before the beginning of  
the war. The State of North Carolina  
is only paying forty cents in the dollar  
for her bonds with which this road was  
constructed, while Craven county added  
the accumulated interest on hers to the  
principal and is now trying to pay it.  
Why such a burden was undertaken it  
is needless now to inquire. But, did  
Mr. Hill favor it?

The A. & N. C. R. has not been as  
beneficial to New Berne as it was hoped  
it would be, simply because its natural  
connection with the interior of the State  
has been severed. Yet, with all this it  
has been of some advantage and will  
some day be of more advantage. The  
taxes the road pays Craven county is a  
tolerably fair dividend on the amount  
of stock it owns. But the fact that the  
A. & N. C. R. has not paid, and that  
Mr. Hill superintended the construction  
of a large portion of it, is no reason  
why New Berne should not endeavor to  
hold the trade she now has and extend  
her commercial advantages into new  
territory.

The gentleman who says (he is not a  
correspondent) he had rather be "taxed  
out than rot out" owns considerable  
real estate in New Berne and is as  
prompt in paying his taxes as Mr. Hill  
or any of the real estate owners he represents.

Let us consider this matter calmly  
and without prejudice. Our beautiful  
city is possessed of great natural  
commercial advantages. All we lack is  
facilities for getting into the interior.  
Are our business men equal to the occasion?

**Steamer Movements.**  
The Vesper and Eaglet of the E. C. D.  
line both sailed Thursday with full  
cargoes of cotton. The Vesper will  
arrive at noon today and sail this  
afternoon.

The Pamlico of the O. D. line sailed  
for Norfolk yesterday at noon with a  
full cargo of cotton.  
The Trent of the N. & T. R. S. line  
left for Trenton with a cargo of merchandise.  
The Kinston of the same  
line left for Kinston with merchandise  
and passengers.

The Howard of the Independent line  
left for up Trent river yesterday.

### No More Railroads.

**EDITOR JOURNAL:**—As I have been  
honored with a place on your committee,  
perhaps it would be proper for me  
to let my opinion be known on the  
subject of a railroad to Onslow. I have  
no objection to any person or corporation  
building such a road; but I am opposed  
to contracting any more debts to build  
railroads or anything else until we pay  
what we owe, for several reasons.  
First, I don't believe it will pay and  
we have no money and are taxed beyond  
endurance already. I don't believe  
such a road would help New  
Berne. The road you now have has never  
done so—on the contrary it has been a  
nuisance from its inception to the present  
day. I superintended the construction  
of a large portion of the present  
road thirty years ago, and property is  
as low in New Berne today as it was  
before the first rail was laid. Property  
rents for less in New Berne than any  
place of its size in the State and is taxed  
higher, and as the agent and representative  
of a large number of real  
estate owners, I enter my protest  
against any more taxation for any  
purpose. Your correspondent who states  
that he would rather be "taxed out  
than rotted out" is getting a full share  
of both already, unless he belongs to  
that class whose names appear on that  
list that has so long adorned my office  
door, placed there by Sheriff Hahn, for  
non-payment of taxes for 10 to 15 years  
ago. I think another railroad built  
on credit would add very much to both  
rot and taxes. Sell out the one you  
have and pay for it before you build  
another.

I mean no reflection toward the present  
management of the poor old mule  
road. I think it is as good as the best  
and a very great improvement over  
many.

Very respectfully,  
E. G. HILL.

### Our Fire Department.

The following letter explains itself.  
BALTIMORE, Oct. 25th, 1887.  
S. H. GRAY, Agent—The steamer De-  
fiance arrived safely with the Stout in  
tow. The extent of damage to the  
Stout is such that it will practically re-  
quire building a new steamer, but as  
she has been a successful vessel, so well  
adapted to the canal and sound traffic,  
we feel justifiable in incurring the ex-  
pense of building instead of condemn-  
ing her and laying a new keel.

