

The Morning Star.

WILMINGTON, N. C.

TUESDAY MORNING, NOV. 11, 1890.

LIQUOR LICENSE LAWS.

An Opinion on the Subject by the United States Supreme Court.

By Telegram to the Morning Star.

WASHINGTON, Nov. 10.—The Supreme Court of the United States today in the case of P. Crowley, Chief of Police of San Francisco, California, appellant, vs. Henry Christensen, reversed the order of the United States Circuit Court for the Northern district of California, discharging Christensen on a writ of habeas corpus. This is a liquor license case, and in its opinion the Court broadly lays down certain fundamental principles affecting the relation of the business and the laws of the country to each other. Christensen for several years conducted a retail liquor store, but in 1889 his application for renewal of his license was refused by the police commissioners of San Francisco, in whom the municipal ordinance vested authority to grant or refuse licenses for saloons; the refusal being based on the ground of the bad repute in which the place stood. Thereupon Christensen did business without a license and was arrested. He sued out a writ of habeas corpus and the U. S. Circuit Court ordered his discharge from custody on the ground that the ordinance made Christensen's business depend upon the arbitrary will of others, and in that respect denied to him equal protection of the laws.

In its opinion, by Justice Field, the Court says: "It is undoubtedly true that it is the right of every citizen to pursue any lawful business, subject only to such restrictions as are imposed upon all persons of the same age, sex or condition. But the possession and enjoyment of this right, and of all rights, are subject to such restriction as may be deemed by the governing authority to be essential to the safety, health, peace and good order of the community. Even liberty itself is not unrestricted license to act according to one's own will."

It is only freedom from restraint under conditions essential to equal enjoyment of the same right by others. It is their liberty regulated by law.

The Court says the regulations governing the various pursuits of life are almost infinite, varying with the nature of business; some regulations being designed to lessen noise, others to protect health, others to remove odors, and it would hardly be necessary to mention this. The Court continues, were it not for the position often taken and vehemently pressed, that there is something wrong in principle and objectionable in similar restrictions when applied to the business of selling or consuming liquors, it is urged that as liquors are used as a beverage, and the injury following them if taken in excess is voluntarily inflicted and is confined to the party offending, their sale should be without restrictions; the contention being that what a man shall drink, and how often, is his own business, and not a matter for legislation. There is in this position an assumption of fact which does not exist; that when liquors are taken in excess injuries are confined to the party offending. The injury, it is true, first falls upon him in his health, which the habit undermines; in his morals, which weakens; and in the self-abasement, which it creates. But, as it leads to neglect of business, and waste of property, and general demoralization, it affects those who are immediately connected with and dependent upon him. By the general concession of opinion of every civilized and Christian community, there are few sources of crime and misery to society equal to the dram-shop where intoxicating liquors in small quantities, to be drunk at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime attributed to this than any other source. The sale of such liquors in this way has, therefore, at all times been considered a proper subject of legislative regulation. For that matter, their sale by the glass may be absolutely prohibited. It is a question of public expediency and morality, and not of Federal law. There is no inherent right of citizens to sell intoxicating liquors by retail. It is not the privilege of a citizen of a State or of a citizen of the United States.

In the prohibition or regulation of the traffic, discretion may be vested in the officer to decide to whom to grant and to whom to refuse liquor licenses. Officers may not always exercise the power conferred upon them with wisdom or justice to the parties affected, but that is a matter which does not affect the authority of the State or one which can be brought under the cognizance of the Courts of the United States.

The Court says that it does not perceive that the ordinance under which the prisoner was arrested violates any provision of the Federal constitution or laws, and that as to the State constitution and laws it is bound by the decision of the State Supreme Court that the ordinance does not violate them.

The order discharging the prisoner from custody is therefore reversed, and the case remanded with directions to take further proceedings in conformity with the opinion of the Court.

ALABAMA.

Col. McClure to Deliver an Address at Montgomery—The U. S. Senatorship.

By Telegram to the Morning Star.

