

# THE MORNING STAR.

VOL. LXXI.--NO. 13

WILMINGTON, N. C., TUESDAY, OCTOBER 7, 1902

WHOLE NO. 10,958

**TERMS OF SUBSCRIPTION.**  
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Delivered to Subscribers in the City at 45 Cents per Month.

## THE GORDON-SHAY OPERA CO.

An Attraction Extraordinary at Opera House To-morrow Evening—Paul Gilmore Coming Thursday.

To-morrow night the Academy will offer a magnificent production of "Carman". In point of scenery, costumes, lighting and mechanical accessories, the Gordon-Shay Grand Opera Company is said to be as well equipped with prima donnas, heroic tenors, thunderous baritones and melodious contraltos. J. Saunders Gordon, the impresario, went to the European originals for models and had every setting, every garment and every property designed and constructed absolutely in accordance with the most trustworthy evidence and traditions. The "Faust" scenes were sketched in Nuremberg, the site of Goethe's immortal tragedy, and are believed to be reproductions of those which the poet had in mind when he wrote the story of Marguerite. The exterior of the ball room and the interior of Lillias Pastia's inn in "Carman" are from paintings of a famous artist made in Seville. Similar trouble entailing large expense was taken by Mr. Gordon to surround his famous young prima donna, Rose Cecilia Shay and her excellent supporting company with everything necessary to make the production the most perfect in the land. Seats are now on sale.

Mr. Paul Gilmore—One of the most enjoyable and successful plays ever staged it is said, will be seen at the

## PENNY VS. RAILROAD.

October Term of New Hanover Superior Court Convened Yesterday Afternoon.

### IMPORTANT SUIT ON TRIAL.

Wilmington Man Wants \$20,000 Damages from Atlantic Coast Line Railroad Company—Sharp Legal Fight is Anticipated—Talesmen.

The suit of Mr. B. F. Penny, of this city, against the Atlantic Coast Line Railroad Company, in which the plaintiff seeks to recover damages in the sum of \$20,000 from the defendant for being shot by an ejected negro passenger from a train at Leland station, in the Fall of 1898, was begun in the Superior Court upon its organization for the October term yesterday afternoon at 2:30 o'clock. The case will likely consume all of to-day's and perhaps a part of to-morrow's session.

Judge Henry B. Bryan, of Newbern, is presiding and the work of organization yesterday afternoon was rapid. Sheriff Steadman returned the jurors summoned for the first week, with the exception of T. M. Eshard and J. M. Bryan, who were not found. The following were excused: J. G. Doscher, Jr., W. H. Stokely, Benj. A. Merritt and Eduard Ahrens.

The Penny case was immediately entered upon and from the skirmishes between counsel in the selection of the jury, which has not yet been completed, it was seen that a sharp legal battle is approaching. Mr. Penny has for his counsel Messrs. Bellamy & Bellamy, Herbert McClammy, E. K. Bryan, E. S. Martin and A. J. Marshall, while the interest of the railroad is being looked after by Messrs. Davis & Davis, Bellamy & Peschau and Rountree & Carr.

Challenges were being made right and left, when a recess was taken at 5:30 o'clock until 10 A. M. to-day.

The following jurors were in the box when the recess was taken: I. M. Solomon, John Dyer, W. H. M. Koch, E. H. Sneed, Clayton Gilles, Sigmon Bear, Wm. Goodman, Jno. Taylor, W. E. Koonce, C. D. Foard and C. O. Alexander.

The Penny case was once before tried in this court about a year and a half ago and the plaintiff was awarded \$9,000 damages. The verdict of the jury was, however, set aside by Judge Hoke for a technical reason and now the hearing comes on again.

The following talesmen were ordered summoned for to-day: W. A. French, Jr., E. R. Chadwick, F. P. Donald, D. J. Bryan, Ike K. Pinner, Jno. L. Wilkins, C. R. Pope, L. S. Webb, Walter Williams, Robt. W. Corbett, Chas. F. Craig, Louis H. Skinner, W. P. Duncan, H. O. McArthur, Richard J. Jones and W. F. Alexander.

