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The Daily Review.

J. SH. T. JAMES, Editor & Prop. WILMINGTON, N. C.

TUESDAY, FEBRUARY 24, 1885.

Entered at the Postoffice at Wilmington, N. C., as second-class matter.

THE CRIMINAL COURT.

An Act to Establish a Criminal Circuit to be Composed of the Counties of New Hanover and Mecklenburg

The General Assembly of North Carolina do enact:

SECTION 1. That courts of record to be called "The Criminal Court of New Hanover county" and "The Criminal Court of Mecklenburg county" respectively, are hereby established.

The Criminal Court of New Hanover county shall be held in the city of Wilmington, in said county of New Hanover, and the Criminal Court of Mecklenburg county shall be held in the city of Charlotte, in said county of Mecklenburg.

Sec. 2. That the said courts, respectively, hereby established, shall possess all the powers, perform all the duties and be subject to all the restrictions of a court of record, according to the laws of this State.

Sec. 3. That the said Criminal Courts shall have exclusive original jurisdiction to enquire of, hear, try and determine all crimes, misdemeanors and offenses, committed within the counties of New Hanover and Mecklenburg, respectively, fully and to the same extent as the Superior Courts of the State, and exclusive appellate jurisdiction of all offenses tried and determined before a justice of the peace or other magistrate in said counties respectively.

Sec. 4. That the said Criminal Courts shall have all the jurisdiction, vested in the Superior Courts, to try all crimes and criminal offenses originating within the said counties of New Hanover and Mecklenburg respectively, and to give judgment and award execution thereon, and for the recovery of all fines and forfeitures, and that the process, pleading, practice and modes of proceeding shall be the same in said courts as prevail in the Superior Courts of the State in such cases as aforesaid.

Sec. 5. That appeals to the Superior Court, and writs of error may be prosecuted from the judgments of said Criminal Courts, in the same manner as they may be from the Superior Courts.

Sec. 6. That there shall be one judge of said Criminal Courts, who shall preside over both of the said courts, to be appointed by the Governor of the State by and with the consent and confirmation of the Senate, who shall receive an annual salary of two thousand five hundred dollars, to be paid equally by the said counties of New Hanover and Mecklenburg, in quarterly instalments, as hereinafter provided, and the said judge shall take the oath prescribed for judges of the Superior courts, and shall hold office for the term of eight years, unless removed from office as in the next section provided.

Sec. 7. That such judge may be removed from office for the same cause and in the same manner as a judge of the Superior Court, and all vacancies in said office shall be filled by appointment of the Governor, and the person so appointed by the Governor shall hold office until the meeting of the next General Assembly shall elect a person to fill the said office for the unexpired term.

Sec. 8. That the judge of the said Criminal Court shall be a conservator of the peace within said counties and shall have all the powers of the several judges of the Superior Courts of this State to hear and determine all criminal cases arising within said counties, and the like powers to issue warrants or precepts for the arrest of criminals anywhere within the limits of the State, administer oaths, issue writs of habeas corpus, and hear and determine the same, in the same manner as the judges of the Superior Courts.

Sec. 9. That there shall be a solicitor for each of the said Criminal Courts, who shall be appointed by the Governor, by and with the consent and confirmation of the Senate, and who shall hold his office for the term of four years and until his successor is qualified. He shall be a resident of the county for which he is chosen, and shall receive the same fees as now allowed by law to the solicitors of the several judicial districts, and in addition thereto shall be paid an annual salary, in quarterly instalments and of such a sum as the commissions and justices of the peace may allow for performing the duties of his office hereinafter prescribed; said sum to be paid as herein provided, upon the certificate of the clerk of said court that he has attended the terms of said court and discharged the duties of his office. Should any vacancy occur by the death, resignation, refusal to accept or removal from office of said solicitor the judge shall have the power to appoint a solicitor for the unexpired term. The duties of the solicitor shall be the same in respect to criminal matters arising in the said county, for which he is chosen, as those prescribed by law for the solicitors of the several judicial districts of this State, and he shall take a similar oath of office, and be removable for the same causes as the solicitors for the several districts of the State. He shall at least once in every three months, make an examination of the office of Register of Deeds, and the Superior Court Clerk, in the presence of the respective officers; and the said Register of Deeds and the clerk of the Superior Court shall furnish every facility to enable the solicitor to make such examination for the purpose of ascertaining whether inventories, accounts of sale, accounts current, wills, deeds, bills of sale, official bonds, mortgages and all other papers required or allowed to be recorded and registered and properly indexed; and also whether the several dockets and records or papers of the different courts, including justices of the peace, have been kept and filed in the proper manner and as required by law. The judge and solicitor of the said court, when duly appointed and confirmed, as herein provided, shall be commissioned by the Governor in like manner as the judges and solicitors of the Superior Court.