MONTGOMERY, Ala., Nov. 9.—Col. McClure, of Philadelphia, and party arrived here to-night. Col. McClure will deliver an address at the Southern Exposition grounds to-morrow, the occasion being Editors' Day at the Exposition.

The political pot of Alabama is boiling high. The contest for the United States Senatorship is getting heated. Senator Fugh, Governor Thomas Seay, ex-Governor Thos. H. W. Wells, and R. E. Kalb, Agricultural Commissioner, are candidates, the latter relying solely on the Alliance sentiment for his strength.

A New York dispatch says: The deputy sheriff has returned unsatisfied executions on three judgments, aggregating over \$800,000, which were obtained against the Duchess of Marlborough last week. The Duchess has property here, and the income from the estate of her late husband cannot be levied upon.

GOVERNMENT FINANCES.

Purchases of Silver—The Monetary Pressure—Redemption of Bonds.

By Telegram to the Morning Star.

WASHINGTON, D. C., Nov. 10.—Six hundred thousand ounces of silver were offered and purchased at the Treasury to-day.

Secretary Windom was kept fully advised of the condition of the money market to-day, but did not feel called on to take any action in the matter beyond the purchase of all the silver bullion that was offered to the Department.

The director of the Mint said this was done for the relief of the market. The available treasury cash balance will be used principally in redemption of the 4½ per cent. bonds. The Secretary's offer of October 9th to redeem this class of bonds on presentation at par with interest to maturity September 1, 1891, is still open. The bonds are coming in very slowly, however, and the total redemptions to date are less than five million dollars.

THE COTTON CROP.

Returns for November to the Department of Agriculture.

By Telegram to the Morning Star.

WASHINGTON, Nov. 10.—Cotton returns for November to the Department of Agriculture are: County estimates of yield per acre, consolidation considering areas with rate of yield, with correction only of obvious errors, makes the average yield 187 pounds of lint per acre. It is about the same as the yield of last year, and better than the returns of the yield of last November, which were exceeded by the results of the final investigation. Some of the returns report killing frosts, which did not extend to large areas on the southern side of the cotton belt. Much will therefore depend on the weather of November and December, not only in perfecting the growth, but in saving the crop. Should the season continue favorable and the views of correspondents prove conservative, the result may be slightly larger than here indicated. The estimated yields by States are as follows: Virginia, 168 pounds; North Carolina, 182; South Carolina, 175; Georgia, 165; Florida, 108; Alabama, 160; Mississippi, 200; Louisiana, 238; Texas, 196; Arkansas, 235; Tennessee, 191.

THE CORN CROP.

November Returns to the Department of Agriculture.

By Telegram to the Morning Star.

WASHINGTON, Nov. 10.—November returns to the Department of Agriculture of the rate of yield per acre make the average for corn 19.0 bushels; potatoes, 37.5 bushels; buckwheat, 14.5 bushels; hay, 1.20 tons; tobacco, 7.18 pounds.

The corn crop makes the smallest yield reported, excepting only that of 1881, which was 18.6 bushels. That of 1887 was 20.1 bushels. It is 83 per cent. of the average of the last ten years' period, which includes four unusually poor years and only 73 per cent. of last year's crop. Indications of recent reports have been so uniform that the estimate for permanent record will not likely change this figure, unless by a slight fraction. The decline of the last decade is not due to impairment of fertility, but to unfavorable meteorological influences. The highest rates are in New England, as usual.

ON THE WATCH.

The Iowa Democrats Guarding Against a Miscount of Votes—A Contest to be Made in the Third District.

By Telegram to the Morning Star.

DES MOINES, IOWA, Nov. 10.—Chairman Fuller, of the Democratic Central Committee, has telegraphed all Democratic county chairmen throughout the State to be present to-day when the official count of votes is made by the Board of Supervisors in the different counties. He instructs them to watch the count closely on the whole State and Congressional ticket, and report to him. The committee, it is understood, are preparing to take evidence in Dubuque and Wright counties, in the third district, preparatory to a contest.

PENNSYLVANIA.

A Democratic Gain of Three in the Congressional Delegation.

By Telegram to the Morning Star.

