

THIS PAPER
Is published every afternoon, Sundays, excepted by
JOSH. T. JAMES,
EDITOR AND PROPRIETOR.
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THE DAILY REVIEW.

VOL. IV. WILMINGTON, N. C., WEDNESDAY, OCTOBER 8, 1879 NO. 208

Miscellaneous

BROWN & RODDICK,
45 Market St.

We have just finished taking our annual account of the week, and are now daily receiving NEW GOODS from the Northern Markets, suitable for the
FALL AND WINTER TRADE!
Our patrons will study their best interests by making their purchases as early in the season as convenient, as the general indications of the market have an upward tendency. We have just received over
20,000 YARDS BEST CALICO!
PRICE 4 CENTS.

Wholesale buyers would do well to look over our stock before purchasing as we have a great many goods we are offering much below THE PRESENT MARKET VALUE.

Fans & Parasols.
Closing out the balance at Greatly Reduced Prices.

Plain, Striped and Checked Nainsook Muslins. The best value ever offered. Call and examine.

Linon Lawns from 12 1/2 to 20 cents.

Dress Goods.
Our Variety is Large. Our prices ARE LOW. 8c upwards.

Laces.
Bretonne, Torchon and Italian Laces. We have very much the largest assortment that has been offered in this city and our prices either by the yard or piece, can not be undersold.

Quilts.
Domestic and Imported Quilts. Our stock of the above is large. We have marked none up in price, preferring to give our patrons an opportunity to supply their wants at the old prices.

Table Linens-Towels and Napkins.
Our present assortment excels anything we have ever shown. Call and give our stock a look over. Our Buyer is in the market at present and we are receiving many Novelties.

OUR
5 and 10 Cents Bazaar

Is situated on the S. W. corner of Market and Second streets, and every Steamer that comes into this port brings a Fresh Lot of the most surprisingly Cheap and Useful Goods that ever were offered in any market under any circumstances. We offer great inducements to Wholesale Buyers.

BROWN & RODDICK,
45 Market Street

Manchester Yarn.
25 Bales MANCHESTER YARN.
A superior quality, just received
25 Bales Late George Skeeting.

Salt, Bagging, Ties.
6000 Sacks LIVERPOOL SALT.
1200 Whole and Half Hops BAGGING.
3500 Bundles New TIES.

Flour, Bacon, &c.
1500 Bbls Fresh Flour,
250 Boxes D. S. and Smoked Slices,
50 Bbls City Mess Pork,
10 Tubs Choice Family Lard,
125 Bbls Sugar, Cracked, Granulated, A. Extra C, and C.
100 Bbls and Boxes Fresh Crackers,
145 Boxes Cream Cheese,
Potash, Lye, Soda, Soap, Starch, Buckets, Paper Twine.
For sale low by
WILLIAMS & MURCHISON,
Wholesale Gro. & Com. Mer.

Baby Syrup.
PARKER'S GINGER TONIC, Indian Colicogue, Bull's Cough Syrup, Klutz Chill Cure, Arter's Aque Cure and a complete stock of pure Drugs and Medicines.
F. C. MILLEN,
Corner 4th and Ann Streets.
Open day and night,
Oct 6-7

LOCAL NEWS.

New Advertisements.
Geo. N. HARRISS, Reporter—Knights of Honor.

I. H. BROWN—New Livery Stables
P. H. HARRISS—Buy Your School Books.
A. R. BLACK—Not ce.
MUNSON—It's Coming Every Day.
A. & I. BARRIE—They are Here.

Unknown—
Coots are plentiful.
Thieves work on abstract principles.
Hard money is that which is hard to get.

Knights of Honor meet to-morrow night.
Widow Glass—all sizes at J. COBURN'S Hardware Depot.

Of course justice is cool, because it is just-ice.
Window Glass of all sizes at J. COBURN'S Hardware Depot.

The storm signals at Smithville have been ordered down.
No bald-headed man was ever converted by a sermon during the season.

In order to look spruce it is not necessary that you remain evergreen.
Mosquitoes are terrible duns; they are always presenting their little bills.

A hen is a model for dancers. She never leaves her nest except to eat and drink.
The street car track is being filled up with ballast and made level with the street.

Strangers in the city should not fail to visit the S. H. Factory, foot of Walnut street.
The schooner *W. G. Moseley*, Bellamy, cleared at Boston on the 6th inst. for this port.