Sec. 10. That the aforesaid Solicitors shall make a faithful report in writing of the several matters hereby directed to be examined, specially stating in what respect, if any, there has been an omission of duty by the officers aforesaid, and the said report shall be made to the aforesaid Criminal Court at the next term thereof, which shall be held subsequent to such examinations, and when it shall appear from such reports that there has been an omission of duty on the part of any of said officers, the said solicitor shall cause an indictment to be preferred for such reported breach of duty, and on conviction the defendant shall be fined, or imprisoned, or removed from office at the discretion of the court: Provided, however, that this indictment shall not exempt any of said officers from being indicted for other breaches of duty, as prescribed by law.

Sec. 11. There shall be a clerk for each of said courts of Mecklenburg and New Hanover counties to be appointed by the Governor, confirmed by the Senate, and commissioned by the Governor, as herein provided in the cases of the judges and solicitors, and said clerk shall enter into bond, with good and sufficient security in the sum of ten thousand dollars, to be approved by the county commissioners, payable to the State of North Carolina, for the faithful performance of the duties of his office, which bond shall be renewed annually, and recorded as other official bonds; and the person so appointed as clerk for the said court shall hold his office for the term of four years, and in case of failure of the person so appointed to file said bond on the first day of the first term which shall be held of said court, or in case of any vacancy accruing from any cause whatever, the said judge shall have full power to appoint another person to fill said office. And he said clerk shall perform all the duties incident to his office, and shall receive the same fees and compensation therefor as is now allowed by law to the clerk of the Superior Courts and the same clerk shall be removable from office for the same causes as is now provided by law for the removal from office of the clerks of the Superior Courts.

Sec. 12. That the Sheriff of New Hanover county shall be the sheriff of the Criminal Court of said county, and the sheriff of Mecklenburg county shall be the sheriff of the said Criminal Court of Mecklenburg county, and each of said sheriffs, by himself or his lawful deputies, shall discharge all the duties incident to his office required of him in relation to the business of the said court, and for a failure to perform the same shall be subjected to all the penalties and liabilities now prescribed by law.

Sec. 13. That it shall be the duty of the board of county commissioners of each of the said counties of New Hanover and Mecklenburg to provide for the payment of the salaries of the judge and solicitor and the fees and compensation of the clerk and sheriff of said courts respectively, and the pay of jurors and witnesses and all other expenses incident to said court by order of the county treasurer of said respective counties, which order shall be paid by said treasurer out of any moneys in his hands not otherwise appropriated by law.

Sec. 14. That the commissioners of each of said counties shall provide the necessary books to be used as dockets by the said court, and also a seal for said courts, with such a device as the judge of the court shall prescribe, and shall furnish a suitable room or office for the use of the clerk of said court.

Sec. 15. That there shall be six terms of the said Criminal Court of New Hanover county in each year held in the court house in New Hanover county, on the 1st Monday of January; 3rd Monday of March; 3rd Monday of May; 3rd Monday of July; 3rd Monday of September; 3rd Monday of November; and there shall be six terms of the said Criminal Court of Mecklenburg county on the 2nd Monday of February; 2nd Monday of April; 2nd Monday of June; 2nd Monday of August; 2nd Monday of October; 1st Monday of December;

and said courts shall continue their sessions for each of the terms of said court, the business thereof shall so require, and the judge of said court shall have power to hold special terms of said court whenever it shall seem necessary to him to order the same, of which order fourteen days of public notice shall be given in the manner to be prescribed by the judge and at such special terms he may make all orders and do any and everything which he can do at the regular term, and when such special terms shall be so ordered, all process and precepts returnable to the next regular term, shall be deemed returnable to such special term, and all recognizances, bonds, obligations and summonses taken for the appearance of defendants and witnesses to said regular term shall be binding upon said parties for their appearance at the special term aforesaid.

Sec. 16. That in cases of change of venue from the Criminal Court of New Hanover or Mecklenburg county, applied for on account of the interest, prejudice or relationship of the judge of said court, or on account of any other legal objection to said judge, the cause shall not be transferable to another county for trial, but the judge may order it to be transferred to the Superior Court of said county, but any party desiring a change of venue from said Criminal Court on account of any other cause may, upon application to the judge, obtain a removal of the same to any adjoining county under such rules and for such causes as are prescribed by law for the removal of criminal causes from one county to another county.