PHILADELPHIA, November 10.—The official count of Allegheny county, completed to-day, shows a majority for Stewart, Republican for Congress, over Craig, Democrat, of 2,661. This gives Stewart a majority of 24 in the district (24th) over Craig, whose election has heretofore been claimed. In 1888 the district gave Ray, Republican, a 4,338 majority. The delegation from the State in the next Congress will consist of eighteen Republicans and ten Democrats—a Democratic gain of three.

A RICH FIND.

At the Silver Valley Mines in Davidson County.

By Telegram to the Morning Star.

RALEIGH, November 10.—The superintendent of the Silver Valley mines, in Davidson county, reports the finding of the richest deposit of silver ever found in the South, a large vein of carbonate of lead, carrying 70 to 100 ounces of silver and 30 per cent. of lead to the ton of ore.

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ROYAL BAKING POWDER
Absolutely Pure.
A cream of tartar baking powder. Highest of all in leavening strength—U. S. Government Report, Aug. 17, 1890.
Feb-D&Wly arm toc or frm

COME TO GRIEF.

Arrest of a Noted Train Robber, Who is Said to Belong to an Excellent Virginia Family.

By Telegram to the Morning Star.

CHICAGO, ILL., Nov. 10.—To-night post-office inspector C. Watkins, of Chicago, will arrive here, having in custody William E. Newberry, who is said to be the leader of one of the most daring train robberies in recent years. On June 6 the Northern Pacific train was stopped at New Salem, N. D., by highwaymen. Two masked men climbed upon the engine and compelled the engineer and fireman to detach the engine from the train and then to pull out. Having taken the engine about twenty rods, the engineer was ordered to stop, and the engineer and fireman taken back to the train, where they were ordered to batter down the door of the Express car. With the first attack on the car the Express clerk escaped from it and saved the contents of the safes, since he carried with him three keys. Having entered the car the two robbers compelled the engineer, fireman and the postal clerk to cut open the mail pouches and carry the first-class registered mail matter to the robbers' horses. About five hundred packages, containing \$45,000 in cash, were secured. G. E. Bailey, one of the highwaymen, was subsequently captured, and is now serving a term in the North Dakota penitentiary. Search for Newberry has been carried on by the postal authorities ever since, but was arrested at Plains, Va. Saturday, Newberry comes of an excellent Virginia family.

UNUSUAL PROCEEDING.

Arrest of Citizens of Georgia by U. S. Marshals on the Charge of Conspiracy and Murder.

By Telegram to the Morning Star.

MACON, GA., Nov. 10.—Five citizens of Dodge county were arrested Saturday by U. S. deputy marshals, brought here and committed to jail on the charge of conspiracy, and murder of J. C. Forsyth, at Normandale, in October. One of the prisoners is Wright Lancaster, sheriff of Dodge county; another is Luther A. Hall, a Dodge county attorney, whose trial for perjury is now pending in the Federal District Court.

A white man named Andrew Renuau was shot by a mob for the murder of Forsyth the day after it occurred, but later investigation by a U. S. special agent proved his innocence of the crime. The men arrested are charged with having conspired in, aided and abetted the assassination. A sensational feature is lent to the case by the arrests being made by federal officers. Forsyth was a Northern man and the case was brought in the Federal Court on the ground that at the time of the murder he was, as agent of Norman W. Dodge, enjoying the rights which had been guaranteed by a decree of the U. S. Court.

STOCK MARKETS EXCITED.

European Rumors Cause Heavy Decline in Stocks on New York Exchange.

By Telegram to the Morning Star.

NEW YORK, Nov. 10.—A flood of alarming cables from London and Paris, predicting disasters in the markets there this week, caused a panicky feeling in the Stock Exchange long before the opening. Brokers tried to make sales of stocks but could not find buyers, and as soon as the signal for beginning business was given no offers were made, but every bid, no matter at what price, was at once filled. This selling caused Manhattan Elevated to fall from 100 to 92, a decline of 8 points. Western Union fell ½, and other stocks, with the exception of Vanderbilts, fell from 2 to 6. There are no buying orders in many of the specialties.