The steamship *Benefactor*, Captain Jones, arrived in port this morning from New York.
The Norwegian bark *Condor*, Neilson, sailed from London, Eng., on the 4th inst for this port.

A profane upstart—The man who sat on a bent pin.
She certainly had a pretty foot, but after all it didn't make so much impression on him as the old man's.

The man who got drunk at an election said it was owing to his efforts to "put down party spirit."
The sun is 320,000 times larger than the earth, and yet it persists in striking so small a thing as a man.

It is said money that comes easily goes easily. It is the same way with hard money that comes hard.
That was a good prayer of the old deacon: "Lord, make us willing to run on little errands for Thee."

It is difficult to imagine a soul living forever, when we consider how exceedingly small some men's souls are.
The man who was 'moved to tears' complains of the dampness of the premises and wishes to be moved back again.

"Down with whiskey," is the rallying cry of the prohibitionists—*Boston Globe*.
Well, down it goes millions of throats night and day.

The bashful young lady who fainted when the butcher spoke of a leg of mutton has recovered sufficiently to stuff herself with a breast of veal.
The Norwegian bark *Sto*, Moilland, hence for Liverpool, Eng., put into Halifax, N. S., on the 31st inst. with 700 her crew sick with fever and ague.

It will interest railroad men to know that the proprietor of the Pullman car invention reports that paper wheels have run 400,000 miles under his cars without repair, while the average running power of an ordinary wheel is from 55,000 to 60,000 miles.

INDICATIONS.
WAR DEPARTMENT.
Office of the Chief Signal Officer,
Washington, D. C., Oct. 8, 1879.

For the South Atlantic States cloudy and rainy, followed by clearing weather, Easterly winds, nearly stationary temperature and barometer.

Suggestion is a privilege all can make use of, and we would suggest to the myriads of sufferers from Bilious Fever, Fever and Ague, Indigestion, etc., to use Dr. Bull's Baltimore Pills, whose curative power over these diseases is gratefully appreciated by thousands. Price only 25 cents.

County Examiner's Notice.
Mr. A. R. Black, County Examiner for persons who are applicants for positions as teachers in the public schools, gives notice that he will be at the Court House Thursday, Friday and Saturday of this week to attend upon this duty.

Second Crop of Apples.
Captain Gilbert, formerly of the Seaman's Home, informed us this morning that owing to the favorable season of warm weather, or from some other cause, unknown to him, he has apple trees on his premises, corner of Ninth and Walnut streets in this city, with a second crop of apples upon them equal in size to a hen's egg. One tree alone, Captain Gilbert says contains as many as fifty or sixty young apples.

For bar steel, iron and carriage goods go to JACOBI'S Hardware Depot.

The Vexed Road Question.
The following is the opinion of Col. B. R. Moore, Solicitor of the Criminal Court for this county, on the vexed question as to the jurisdiction of Justices of the Peace in cases of refusal to work the public roads. It was furnished us, at our request by Maj. Geo. W. Dunham, the Clerk of the Court. Col. Moore, it will be seen, differs very materially from the opinion of Col. Thos. S. Kenan, Attorney-General, as published by us a week or so ago. Judge Meares, we are informed, agrees with Solicitor Moore in his opinion and so charged the jury on Monday. The following is the opinion referred to:

It is manifest that it was the intention of the Legislature to confer upon Justices of the Peace exclusive original jurisdiction of the offence created by section 6, chapter 82, Laws of 1878-9; but the question is, does the act referred to carry out this intention? I submit that it does not, and that Justices of the Peace have not original jurisdiction over the offence thereby created; to-wit, failure to work on the public roads.

It may be noted in the first place that section 27, article 4, of the Amended Constitution, so far as it confers jurisdiction over criminal matters upon Justices of the Peace, is the same as section 33, article 4, of the old Constitution of 1868, the words of the clause conferring this jurisdiction, being in both sections identical, with two exceptions.

Section 33, article IV, of the old constitution, gives to Justices of the Peace exclusive original jurisdiction "of all criminal matters arising within their counties, where the punishment cannot exceed a fine of fifty dollars, or imprisonment for one month." Section 27, article IV, of the Amended Constitution gives the same jurisdiction "of all criminal matters arising within their counties, where the punishment cannot exceed a fine of fifty dollars or imprisonment for thirty days; the only difference between the corresponding clauses in the two constitutions being the distinction which the Supreme Court has drawn between the meaning of the phrase *one month* and the phrase *thirty days*. Why the words *thirty days* were substituted in the Amended Constitution for the words *one month* in the old constitution, is well known to the profession; this distinction drawn by the Supreme Court being the original cause.