Sec. 17. That if the judge of the said Criminal Court shall fail to attend to hold court on the day designated for a regular or special term, it shall be the duty of the clerk to open and adjourn the court for the two first days of the term, and if the judge shall not attend by the first day of the next term in court, and all the recognizances, bonds, obligations, process and other proceedings returned or returnable to said term, shall be proceeded in as though the same were returnable to such next regular term, as is now provided in such cases in the Superior Courts, and shall be returnable as in such cases provided in the Superior Courts, and shall be returnable as in such cases provided in the Superior Courts, and shall be returnable as in such cases provided in the Superior Courts, and shall be returnable as in such cases provided in the Superior Courts.

Sec. 18. That so much of section one thousand seven hundred and twenty-seven of the Code of North Carolina as requires the county commissioners to draw thirty-six jurors to serve during the first week of the terms of the Superior Courts of said county, and also to draw eighteen jurors to serve during the second week of the terms of the Superior Courts, shall not apply to the commissioners of New Hanover county and Mecklenburg county, and from and after the ratification of this act the county commissioners of each of said counties shall proceed, at least twenty days before the meeting of regular terms of the Superior Court of said counties, to draw the names of not less than twelve nor more than twenty-four jurors in the manner now prescribed by law for each week of the term of said Superior Courts, who shall be summoned during the week for which they are selected. And it shall be the duty of the county commissioners of each of said counties, at least twenty days before the regular terms of the said Criminal Courts, or ten days before any special terms of said courts, to draw the names of thirty-six jurors, under the same rules and regulations as are now required by law to serve as grand and petty jurors at the next term of said court, and at the said term of court there shall be drawn by a boy of ten years of age, or under, twelve jurors from said number of thirty-six jurors drawn as aforesaid, who shall constitute a grand jury for said court, nine of whom shall be necessary to agree before a bill of indictment shall be returned as true; and upon the failure of the commissioners of said counties to draw the jurors as hereinbefore provided, said jurors shall be drawn by the sheriff and the chairman of the board of commissioners in the manner prescribed in this section and by existing laws, in regard to jurors of the Superior Court, not inconsistent herewith.

The qualification of jurors in these courts shall be the same as prescribed by law for jurors in the Superior Courts. Sec. 19. All jurors who shall attend or serve in said courts shall be entitled to the same compensation and be subject to the same rules and regulations, and possess the same qualifications as are required by law in regard to jurors in the Superior Courts. And in the county of New Hanover there shall be a special venire, the number of which shall be designated by the presiding judge, drawn from day to day of each term of said court, under the supervision of the chairman of the board of county commissioners, or some other member of said board, and the clerk of the said Criminal Court, by a boy of ten years of age or under, from a box containing the names of the qualified jurors of said county, to be furnished by the county commissioners, and the said special venire shall be drawn and the list given to the sheriff of said county on not less than the day previous to that on which the jurors of said special venire are required to serve; and that there may not be a deficiency of jurors upon any day of said court, the judge thereof may order the sheriff to summon a sufficient number of the bystanders as may make up the deficiency. In all cases of capital felonies the special venire, ordered by the judge to be summoned, shall be drawn according to the mode herein set forth; should this venire be exhausted before a jury is selected, then a second venire shall be drawn and summoned in like manner. All jurors drawn under the provisions of this amendment shall receive the same pay per diem as said jurors, and shall not be regarded as said jurors, or subject to challenge as such. The county commissioners are empowered to allow such an amount per diem to the supervisors of said drawings as they may deem just and proper, and for summing the special venire, the sheriff shall receive the same fees as he is allowed by law for summoning said jurors.

Sec. 20. That in the county of Mecklenburg, if at any time during the session of said court for said county there should be a deficiency of jurors, the judge may direct that there be summoned the bystanders, a sufficient number of persons to act as said jurors in said court, in the same manner as is now prescribed by law for said jurors in the Superior Courts, and the judge shall also have the power in the trial of capital felonies to order special venires as now prescribed for the Superior Courts.