ILLINOIS.

Probability of the Election of John M. Palmer to the U. S. Senate.

By Telegram to the Morning Star.

CHICAGO, Nov. 10.—An error has been discovered in the footing up of the returns of the second district, and it now appears that Kinney, Democrat, for Representative, was elected instead of Hoppin, Republican, as was reported. Owing to the fact that the two parties have been thought to be a tie in the Legislature, this discovery is of considerable importance. If the official count verifies the election of Kinney, the Democrats will have 101 votes in the Assembly and the Republicans but 100, thus making the election of John M. Palmer to the U. S. Senate the next thing to a certainty.

SUDDEN DEATH.

A Broker Attacked with Apoplexy and Dies on the Floor of the N. Y. Stock Exchange.

By Telegram to the Morning Star.

NEW YORK, Nov. 10.—James Struthers has just been attacked by apoplexy and is now lying on the floor of the Stock Exchange, ashy white. Stretchers have been brought in, but it is feared he is dead, and business has been suspended until 12:30.

LATER.—Struthers died in a few minutes, and his body was at once removed to his office on New street. Promptly at half-past twelve the Stock Exchange resumed business.

ELECTRIC SPARKS.

Joe Jackson, one of Ruben Burrows' gang, confined in the penitentiary at Jackson, Miss., committed suicide Sunday.

The funeral of Senor Don Frederico Volio, Charge d' Affairs of the Republic of Costa Rica, took place yesterday morning from St. Matthew's Church, Washington, D. C.

The Synod of the Presbyterian Church, New York, has invited representatives of all the Protestant denominations in the State to a conference upon the subject of moral instruction in the public schools, in the council room of the New York University, Washington Square, November 17th and 18th.

The *Pall Mall Gazette* says that Stanley will prosecute Walter Bartelot and others who have brought charges against him in connection with the controversy regarding the rear guard of the Emancipation. Stanley has retained George Lewis and Sir Charles Russell to conduct his case.

CHICAGO REVIEW.

Fluctuations in Prices of Grain and Provisions.

By Telegram to the Morning Star.

CHICAGO, November 10.—Wheat—Only moderate trading, and somewhat unsettled and nervous, the monetary situation and Wall street affairs having considerable effect at present. A large increase in the visible supply was another weakening feature, as well as the increase in private elevators in the Northeast. The opening was weak and 1½¢ lower, influenced by the break in stocks East. Later it became steady, advanced 1½¢, assisted by a little more reassuring news from the East, and closed ¾¢ lower for December, 5¢ for May than the closing figures Saturday.

Corn—Fair trade, principally local, and the feeling was a little unsettled, changes being frequent within ½¢ range. The opening was easy, first trades being ½¢ lower. Shippers were free sellers. The demand improved and prices were forced up ½¢, but did not hold, a reaction of ¼¢ following. The market then ruled steady and closed ¼¢ lower than Saturday.

Oats were moderately active and unsettled, sympathizing with other cereals. They opened ¾¢ lower, but on buying by several large houses advanced ¼¢ to ½¢. Prices then receded to previous inside figures, closing slightly above the bottom figures of the day.

Pork was active and considerably unsettled. The opening was at Saturday's figure, but the inquiry was sufficient to cause an advance of 40¢ to 45¢. At the improvement there was more pressure to sell, and prices generally receded 25¢ to 27½¢. Toward the close the feeling was steadier and prices rallied 5¢ to 7½¢, but trading was limited and the market closed quiet.

Lard quite active. The opening was at Saturday's figures, and inquiry being active prices advanced 7½¢ to 10¢. Later the feeling was easier again, with fair offerings, and prices settled back 2½¢ to 5¢, the market closing quiet.

Short rib sides were active, and prices fluctuated more than usual. The opening was at Saturday's price, but on buying of brisk, and prices rapidly advanced 10¢ to 15¢. Later it settled back 7½¢ to 10¢. Near the close the feeling was steadier and the market closed at inside figures.

COTTON.

The New York Sun's Report of the Market Yesterday.