I will be observed that the words of the constitution give the magistrates jurisdiction where the punishment is by fine or imprisonment; not where the punishment is by *fine and imprisonment*. I submit that whenever a penal statute gives the court power to inflict a punishment of both fine and imprisonment; then the jurisdiction is taken away from the Justices of Peace although it may have been the intention of the Legislature to confer jurisdiction upon them; and for this position I cite the cases of the State vs. Deaton, 65 N. C., page 496, and State vs. Heeburg (et al.), 70 N. C., p. 493.

Deaton's case was for "wilful abandonment" under the act of 1868-9, brought forward in Battle's Revision, section 119, chapter 82, where the defendant upon conviction was to be "fined not to exceed the sum of fifty dollars or imprisoned not to exceed one month, or both, in the discretion of the Judge of the Superior Court, or Justice of the Peace before whom the case shall be tried." In this case, after expressing a disposition to leave all such cases to the jurisdiction of Justices of the Peace the Court says, "but upon a close examination of the wording of the statute we think this cannot be done, as the act authorizes the infliction of both a fine and imprisonment, and not merely a fine or imprisonment, for one month as prescribed in art. 4, Section 33, of the constitution."

In Heideberg's case the court affirms the decision in Deaton's case, giving the argument more fully.
In what particular does the case at Bar differ from the cases cited? The defendant in the case at Bar is indicted for refusal to work upon a public road under sec. 6, chap. 82, laws of 1878-9. This section provides that any person who, being liable to work on the public roads, shall fail to do so, shall be guilty of a misdemeanor, and on conviction shall be fined not less than two dollars nor more than five dollars, or imprisoned not exceeding five days, or both in the discretion of the Court; giving to the court the power to inflict both the fine and the imprisonment.

Spoken.
The master of the German Park Friedrich Scalla reports having spoken, Oct. 6th, in lat. 32 30 and long 77, schooner *Jenny Bond*, of Boston, bound Sou h.

Thanksgiving.
There will be services held at the Front Street M. E. Church to-night, and at the Fifth Street M. E. Church to-morrow night, for the purpose of rendering thanks to God for the recent outpouring of His grace in the revivals which have been experienced in those churches.

Unavailable.
The following unavailable postal matter remains at the Postoffice in this city: Sister Cecilia, Convent of Mary, South Carolina; Mr. Geo. W. Davis, 821 Broad street, Richmond, Va.; Virginia P. Gibson, care Albert Gibson; Alfred Harrison, Powelton, via Brunswick county.

Save your money by buying your Building Supplies from Attaffer & Price.

Will Go.
At a meeting held last night, the Champion Base Ball Club of this city decided to attend the Anson County Agricultural Fair, to be held at Wadesboro on the 18th, 19th, 20th and 21st of next month. They will play a match game on the 19th which, we believe, will be for the championship of the State.

Theatrical.
The next entertainment for the season will be at the Opera House on the 15th inst., when Mr. John A. Stevens, supported by an excellent company, will appear in the popular play of "Unknown," Mr. McAdow, the advance agent for the company, is now in the city making the preparatory arrangements for the performance.

The Panorama Last Night.
Prof. Hazley, a native of Africa, delivered a lecture at the City Hall last night upon the climate, soil and resources of that country, together with an account of the manners, customs and habits of its people. The lecture, which was quite interesting, was illustrated by panoramic views, and was listened to by a large audience who were both entertained and instructed.

You can get the best White Lead, Paints and Oils, and lowest prices at JACOBI'S Hardware Depot.

Carolina Fair Association.
We tender our thanks to Col. Chas. R. Jones, Secretary, for an invitation to attend the Annual Exhibition of this Association, which is to take place at Charlotte on the 4th, 5th, 6th and 7th of November. From present indications the coming Fair will be larger and better than any of its predecessors. We wish it every success.