## THE COUNTY COMMISSIONERS.

Regular Meeting of the Board Yesterday. Jurors for the November Term of Superior Court—Proceedings.

The County Commissioners were in regular session yesterday afternoon; all present.

Mr. W. H. Yopp appeared before the Board and upon his request the shows, etc., for the Pythian Carnival were exempted from privilege tax under same conditions as exemption was granted by the Aldermen.

Petition of D. L. Futch for a gate in the county fence at Castles' landing on Island Creek was referred to Commissioner Alexander to investigate and with power to act.

J. E. Howard and J. C. Hankins, representing the Grand United Order of Odd Fellows, asked for exemption from taxes of Ruth Hall at Seventh and Nan streets, upon the ground of its exclusive use for benevolent and charitable purposes. Same was granted.

Mr. W. E. Worth appeared and asked for a determination of the lines between the County Home and the McIlhenny tracts of land to the east of the city. Mr. Worth as the purchaser of the latter tract, claims about 45 acres that are now regarded as county property. A survey was ordered, each party to the controversy to pay one-half.

J. M. Bryan, white, Harnett township, was exempted from poll tax on account of physical disability.

W. M. Hunsley was appointed to survey certain lands for R. S. Murray in Cape Fear township. W. G. MacRae was appointed to survey lands in Harcett township for A. H. Hunt.

Application of Wm. Calder for refunding of tax on certain Coast Line stocks amounting to \$135.69 and listed in error was granted.

Dr. McMillan, superintendent of health, reported during September having made 37 visits to 34 patients at their homes. The County Home, jail and convict camp were reported in good sanitary condition. No sickness has occurred in the Home or in the jail and only a few cases of chills in the convict camp.

It was ordered that the valuation of property of Jess S. Williams in Masonboro township be reduced from \$1,500 to \$800, error having been made in transcribing.

Magistrate J. M. McGowan reported having paid two fines of \$5 each into the treasury.

The report for September of Road Superintendent Jones was read and approved. Contract for repairing bridge over Greenfield mill pond creek on Federal Point road was not awarded, all bids having been rejected. Only two were received. A. G. Call agreed to do the work for \$75 and furnish 7,157 feet of timber at \$30 per thousand. The Road Superintendent was instructed to call for new bids with specifications.

The following jurors were summoned for the one week term of New Hanover Superior Court (criminal cases), Nov. 3d: T. D. Love, John J. Windley, W. K. King, C. D. Yarbrough, Samuel Northrop, E. B. Harr, Thos. H. Robbins, L. C. Craig, T. S. Toler, Hugh MacRae, P. E. Dillard, Chas. V. Motte, A. M. Baldwin, Geo. W. Miller, J. A. Perry, G. W. Futch, D. F. Barnes, F. H. Walab, Baxter Oroom, J. A. Taylor, Walter G. MacRae, Chas. W. Hill, John C. Boesch, E. E. Foster, N. M. Hunt, Jr., Thos. G. Evans, John A. Biddle, W. H. Bernard, John A. Everitt, Joseph Britt, J. T. Whitehurst, F. E. Mashagen, Joseph J. Johnson.

The Permanent Road Committee was authorized as soon as practicable to dispose of mules, etc., that have been displaced by the traction engine and road roller.

## AFFAIRS OF THE CITY.

Board of Aldermen in Regular Monthly Session for October Last Night.

### MANY ROUTINE MATTERS.

Lighting Contractors Sharply Arraigned by Members of the Council—Streets and Wharves a Prolific Source of Discussion—Notes.

The October meeting of the Board of Aldermen was held last night, all members except Mr. Bailey, in attendance. The business of the session was principally routine and of an unimportant character.

Two minor back tax matters were referred to the Finance Committee. Reports from standing committees were then called and received as follows:

Fire Department—Chairman Cooper reported having purchased 32 felt mattresses for the firemen at \$4 each. B. N. Horns, W. T. Duncan and Robert Daniels were elected from among Jno. C. Bowden, J. H. Liska and Bruce Lee, resigned.