Sec. 21. That it shall be the duty of the Superior and Inferior courts of the county of Mecklenburg, at the next term thereof, to be held after the ratification of this act, to transfer and remove under proper certificates by the clerk of said courts, respectively, or by proper exemplifications of the record of said courts, all criminal causes and all proceedings by certificates against defaulting defendants and witnesses summoned therein, or their securities, pending in said Superior and Inferior courts, and not disposed of at said term to the said Criminal Court; and the said Superior and Inferior courts shall recognize as well the witnesses as the defendants in causes and proceedings aforesaid to appear at the next term of said Criminal Court; and the said Criminal Court shall have jurisdiction to regulate proceedings by scire facias against defaulting defendants and witnesses summoned in said causes, or their securities, when the default occurred before the transfer or removal of said causes, and there has been no judgment rendered therein in said Superior or Inferior Court, in the same manner as if said default had occurred in the said Criminal Court. That the Inferior Court of the county of Mecklenburg is hereby abolished from and after the first day of March, 1885, except for the purpose of transferring cases and proceedings as herein provided. That the Criminal Court shall have and possess full jurisdiction in the county of Mecklenburg, to proceed to hear, try and determine all causes and other matters transferred from the Superior and Inferior Courts of said county, in the same manner and to the same extent as the court from which said causes and matters were transferred would have had, but for the provisions of this act, with the right of appeal as herein provided, and no causes or matters so transferred shall be in any way prejudiced by reason of the said transfer.

Sec. 22. That the aforesaid Criminal Court for Mecklenburg county shall hold its term on the second Monday in April next, and the next term of New Hanover county shall be held on the third Monday of March next.

Sec. 23. That the Criminal Court of New Hanover county, as it now exists by law, shall be construed in full force and effect, except as the same may be amended or modified by this act. And the said Criminal Court, established by this act, shall have full power and jurisdiction to hear, try and determine all causes and matters now pending in the Criminal Court of New Hanover county, which may be pending in said Court at the time of the organization of the court provided for in this act, and to render judgment and award execution thereon.

Sec. 24. All criminal causes removed from other counties and placed on the docket of Mecklenburg or New Hanover counties shall be subject to the jurisdiction of this Criminal Court.

Sec. 25. That this act shall be in full force and effect from and after its ratification. Ratified the 16th day of February, A. D. 1885.

STATE OF NORTH CAROLINA, OFFICE OF SECRETARY OF STATE, RALEIGH, N. C., Feb. 19, 1885. I, William L. Saunders, Secretary of State of the State of North Carolina, do hereby certify the foregoing to be a true copy from the records of this office.

W. L. SAUNDERS, Secretary of State. W. P. BATCHELOR, Clerk.

ITCHING PILES—SYMPTOMS AND CURE. The symptoms are moisture, like perspiration, intense itching, in recessed by scratching; very distressing, particularly at night; seems as if pin-worms were crawling in and about the rectum, the private parts are sometimes affected. It allowed to continue very serious results may follow. SWAYNE'S OINTMENT is a pleasant, sure cure. Also, for Pustule, Itch, Salt Rheum, Scald Head, Erysipelas, Barber's Itch, Blotches, all sears, crusty skin diseases. Box, by mail, 50 cts.; for \$1.25, Address, DR. SWAYNE & SON, Philadelphia. Sold by Druggists.

anyway prejudiced by reason of the said transfer. Sec. 22. That the aforesaid Criminal Court for Mecklenburg county shall hold its term on the second Monday in April next, and the next term of New Hanover county shall be held on the third Monday of March next.

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W. L. SAUNDERS, Secretary of State. W. P. BATCHELOR, Clerk.

RAILROADS, ETC. Wilmington & Weldon Railroad Company.

OFFICE OF GENERAL SUPERINTENDENT. Wilmington, N. C., Oct. 21, 1884.

Change of Schedule.

ON AND AFTER NOV. 2nd, 1884, the following passenger trains will be operated on this Railroad: PASSENGER, MAIL AND EXPRESS TRAINS: No. 47 NORTH AND 48 SOUTH. Leave Wilmington, Front St., Depos., 8:30 A. M. Arrive at Weldon, Front St., 2:10 P. M. Arrive at Wilmington, Front St., 7:15 P. M. FAST THROUGH MAIL & PASSENGER TRAIN: DAILY—No. 49 SOUTH. Leave Weldon, Front St., 8:30 A. M. Arrive at Wilmington, Front St., 12:30 P. M. MAIL AND PASSENGER TRAIN: DAILY—No. 43 NORTH. Leave Wilmington, Front St., 6:30 A. M. Arrive at Weldon, Front St., 12:15 P. M. No. 42 South, daily except Mondays.