Upon a careful examination, and seeing  
the extent of this fire damage, it re-  
flects great credit upon the efficiency of  
your New Bern fire department in ex-  
tinguishing so fierce a conflagration as  
that must have been, and in their saving  
any portion of the steamer.  
We therefore desire you to express  
our thanks to the fire department, and  
at any time that you, as agent of our  
North Carolina line, can extend to them  
any courtesies, or we can manifest our  
appreciation of their most valuable services  
in a more substantial manner we  
would be glad to have you advise us.

Yours truly,  
REUBEN FOSTER,  
General Manager.

### The Atlantic Baptist Association.

Religious exercises were conducted  
on the morning by Rev. W. J. Fulford,  
Delegates from Falling Creek Church—  
W. A. Hood, J. A. Stevens, G. P.  
Britt and E. B. Hood, Jr., presented the  
letter from their church.

In response to the invitation to visit-  
ing brethren Dr. J. D. Hufham an-  
nounced himself as representative of the  
Baptist Orphanage and the Biblical  
Recorder, Rev. C. Durham as the Cor-  
responding Secretary of the Baptist  
State Convention, and Prof. J. B.  
Brewer as President of Matthewsboro  
Female College.

Report of the Committee on State  
Missions was read by Dr. T. Whitfield  
and discussed by Revs. W. J. Fulford  
and C. A. Woodson, who are mission-  
aries of the Band. Further remarks  
were made by Revs. C. Durham and  
J. E. Love and by Dr. W. J. Montfort.  
Rev. C. Durham asked for \$100 in ad-  
dition. The churches pledged the follow-  
ing amounts in response to this  
appeal: Antioch, \$4.50; Bayboro, \$4.50;  
Beaufort, \$2.50; Enon, \$1.00; Falling  
Creek, \$5.00; Goldsboro, \$17.50; Kin-  
ston, \$10; Morehead City, \$2.50; New  
Berne, \$10.00; and Pollockville, \$2.00.

A committee on obituaries was ap-  
pointed consisting of J. T. Eaton, J. C.  
Ladeford and G. P. Britt.

The Moderator announced the follow-  
ing standing committees:  
Foreign Missions—C. A. Woodson,  
M. S. Webb, J. A. Davis.  
Home Missions—W. J. Fulford, J. B.  
Carroll, J. E. Bunn.  
State Missions—A. J. Hires, R. H.  
Lewis, J. P. Joyner.  
Sunday Schools—J. Y. Joyner, C. J.  
Nelson, W. H. Hood.  
Temperance—T. J. Leary, J. B.  
Turner, Joseph Kinsey.  
Education—C. S. Cashwell (Chas.  
Whitty, D. W. Harper.  
Periodicals—J. T. Albritton, A. M.  
Prince, J. D. Roberts.  
Orphanage—J. M. Wooten, J. C.  
Whitty, W. J. Montfort.

The churches made the following  
pledges for State missions for the coming  
year: Antioch, \$7.50; Beaufort,  
\$10; Bayboro, \$12; Capersham, \$2.50;  
Enon, \$20; Falling creek, \$12.50; Fort  
Barnwell, \$25; Goldsboro, \$100; Kin-  
ston, \$50; LaGrange, \$10; Morehead  
City, \$40; Mt. Calvary, \$10; New Berne,  
\$10; Piney Grove in Onslow, \$2.50;  
Piney Grove in Jones, \$10; Pollockville,  
\$10; Snow Hill, \$10.

Letters from Fort Barnwell, New  
Berne and Piney Grove in Jones were  
read and their delegates enrolled.

A committee on Bible work consist-  
ing of W. J. Fulford, A. J. Hires and C.  
S. Cashwell was appointed.

The report on foreign missions was  
taken up and thoroughly discussed by  
Revs. C. A. Woodson, C. Durham and  
J. D. Hufham.

### Preserve Your Eyes.

It is simply wonderful, the reputation  
Hawkes' Spectacles and Eye-glasses  
have attained throughout the United  
States; they are known from the Atlan-  
tic to the Pacific, and their reputation  
is built upon real merit. Testimonials  
from the most eminent men of the  
country are given, who have had their  
sight improved by their use.