Markets—Chairman Tencken reported the annual rental of stalls and stores in the city buildings for \$1,926 and \$436 premium—a net gain of \$294.35 over last year. Of this amount \$1,500 comes from front street market; \$388 from Fourth street market, and \$160 from Fifth street market. A clerk for Fourth street market was provided for until April 1st at the rate of \$75 per year, under same conditions as now exist.

Ordinances—Chairman Sweeney said in regard to the instruction to his committee to draft an ordinance regulating the amount of gasoline to be stored in the city, that there was already an ordinance on the books and the same was read by the clerk. Mr. Sweeney said if that was enforced his committee would take no further action, and upon motion the Fire Commission, composed of the Mayor and chiefs of the Fire and Police departments, were instructed to ascertain if the present ordinance is being violated, particularly by the Standard Oil Co. Mr. Sweeney said that he had visited the plant of the S. O. Co. and found that 25 tanks of 100 gallons each were kept there, but he was informed that all proper safeguards were thrown about it.

Police—Chairman VonGlabn reported the committee's suspension in definitely of First Substitute J. W. Lewis and same was sustained. W. T. Croom, E. G. Jones and N. N. King were elected substitutes in the order named. Officer M. Padrick's resignation to engage in other business was reported and First Sub. J. W. Howard was elected in his stead.

Public Buildings—Action of Chairman Murrell in having necessary repairs made to Store No. 1 in Front street market at a cost of \$13 was approved. His committee was also authorized to repair the Chemical Engine house roof and put water faucet in Fifth ward market.

Sanitary—Chairman Johnson reported that during the past month a force of hands has been at work clearing the streets of weeds, etc., and that he thought the city in pretty good condition.

Under head of Lights, Chairman Mann reported the installation of the new enclosed arc lamps and said they were now being given a trial. As to their success he would be able to report later. The introduction of the light subject brought forward a general discussion in which the lighting company came in for its share of pretty hard knocks at the service given last month. Mr. Mashagen as a member of the committee wanted to know if the city had to pay for the lamps that didn't burn in September; that he had been down in the police station and seen a record of the lights reported out during the month by the policemen on their beats; that the oil lamps had been out also and that the gas supply was abundant. Mayor Waddell said it was time the city was asserting its rights. He asked Mr. Cooper if the contractors for the oil and electric lights had each given bond for faithful performance of their contracts. The clerk said they had. Mr. Mann said he hadn't been hard on the electric light people because they were doing their best to get in the new system. He said, however, he would refuse to approve further bills if the Board said so. The bills for September, he said, in response to an inquiry, had already been approved. It was then adopted, upon motion of Mr. VonGlabn, that unless the lights are greatly improved that the Chairman be instructed to approve no further bills. Mr. Sweeney said he was of the opinion that the new arc lights were not as good as the old ones. Mr. Mann explained that they consumed as much, if not more, electricity and were of the same candle power; that the diffusion of the light was much better and more agreeable. Mr. Sweeney suggested the purchase of an instrument (called chromator by Mr. Mann) to test the lights as to actual candle power. There was a lively exchange of witticisms as to whether an expert was required to operate the "thing" and it was agreed that anyone of ordinary intelligence could work it. Thereupon, upon motion of Mr. Mashagen, \$20 was appropriated to purchase the instrument.

Upon the report of the Streets and Wharves Committee another long discussion developed. Chairman Johnson reported the completion of permanent improvements to Red Cross, south side of Castle between Fourth and Fifth

streets and the building of a 16-foot roadway for the fire engines on Sixth between Castle and Dawson streets. The next work, he said would be Chesnut from Front to Second, which would be paved with vitrified brick if the government would pay a part on account of the postoffice, but if not, then it would be macadamized. Grace between Front and Second and the Market house alley would be the next streets paved. He said the output of the quarry had been greatly reduced by numerous breakdowns, but much repair work has been done. Nothing had been heard in some time, he said, from the contractors for building the Fifth street bridge. Repairs to Fourth and Sixth street bridges were in progress but there had been delay in securing lumber. In regard to the proposition for installing new machinery at the rock quarry by Messrs. Weedon & Skinner, he said his committee reported adversely upon an extension of the lease beyond April 1st for a number of reasons. Mr. Murrell suggested in this connection a disposition of the big road roller in the City Hall yard, and Mr. Johnson said he was negotiating with a Charlotte man for its sale. The matter of additional machinery for the rock quarry was again taken up and Mr. L. A. Weedon, who was present, gave the Board an outline of what is needed. Mr. Johnson at length made a motion to appropriate \$500 for the purchase of a return tubular boiler and a steam drill, but only he and Mr. Mashagen voted in favor of the appropriation. The matter was continued with the committee.