For Gen. Hood's Children.
Messrs. F. Henderson, J. W. Plummer and Willie J. Carter, the committee appointed by Loch Lomond Lodge F. & A. M., to raise funds for the benefit of Gen. Hood's children, have in their possession the neat little sum of \$19.50, which they are ready to forward to Hon. Isaac W. Patten, Mayor of New Orleans, who, we understand, authorized to receive funds donated to this purpose. Loch Lomond has set a worthy example in a noble cause which might be emulated by others.

City Court.
Allen Pittford, colored, charged with disorderly conduct and resisting police received a sentence of \$15 fine—or twenty-five days in the city prison. The prisoner took the alternative, and went below.

A colored, beligerent, charged with assault and battery, was fined \$20 and costs—or given the privilege of thirty days in the city prison. The defendant agreed to pay the fine.
Wm. Shehan, arraigned for disorderly conduct, was sentenced to pay the costs.

The best Windows, Doors and Blinds and Lowest Prices can be got at JACOBI'S Hardware Depot.

Mr. P. Heisberger is improving and beautifying his music and art gallery. He is having a long upright show case erected which when completed it will be quite an improvement to his stores.
The work of erecting and getting in order the Bell Telephone Exchange is being rapidly pushed by Mr. DeForest, the State Agent of the Bell Telephone Company.

SIGNAL SERVICE, U. S. A.,
Station Wilmington, N. C., Oct. 8, 1879
—8:10 a. m.
The following orders have been received at this station:
Signals are ordered down at Smithville.
J. M. WATSON,
Sergt. Signal Corps, U. S. A.

Sudden Death of Captain Samuel Hooker of the Br Barque George Davis.

We were very much shocked this morning to learn of the sudden death of Captain Samuel Hooker, the commander of the British barque *George Davis*, of a congestive chill, which occurred at Smithville this morning about 10 or 11 o'clock. The *George Davis* was cleared from this port one week ago yesterday by Messrs Alex. Sprunt & Son with a cargo of naval stores for London. But owing to adverse winds which have prevailed on the coast causing the sea to be pretty rough on the Bar, the departure of Captain Hooper with his vessel has been delayed at Smithville up to this time.

The first intimation of Captain Hooker's illness received here was by a telegram from Dr. W. G. Curtis, of Smithville, to Messrs Alex. Sprunt & Son, this morning, informing them of the dangerous illness of the Captain, stating that he had had two congestive chills, whereupon the senior member of the firm, Mr. Alex. Sprunt, immediately proceeded down the river, but did not reach Smithville in time to see Captain Hooker alive.

The unfortunate man who has just departed this life has been sailing to this port ever since the war, the most of the time in the brig *C. C. Van Horn*, and was held in such high esteem by the owners of his vessel, that upon the completion of the barque *George Davis*, some three years ago, was given command of this handsome ship and made the first trip in her to this port. The deceased was about fifty years of age and a native of England; where he leaves a wife and children to mourn his loss. Captain Hooker leaves also many friends and acquaintances in this city who will grieve at his untimely end. The remains, we understand, will be interred at Smithville for the present, or until such time as his family may see proper to remove them hence.

Messrs. Sprunt & Son, the Consignees, have not decided definitely yet whom they will place in command of the ship, but will, in all probability, reach a decision upon this point to-morrow morning, when the vessel will proceed on her homeward bound voyage, but without her late lamented Captain, who by that time will be resting quietly beneath the sod in the village graveyard, which is within sound of the ocean's waves.

The Plant Industry.
A new industry has recently been developed at Burgaw. Messrs. Herring & Moore, two very clever young gentlemen, who are in business at that point, are purchasing a number of roots and herbs for which they have found a market elsewhere. Prominent among these is what is known as vanilla or dog-tongue, which is brought in to them, when dried, in large quantities, and then baled and shipped to other points, the vanilla being used for flavoring smoking tobacco. The air around Burgaw seems thoroughly impregnated, and that not unpleasantly, with the fragrance of this herb.

The vanilla, however, is not the only plant which is shipped by Messrs Herring & Moore. The common yellow flower, which grows so profusely in old fields, and often by the wayside, known as a dye weed, is also purchased and shipped by them, as is also the common gallberry bush, known as ink-berry, the root of which is said to be a fine febrifuge, used often instead of quinine; the Indian hemp, the root of which, exceedingly bitter to the taste, was extensively used as a febrifuge during the late war; muck-weed, otherwise known as Queen's Delight, the exact use of which we do not know, but which we think has purgative properties; the root of the pond-lily, which when gathered has a very bitter taste, rough and rasping like a green persimmon, and the common fennel bush, which is used for tanning leather.