All eyes fitted and the fit guaranteed  
at the drug store of F. S. Duffy, New  
Berne. sep 5 im

### Is it a Government Mule?

When the Pender county jugs wump,  
Bone Taylor and Wiley Stokes, were  
arrested sometime ago for illicit dis-  
tilling in the Holly Shelter section of  
that county, the revenue raiders seized  
with other property a mule which it  
was claimed had been used by the  
prisoners in hauling corn meal from  
this city to the stills. The mule re-  
mained in charge of an officer in Pen-  
der, and recently parties sought to ob-  
tain possession of it through a warrant  
for "claim and delivery," but the mule  
was sent to Sheriff Manning to serve,  
but with all his deputies searching high  
and low, up to yesterday they had been  
unable to find that mule. Indeed, it is  
said that the mule in question has im-  
proved so greatly in personal appear-  
ance and in morals since he came into  
the possession of the government, that  
it is doubtful if his own mother would  
know him.—Wilmington Star.

If you want to prevent typhoid fever,  
or if you feel as if you were going to  
have the chills and fever, take Laxador.  
Price 25 cents a package.  
"Wanted to be the best selling article  
in our business. Druggists, however,  
said that Dr. Bull's Baby Syrup was  
better than any remedy. It is always  
reliable.

### DIGEST OF DECISIONS.

#### Gardner vs. City of New Berne.

Construction of charter requiring that  
"no appropriations shall be made, ex-  
cept for the necessary expenses of the  
city and but by a concurring vote of six  
eighths of all the councilmen.

The plaintiff insists that the above  
clause wholly disables the members of  
the board to appropriate any money in  
the treasury to pay any but the neces-  
sary expenses of the administration of  
the city government and as to these the  
appropriation must be made by the  
concurring action of six of the members  
to be effectual and valid. The defend-  
ant construes the section as excepting  
unconditionally what are termed the  
necessary expenses from the operation  
of the previous sweeping provision, and  
a limitation upon the prohibition where-  
by by such a vote of six members in  
favor of an expenditure outside of the  
necessary expenses the appropriation  
may be made. It must be admitted  
that the phraseology used in the enact-  
ment is somewhat obscure and its in-  
terpretation difficult to arrive at satisfac-  
torily in other words to tell whether the  
concluding words restrain action in re-  
gard to necessary expenses or qualify  
the extent of the preceding statutory  
clause.

But objects are made by the defend-  
ant that if the clause is construed as  
the plaintiff construes it, it would  
prevent the city from doing anything  
but the necessary expenses of the govern-  
ment, which is not the intent of the  
legislature, which indirectly but not  
explicitly permits the exercise by mu-  
nicipal bodies of the power of making  
provision for necessary expenses free  
from the restraints in other cases.

This conceded constitutional right is  
denied in the charter when interpreted  
as contended by the plaintiff. The con-  
struction now adopted places these  
provisions in harmony.

It is not entirely correct to say as does  
the plaintiff's counsel that the Consti-  
tution imposes the restraint upon outside  
expenditures, and therefore the restrict-  
ive words, if confined to them, would  
be without force and meaningless.

The Constitution prohibits the con-  
tracting of a debt or the levying of any  
tax except for necessary municipal  
purposes, without the sanction of a ma-  
jority of the qualified voters, but does  
not extend in terms to the disposition of  
funds in the treasury of the corpora-  
tion, while the charter has reference to  
the latter.

The one antagonizes the contracting of  
debts for the forbidden objects, the  
other, the improper appropriation of  
money without the assent of the speci-  
fied number of members of the board.  
And further, when the popular vote  
approves the proposed expenditure and  
legalizes the borrowing of money and  
the levying of the tax, the charter does  
not permit the withdrawal of it, unless  
on the conditions specified in it.