By Telegram to the Morning Star.

NEW YORK, Nov. 10.—The Sun's review of the cotton market to-day says: Futures opened at 9 to 10 points decline, closing steady at 13 to 15 points decline from yesterday's closing prices. It was a field day on the Cotton Exchange. The excitement and activity were very great, and exceeded on but few days in the history of the Cotton Exchange. It was a heroic struggle on the part of the bulls, but the lates were against them. The opening decline was in response to a bad break in Liverpool, which surprised both our bulls and bears. A small recovery followed, being aided by a demand to cover. Then came the report from the Department of Agriculture. It was regarded as somewhat contradictory and inconsistent in its statements and comparisons, but the bears at once declared that, comparing the yield per acre and average with 1882-83, the yield for the current season must exceed 8,000,000 bales. A fresh decline followed in face of a demonstration by the bulls that the yield can be no more than 7,700,000 bales. The close, however, was only a slight recovery from the low price, and figures. Spot cotton here was dull and weak.

A slight earthquake shock was felt in Monmouthshire, Eng., on Saturday. The rumbling lasted nine seconds.

There was much excitement in Annapolis, Md., Saturday night, over an attempt by a mob to take a negro from the jail and lynch him, who was charged with assaulting a young white girl. The negro, in large numbers, armed with revolvers, turned out to prevent the lynching, and for a time there were fears of a bloody riot. Troops were called out, however, and finally quiet prevailed, although much alarm still prevails.

CHARLESTON, November 10.—Spirits turpentine firm at 88½¢. Rosin quiet; good strained \$1.25.

SAVANNAH, Nov. 10.—Spirits turpentine—nothing doing. Rosin firm at \$1.30 to 1.40.

FLOUR, BACON, MOLASSES.

1,500 BLS. FLOUR—ALL GRADES.

150 Boxes D. S. SIDES.

100 Hhds. and Bbls. F. R. MOLASSES

100 Bbls. New Orleans MOLASSES

200 Cases LARD.

50 Bbls. CAROLINA RICE

75 Bbls. SUGAR.

100 Sacks COFFEE

250 Kegs NAILS.

50 Bbls. DISTILLERS' GLUE

100 Cases TOBACCO.

100 Cases LYE.

75 Cases BALL POTASH

50 Cases STARCH.

Snuff, Candles, Soap, Wrapping Paper, Twine, &c

For sale low by WILLIAMS, RANKIN & CO.

Face and Hands.

FOR THE IMMEDIATE IMPROVEMENT OF THE texture and appearance of the skin, Caswell, Massey & Co.'s Elder Flower and Cucumber Cold Cream is unequalled. Contains Hair Tonic. Sold by JOHN B. HANKS, Pharmacist.

NIGHT BELL, Third St. Opposite City Hall. Telephone 100. oct 10 tf

Blank Books and Office Supplies.

FINE STATIONERY, A FINE ASSORTMENT. Pocket Books, Purses and Hand Bags, Card Cases, &c. Family Bibles, Bibles, Church Bibles, &c. Triumphant Songs at wholesale. School Supplies. oct 19 tf

English and Classical School.

BY REV. DANIEL MORRELL, A. M., THE thirty-second Annual Session will begin (D. V.) Wednesday, the first of October. For any information apply at No. 420 Orange St. oct 16 tf

Cigars and Tobacco.

30-000 HAVANA CIGARS, 100 BOXES Tobacco, all grades; 50 barrels Fine Mulletts just received. Call and get prices before purchasing. SAM'L BEAR, Sr., 12 Market street. nov 2 tf

Rice Straw for Sale

BY THE CAR-LOAD, BALED IN DEDRICK Presses. For terms apply to JAS. D. MACRAE, Wilmington. nov 42m

MARINE.

Port Almanac—November 11.

Sun Rises..... 6.32 A M
Sun Sets..... 4.55 P M
Day's Length..... 10h 23 m
High Water at Southport. 6.41 A M
High Water at Wilmington 8.31 A M

*ARRIVED.