In regard to the city docks, offered to be repaired and rented by T. J. Gore and B. F. Keith, the committee recommended that these docks be advertised for repair and rent for 6 years at a minimum of \$75 per year, but this was deemed inadvisable by the Board, and the matter was referred to the committee for specifications as to the bids.

The matter of restoration of the streets by the Sewerage Company was touched upon, and the old-time ire of the Board raised for a moment. Some one stated that Capt. E. W. VanC. Lucas was in charge and he would probably report later.

Mr. Cooper, in view of the coming of the N. C. Conference to Grace church in December, asked that Grace street, between Fourth and Seventh, be macadamized. Mr. Johnson said it was the purpose of the committee to improve the block upon which Grace church is situated before conference.

Mr. Murrell said there were five fire plugs in his ward which could not be reached by the fire engines and he wanted roadways made to them. No action was however taken.

The following references to committees were made: Claim of Howard Relief Co. amounting to \$479.50 for repairs to property in 1893 and for which reimbursement was promised, went to the Finance Committee. Complaint of Geo. P. Cochet as to water supply to Water Works Committee. Bill of Orrell Carroll amounting to \$180 for death of horse by reason of alleged defective curbing, to Finance Committee. Petition of Standard Oil Co. to put down 4-inch pipe across Brunswick street to Front, down Front to Hanover and down Hanover to and across Nutt streets, paralleling their present line, to the Streets and Wharves Committee. Petition from J. J. Matthews for oil lamp at Fifth and Harnett streets and from sundry citizens for an light at Fifteenth and Market streets to Light Committee.

Ellis Boufarrah was relieved of poll tax, listed erroneously.

Bill of A. D. Wessel, amounting to \$15.50, for upturning his residence at 110 South Fifth street, made necessary by city excavations, was ordered paid.

Capt. Walter G. MacRae was elected city surveyor in conjunction with Mr. Louis B. Hatch, who applied for the place to succeed his uncle, the late Capt. Jos. H. McRee.

License to conduct private meat markets was granted as follows: G. F. Cumber, Front and Queen; R. A. Montgomery, Eighth and Princess; Parlor Market, 18 North Front; J. F. Garrett & Co., Second and Market, Sixth and Chesnut, Fourth between Brunswick and Bladen; John T. Welch, Castle between Sixth and Seventh; E. T. Mason and J. F. Keyes, Seventh and Castle; B. B. Reeves & Co., 517 South Front.

City Attorney Ballamy reported the collection of \$1,430 back taxes.

Cattle Weigher Geo. T. Bland reported \$37.95 fees from his office during September.

Chief Charles Schnibben reported that the Fire Department responded to four alarms during September, the damage in three of the cases amounting to less than \$50. The fire on the Carolina Central wharf caused a loss of about \$4,000, largely because of lack of fire protection with hydrants. Messrs. VonGlabn, Sweeney and Tencken were appointed committee to look into the matter of remedying the conditions. The reports of the Superintendent of Health and Chief of Police were read. Both have been published in part. That of the Chief of Police shows that 26 convicts were sent to the road during the month and 12 to the Superior Court.

Arrested for Alleged Desertion.

Pat. O'Brien, white, was arrested by Policeman J. J. Moore for being drunk and down at Front and Market streets Saturday night. When he was taken to the station house, it developed that he was wanted at Fort Caswell for alleged desertion. Policeman Moore took him down to the fort yesterday afternoon and will receive a reward for the service.

Opening day at the C. W. Polvogt Co.

# Removal Notice!

WE BEG TO ANNOUNCE TO OUR FRIENDS AND OTHERS THAT WE HAVE MOVED OUR COAL AND WOOD YARD

From where it was to where it is, just a little further up the street.