If the restriction was intended to be  
universal, why was it necessary to in-  
sert section 50, which specifically re-  
quires a contract for work and material  
for the city, exceeding \$500, to be made  
with the concurrence of the six mem-  
bers? If all contracts and all appropri-  
ations are forbidden even for the city's  
necessities, why are these contracts  
singled out and the disabling clause  
applied to them? We think a fair and  
reasonable construction of the charter  
is that while necessary expenses are  
wholly excepted and covered, the clause  
was intended to qualify the general re-  
straint and permit other expenditures,  
not forbidden in the constitution, when  
six members should favor and sustain  
them.

A contrary view meets with numerous  
and almost insurmountable difficulties,  
for it might enable a minority well  
nigh to paralyze the operations of the  
city government, and to totally obstruct  
the exercise of the functions of officers  
in matters involving the public well-  
fare.

There is error.

"The moon of Mahomet arose, and it  
shall set," says Shelley, but if you will  
set a bottle of Dr. Bull's Cough Syrup  
in some handy place you will have a  
quick cure for coughs, colds and  
croup. The eighth wonder of the world.—A  
benighted man limping with rheuma-  
tism who had never heard of Salvation  
Oil. Price 25 cents a bottle.

There is an art in putting on  
gloves, says a fashion paper. Come  
to think of it, you have to get your  
hand in, as it were, in putting on  
a glove properly.

**Huckley's Arnica Salve.**  
THE BEST SALVE in the world for  
Cuts, Bruises, Sores, Ulcers, Salt  
Rheum, Fever Sores, Tetter, Chapped  
Hands, Chills, Corns, and all Skin  
Eruptions, and positively cures piles  
or no pay required. It is guaranteed to  
give perfect satisfaction, or money re-  
funded. Price 25 cents per box. For  
sale by R. N. Duffy. dec16 1y

**DIED.**  
On Saturday morning, October 29d,  
at 9 o'clock, in this county, of diph-  
theria, James W. Debruhl, son of Jas.  
E. and Sarah E. Debruhl, aged 17 years.

The deceased was a young man of  
good qualities and ever dutiful to his  
parents. He was liked by his acquaint-  
ances and admired by those who knew  
him for his manliness and good moral  
character. He remained conscious up  
to the time of his death and only a few  
minutes before gave his mother assur-  
ance that he was going to a better  
world and wished she could go with  
him.

## COMMERCIAL.

### COTTON MARKET.

New York, Oct. 28—10 1/2 a. m.  
Futures opened steady. Sales of  
bales  
October 9 3/4 April 9 3/4  
November 9 1/2 May 9 1/2  
December 9 1/2 June 9 1/2  
January 9 1/2 July 9 1/2  
February 9 1/2 August 9 1/2  
March 9 1/2 September 9 1/2  
New Berne market steady. Sales of  
107 bales at 9 1/2 to 1 1/4.

### Bargain! Bargain!

**J. M. HINES**

### 1,000 Pounds Hams,

which we have just put into the  
city.

Come and see  
**HUMPHREY & HOWARD,**  
oc291d1

### Saturday's Auction Sales.

**WATSON & SHERRELL** Auctioneers  
SATURDAY OCT 29 1887 at 10 o'clock  
at the Court House door in New Berne  
at 11 o'clock TWENTY BARRELS  
OF H. E. FLOUR slightly damaged by  
fire.

At Court House door at 12 o'clock  
A Valuable Farm and Improvements  
near the city. Terms Cash.