The fact that there is a market for such things as these goes to prove a fact which we have long asserted, viz: that the woods and swamps of the sandy belt of the old North State contain many as yet unknown and therefore unappreciated sources of wealth. Not long since a distinguished gentleman from the Western part of the State, a gentleman who is an enthusiastic botanist, gathered while on a visit to Pender county over one thousand specimens of roots and herbs, all of which he thought might be found useful in manufactures or in medicines.

Two cases of larceny, one of forcible trespass and one for assault and battery, were disposed of in the Criminal Court to-day.

PLEASE NOTICE.
We will be glad to receive communications from our friends on any and all subjects of general interest but:
The name of the writer must always be furnished to the Editor.
Communications must be written on only one side of the paper.
Personalities must be avoided.
And it is especially and particularly understood that the Editor does not always endorse the views of correspondents, unless so stated in the editorial columns.

The Floating Dock.
The German barque *Lydia Feschau* was hauled upon the new floating sectional dry dock yesterday in order to undergo some repairs. This is the first vessel, we believe, which has been hauled on the dock since its completion, and although the barque is a large one, registering nearly 400 tons, the task was accomplished with the greatest ease, the dock only being sunk 15 inches deeper in the water after receiving its ponderous load. The dock master, Mr. James Shewan, has had much experience in such matters, which was perhaps the reason why the task was performed without difficulty.

The White Fire Department.
It was decided last night, rather suddenly, we understand, that the Annual Parade of the white Fire Department should take place this afternoon. The parade was fixed for 3:30 o'clock, and Col. Roger Moore, the Chief of the Department, was appointed Marshal. Col. Moore thereupon named as his aids Messrs. J. H. Daniel, of Wilmington Hook & Ladder Co., No. 1; E. G. Parmelee, of the *Little Giant*, and J. G. Oldenbutter, of the *Adrian*. The indications are that the occasion will be a very pleasant one. The ranks are pretty full on parade and at the close there is to be a little feast of reason and a flow of something else on tap at the *Little Giant* Hall. It will all come in too late for this issue and we are therefore compelled to postpone a full report until to-morrow.

New Advertisements.
Knights of Honor.
CHARINA LODGE No. 434. Special Meeting to-morrow (Thursday) evening, at 8 o'clock, for the purpose of conferring degrees.
GEO. N. HARRISS,
Reporter.
Oct 8

Notice.
I WILL ATTEND AT the Court House on Thursday, Friday and Saturday of this week, for the purpose of examining teachers for the public schools in New Hanover County.
A. R. BLACK,
Examiner.
Oct 8-11

New Livery Stables!
I WOULD RESPECTFULLY INFORM the public that I have opened Livery Stables at Burgaw, on the South side of Fremont street, near the railroad, where I am prepared to take care of Horses, and furnish conveyances to travellers at low rates.
I. H. BROWN,
Proprietor.
Oct 8-dit-wlm

Buy Your
SCHOOL BOOKS, BLANK BOOKS, Stationery, Gold and Steel Pens, Novels and Standard Works from the
LIVE BOOK STORE.
Also, Pianos, Organs, Guitars, Violins, and General Musical Merchandise.
Chromos and Engravings, Frames, all sizes and styles at
HEINBERGER'S,
39 and 41 Market St.
Oct 8

Mullets.
150 Barrels BRIGHT and FAT,
For sale by
Oct 7 HALL & PEARSALL.

IT'S COMING EVERY DAY.
SUITS OF CLOTHING, in S. B. Sacks, D. B. Sacks, F. B. Cutaways, D. B. Frocks, Boy's and Children's Clothing, Extra Pants, for large or small men. Good assortment, Low Prices. Come Quick.
MUNSON'S, THE CLOTHIER AND MEN. TAILOR.
Oct 7

Meginney's Hall Re-opened
AND WILL BE READY FOR USE by the 9th inst. The Hall will be rented only to responsible parties.
BEHRENS & MUNROE
Oct 6-17

Buggies, Buggies, Harness & Saddles,
FOR SALE AT
GERHARDT & CO'S.
3rd St., opposite City Hall.
REPAIRING DONE WITH NEATNESS AND DISPATCH.
HORSE-SHOING A SPECIALTY.
Oct 6-7