## J. A. Springer & Co.,

Oct 7 11 The Veteran Dealers.

**PERSONAL PARAGRAPHS.**

— Mr. Willie Emerson has gone to Horner's Military School.

— Mr. and Mrs. Victor E. Zoeller have gone for a visit to New York.

— Mrs. Clayton Giles and Miss Lucile Murchison have gone to New York.

— Mr. G. T. Davis, of Sharpburg, N. C., was a welcome caller at the STAR office yesterday.

— Mrs. W. N. Harris and little son, George, will leave to-day for a visit to relatives in Greenville, N. C. and Washington, D. C.

— Mrs. Charles T. Harper has returned from a visit to her parents in Baltimore. She has completely recovered from her recent very severe illness.

— Bishop A. A. Watson, Rev. F. H. T. Horsfield and Rev. Wm. F. Dickinson went to Clinton yesterday to attend the corner stone laying of St. Paul's Episcopal church.

## Why Not!

If choice home grown N. C. September Mulletts can be bought at 5 cents a pound, how is it we pay for Western White Sides eleven and half cents? Eat fish and live within our means. We have in warehouse and consigned 200 kegs 100 lbs each

## SEPTEMBER MULLETTS

We Solicit Orders!

### Vollers & Hashagen,

sep 28 11 Provisioners.

## Good Crops AND GOOD PRICES

Make the Farmers Happy.

And this makes everybody happy.

There will be money to spend this Fall and Winter. So call and see us when you need goods in our line. We carry a heavy stock of

### Hardware, Agricultural Implements, Cutlery, Tinware, &c.

## J. W. Murchison & Co.,

sep 16 11 Wilmington, N. C.

## Fruit Trees For Sale!

For sale at less than net catalogue prices about

### 1,000 FRUIT TREES.

From the leading Nursery in North Carolina. Will be sold in one lot, or in two lots of about 500 each.

Selections to be made from latest catalogue. Address,

"BARGAIN,"

Care THE MORNING STAR,

sep 2 11 Wilmington, N. C.

## ACADEMY OF MUSIC

Wednesday Night, Oct. 8th.

The Gordon-Shay Grand Opera Company, with America's leading prima donna

### ROSE CECILIA SHAY.

50 ..... PEOPLE ..... 50  
Special scenery. New Costumes. Brilliant electrical effects. oct 5 11

## GROCERY NOTICE.

On Monday, September 29th, the balance of our Groceries and Glassware will be removed to store recently occupied by Murchison Bank, and will be sold below cost to close out.

O. P. CAZAUX & CO.

sep 28 11

## NOTICE

To all persons holding claims against the steamer Franklin Pierce, will please present them to the undersigned for payment on or before October 15th, 1902.

oct 1 11 BROOKS & TAYLOR.

## FOR RENT,

Stores, Dwellings, Offices, &c.

an 23 11 D. O'CONNOR.

## Printers Wanted.

Wanted, one first class compositor who has had experience on a daily morning paper. Must have good recommendations as to habits and qualifications. Address the

oct 4 11 MORNING STAR, Wilmington, N. C.



Academy of Music on the 6th when Paul Gilmore and an excellent supporting company will present Haddon Chambers delightful comedy, "The Tyranny of Tears." Paul Gilmore has long been known as a worthy successor to Alexander Salvini in the romantic drama and his supporting company has been chosen by Jules Murry with regard to their physical and mental equipment. Furthermore the play is a splendid vehicle on which they have ridden into popular favor and furnishes Paul Gilmore a stellar part with unlimited opportunities to gain the good graces of the audience.

For subscribers the advance sale of seats will commence this afternoon. The regular sale will open to-morrow morning.

## LOCAL DOTS.

— The opening of Miss Cammie Lord's dancing classes will take place from 4 to 6 o'clock Friday afternoon.

— Only cases of trifling importance were heard in the police court yesterday. There were, however, a dozen or more such cases.

— Mr. A. B. Skelding's handsome little launch has arrived and has been christened Dorothy. She was given a trial trip on the river Saturday.