### Sale of Mortgaged Property

On Tuesday November 29th 1887 at  
the Court House door in Trenton, New  
Jersey, N. C. I will sell at public sale  
for cash, the land of W. C. Bryan about  
30 acres in said county, lying on the  
south side of the A. & N. C. R. R. and  
more fully described in the mortgage  
deed executed by said Bryan and re-  
corded in Register's office in Jones  
county, N. C. book No. 31, page 294, to  
satisfy claims for which said mortgage  
was made.  
J. W. GLENN, Esq., Agent.  
OCT 29th 1887. 1w1d

### For Rent,

The Large Dwelling House on Pollock  
street, recently occupied by Mr. R. H.  
Jones. Apply to  
E. A. ROBERTS  
oc261d1w

### A Great Bargain.

**160 ACRES, MORE OR LESS.**  
Will be sold at Public Sale.

On Saturday, 29th of October, at the  
Court House door in New Berne, at 11  
o'clock, noon—

A valuable tract of land situated on the  
south side of the New Berne River, three miles  
from the city of New Berne, N. C.,  
containing a well cleared, level and well  
adapted for trucking, corn, cotton and other  
crops. The balance heavily timbered  
with good dwelling, outbuildings, and a fine  
orchard. It has a fine factory fronting half a  
mile on the beach, where there are high  
banks of sand that can never be exhausted,  
from which excellent sand can be had. Also  
a small mill in operation and ready to be  
started. It is a very beautiful and healthy  
location, presenting a new view to the pas-  
senger crossing and railroad. There is a fine  
time for a truck yard on the beach.  
J. F. FRENCH  
oc291d1w

### NOTICE TO

### Mercants and Others.

500 bbls. Flour,  
100 sks. Salt,  
100 cases Canned Goods,  
25 boxes D. Salted Meat,  
100 kegs Nails,  
25 bbls. Sugar,

### FOR SALE CHEAP AT

**F. ULRICH'S,**  
Middle Street, New Berne, N. C.

### New Millinery Goods!

I have returned from New York and  
received a

### Complete Stock of Fall and

**Winter Millinery Goods,**  
also Velvets and Plushes, which I am  
offering at extremely low prices. I  
have also a large stock of Novelties and  
Fancy Articles. My Pattern Hats and  
other goods are open, and I invite my  
friends and customers to examine be-  
fore purchasing.  
Am too busy for a regular opening  
day.

**C. M. V. FOLLETT,**  
New Berne, N. C. oc13d1w2m

### For Sale Cheap,

**ONE HUNDRED AND TEN BBLs**  
FLOUR slightly damaged by water.  
**HUMPHREY & HOWARD.**  
oc18d1w1f

### \$6 a Day--A Gold Mine

For Agents, Grandest Money Making  
Business ever offered. A golden harvest  
for the next two months, \$75 per month  
and expenses to active men to sell our goods.  
No capital required. No peddling. Sam-  
ple case of goods and valuable information  
and full particulars FREE. No humbug!  
We need just what we say. Address at once  
STANDARD SILVERWARE CO.  
oc291d1w1f

### Use House's Chill Syrup

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south side of the A. & N. C. R. R. and  
more fully described in the mortgage  
deed executed by said Bryan and re-  
corded in Register's office in Jones  
county, N. C. book No. 31, page 294, to  
satisfy claims for which said mortgage  
was made.  
J. W. GLENN, Esq., Agent.  
OCT 29th 1887. 1w1d

### For Rent,

The Large Dwelling House on Pollock  
street, recently occupied by Mr. R. H.  
Jones. Apply to  
E. A. ROBERTS  
oc261d1w

### A Great Bargain.

**160 ACRES, MORE OR LESS.**  
Will be sold at Public Sale.

On Saturday, 29th of October, at the  
Court House door in New Berne, at 11  
o'clock, noon—

A valuable tract of land situated on the  
south side of the New Berne River, three miles  
from the city of New Berne, N. C.,  
containing a well cleared, level and well  
adapted for trucking, corn, cotton and other  
crops. The balance heavily timbered  
with good dwelling, outbuildings, and a fine  
orchard. It has a fine factory fronting half a  
mile on the beach, where there are high  
banks of sand that can never be exhausted,  
from which excellent sand can be had. Also  
a small mill in operation and ready to be  
started. It is a very beautiful and healthy  
location, presenting a new view to the pas-  
senger crossing and railroad. There is a fine  
time for a truck yard on the beach.  
J. F. FRENCH  
oc291d1w