Train No. 49 South will stop only at Wilmington, Goldsboro and Magnolia. Trains on Tarboro Branch Road Leave Weldon for Tarboro at 12 M. and 6 P. M. M. Daily, (Sundays excepted). Leave Tarboro at 1:50 P. M. (excepted). Leave Weldon for Scotland Neck at 2:40 P. M. M. Daily, (Sundays excepted). Leave Scotland Neck for Weldon at 5:50 A. M. Daily except Sunday.

Wilmington, Columbia & Augusta R. R. Co.

OFFICE OF GENERAL SUPERINTENDENT. Wilmington, N. C., Oct. 21, 1884.

Change of Schedule.

ON AND AFTER NOV. 2nd, 1884, the following passenger trains will be operated on this Railroad: NIGHT EXPRESS TRAINS, DAILY—No. 42 West and 43 East. Leave Wilmington, Front St., 8:00 P. M. Arrive at Florence, Front St., 2:40 A. M. Arrive at Columbia, Front St., 4:40 A. M. Leave Columbia, Front St., 6:30 P. M. Leave C. C. & A. Junction, 8:30 P. M. Leave Florence, Front St., 3:15 A. M. Arrive at Wilmington, Front St., 8:35 A. M. NIGHT MAIL AND PASSENGER TRAIN, DAILY—No. 48 WEST. Leave Wilmington, Front St., 10:30 P. M. Arrive at Florence, Front St., 1:30 A. M. MAIL AND PASSENGER TRAIN DAILY—No. 42 East. Leave Wilmington, Front St., 6:30 P. M. Arrive at Florence, Front St., 11:55 A. M. Arrive at Columbia, Front St., 1:55 A. M. No. 45 East daily except Sundays.

Carolina Central R. R. Company.

OFFICE OF GENERAL SUPERINTENDENT. Wilmington, N. C., Sept. 20, 1884.

Change of Schedule.

ON AND AFTER SEPT. 21st, 1884, THE following schedule will be operated on this Railroad: PASSENGER, MAIL AND EXPRESS TRAIN: Daily except Sundays. No. 1. Leave Wilmington at 7:00 P. M. Leave Raleigh at 7:30 P. M. Arrive at Charlotte at 7:55 P. M. No. 2. Leave Charlotte at 8:15 P. M. Arrive Raleigh at 9:15 P. M. Arrive at Wilmington at 10:30 P. M. Passenger Trains stop at regular stations only, and points designated in the Company's Time Table. SHELBY DIVISION, PASSENGER, MAIL EXPRESS AND FREIGHT. Daily except Sundays. No. 3. Leave Charlotte at 8:15 A. M. Arrive at Shelby at 12:15 P. M. No. 4. Leave Shelby at 1:40 P. M. Arrive at Charlotte at 3:40 P. M. Trains No. 1 and 2 make close connection at Hamlet with E. & A. Trains to and from Rock Hill. Through Sleeping Cars between Wilmington and Charlotte and Raleigh and Charlotte. Take Train No. 1 for Statesville, York, Lenoir, and other points on the Western. Also, for Spartanburg, Greenville, Athens, Atlanta and all points Southwest. L. C. JONES, Superintendent. S. F. W. CLARK, General Passenger Agent. Sept. 20.

Special Notice. THE EXCITEMENT IS OVER, THE PAIN IS OVER, THE SUFFERING IS OVER, THE DANGER IS OVER, THE FEAR IS OVER, THE ANXIETY IS OVER, THE WORRY IS OVER, THE TRAVELING IS OVER, THE SICKNESS IS OVER, THE DEATH IS OVER, THE BURIAL IS OVER, THE CRYING IS OVER, THE GRIEVING IS OVER, THE SORROW IS OVER, THE PAIN IS OVER, THE SUFFERING IS OVER, THE DANGER IS OVER, THE FEAR IS OVER, THE ANXIETY IS OVER, THE WORRY IS OVER, THE TRAVELING IS OVER, THE SICKNESS IS OVER, THE DEATH IS OVER, THE BURIAL IS OVER, THE CRYING IS OVER, THE GRIEVING IS OVER, THE SORROW IS OVER.

D. BULLS COUGH SYRUP

FAY'S MANILLA ROOFING ESTABLISHED 1861

CONSUMPTION. I have a positive remedy for the above disease...

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Sash, Doors, Blinds, White Lead, Paints, French Window Glass.

HARDWARE STOCK, to which your attention is respectfully invited.

Health is Wealth. CURE GUARANTEED—DR. E. C. WEST'S NERVE AND BRAIN TREATMENT...

Manhood Restored. I have been cured of my manhood...