Stmr Cape Fear, Tomlinson, Fayetteville, T D Love.
Br schr Mabel Darling, 111 tons, Ranger, Nassau, Cronly & Morris.
Schr Harry C Shepherd, Booye, New York, Geo Harris, Son & Co.

CLEARED.

Stmr Cape Fear, Tomlinson, Fayetteville, T D Love.
Ger barque Edward Pens, Kipp, Wolgast, W Walter & Finke.

EXPORTS.

DOMESTIC.

NEW YORK—Steamship Pawnee—125 bags chaff, 888 pkgs mdse, 199 bales cotton, 100 bbls rosin, 75 do pitch, 513 do tar, 306 casks spirits, 20,000 shingles, 118,903 feet lumber.

FOREIGN.

WOLGAST—Ger barque Edward Pens—133 pieces express and pine timber, 90-, 347 feet pine lumber.

MARINE DIRECTORY.

List of Vessels in the Port of Wilmington, N. C., Nov. 11, 1890.

STEAMSHIPS.

Titanic (Br), 1,016 tons, Dalziel, Alex Sprunt & Son.
Raddam (Br), 1,466 tons, Sanderson, C P Mebane.
Tudor Prince (Br), 954 tons, Campbell, Alex Sprunt & Son.
Thurston (Br), 1,247 tons, Douglass, Alex Sprunt & Son.
Monrovia (Br), 1,557 tons, Pollexfen, Alex Sprunt & Son.

BARQUES.

Hektor (Nor), 396 tons, Johannesen, Heide & Co.
George Scuppichin (Ger), 442 tons, Dade, E Peschau & Westermann.
Sichem (Nor), 520 tons, Pedersen, Heide & Co.
Tetens (Nor), 433 tons, Olsen, Paterson, Downing & Co.
Belgium (Br), 670 tons, Geo. Harris, Son & Co.

SCHOONERS.

Mary A Trundy, 404 tons, Dodge, Geo Harris, Son & Co.
George Clark, 347 tons, Plummer, Geo Harris, Son & Co.
Katie E Gifford, 381 tons, Wright, Geo Harris, Son & Co.
James Ponder, 258 tons, Lynch, Geo Harris, Son & Co.
Norman 387 tons, Sargent, Geo Harris, Son & Co.
M C Mosley, 189 tons, Torrey, Jas T Riley & Co.
Lizzie May, 357 tons, Hutchinson, Geo Harris, Son & Co.

MY SPECIALTY!
FINE, LONG CURLED
Hair Mattresses.

Call and examine the HAIR for yourself before ordering. My Office is a nice place for Ladies and Gentlemen to visit now.

W. M. CUMMING,
nov 1 tf 18 Princess St., (New "Allen Building.")

For Sale,
Mattresses of All Kinds, From \$2.50 Up

Mellor Cumming
MANUFACTURER & RENOVATOR OF MATTRESSES.
nov 1 tf

N. B. RENOVATING
DONE TO ORDER ON SHORT NOTICE.

Old Hair and Moss
Mattresses
MADE AS GOOD AS NEW.
Satisfaction guaranteed.

W. M. CUMMING,
nov 1 tf Manufacturer and Renovator of Mattresses.

For Sale,
OFFER MY LOT, WITH A GOOD DWELLING and Store-House, together with a large stock of General Merchandise, for sale. It is located in a growing, healthy town of four or five hundred inhabitants. A good stand to sell goods and a very desirable place to live.

Apply at once to
A. C. COVINGTON,
nov 6 2t Roberdel, Richmond Co., N. C.

For Sale,
A FINE ROLL TOP DESK

IT IS BRAND NEW, JUST RECEIVED TO-day. I offer it simply because after ordering it I concluded it was too small, and so ordered another, one size larger. A handsome and useful piece of furniture, which would be an elegant holiday or birthday present for a Lady or a Minister or a Lawyer. It has spring locks, and so would serve both as Cabinet and Safe for valuable papers. Price only \$50.

Call at my MATTRESS FACTORY and see it.

W. M. CUMMING,
nov 7 tf Allen Building, next to "Star" Office.

"COTTON"
INS