— Messrs. J. A. Springer & Co. announce the removal of their extensive wood and coal yards to the wharf just north of the foot of Chesnut street.

— Mr. W. T. Croom reports the theft of a gold watch from his room over Adrian & Co's store Saturday night. He has a clue, he thinks, to the guilty party.

— By deeds filed for record yesterday R. B. Nichols and wife transferred to C. H. Sanders for \$30, lot on west side of Twelfth between Wooster and Dawson streets, 33x165 feet in size.

— Robert Howe and Albert Howe, colored, were fined \$5 each or sentenced to 30 days on the roads by Justice Fowler yesterday. The first was charged with forcible trespass and the last named with assault and battery.

— Clarendon Lodge No. 2, K. of P., will confer the first rank upon a candidate at its meeting to-night in Castle Hall, over the Murchison bank. This will be the first candidate to be initiated in the new hall and a large attendance by members of the order is expected.

## NEW ADVERTISEMENTS.

Brooks & Taylor—Notice.  
J. A. Springer & Co.—Removal.

## BUSINESS LOCALS.

Wanted—Boarders.  
Miss Cammie Lord—Dancing class.  
Opening day at the C. W. Polvogt Co.

## FIFTH STREET CHURCH JUBILEE.

Bishop W. A. Wilson, of Baltimore, Delivered Two Able Sermons Sunday.

The season of jubilee of Fifth Street M. E. church closed Sunday, with two powerful sermons by the distinguished Bishop, W. A. Wilson, of Baltimore, which were heard by large congregations. Bishop Wilson impressed the people as one of the most forcible and eloquent speakers ever heard here. He is easily one of the leading Divines in the Methodist Church South.

The jubilee has been a glorious one. Former pastors of the church have joined with Rev. John H. Hall in making it a period of great rejoicing, and both Rev. Mr. Hall and his devoted congregation are to be complimented upon this important epoch in their church history. Ten years ago the church had a debt of \$37,000. To-day money is in the bank to meet the last five bonds which are held out of the city. When Rev. John H. Hall, the pastor, came to the church four years ago the debt was \$18,800, and it has been largely through his efforts that the entire debt has been lifted. The church membership is now 450.

**Faithful of Mr. Bridges.**

Funeral services were impressively conducted Sunday morning at 9 o'clock from St. James church over the remains of the late Preston Louis Bridges, whose sad death has been announced. The services were by Bishop A. A. Watson, Dr. James Carmichael and Rev. F. H. T. Horsfield and there were many friends of the deceased and family in attendance. The honor-ary escort to the remains consisted of Capt. Jno. F. Divine, Dr. D. W. Bullock, Messrs. John R. Keely, Gabriel Holmes, Geo. W. Kiddle and E. C. Holt. The active pall-bearers were Messrs. N. B. Rankin, D. T. McKelthan, Sam Bear, Jr., Jno. S. Armstrong, J. H. Waters and M. J. Corbett. The interment was in Oakdale.

**Carnival Company Manager Here.**

The Pythian Carnival Executive Committee held an enthusiastic meeting last night at the office of its chairman, ex-Mayor S. H. Fishblade. Mr. W. S. Layton, proprietor of the Layton Carnival Co., was present and assured those in attendance of high class attractions, many of which are now exhibiting in Cincinnati, Ohio. Carnival headquarters have been temporarily opened in the rear of the Fishblade Clothing Co., and from there much work is being done for the big fair.

Visit the C. W. Polvogt Co. to-day; it is their opening day.

Opening at Polvogt's to-day. Evening, 8 to 10 P. M.

## NEWS FROM THE RIVER FRONT.

**Markets and Movements of Vessels—New Cotton Steamer—Commerce Chamber.**

Cotton receipts yesterday, for the first time this season, were exceeded by those of the same day last year. Yesterday the number of bales was 5,177; last year 5,379. The quotations remain the same. As high as 49¢ cents was bid for spirits turpentine yesterday.

The steamer *Hawes* was in port yesterday from Fayetteville with a large freight, including 211 bales cotton. She is awaiting the arrival of the New York steamer and will return to Fayetteville to-day. The A. J. Johnson has been chartered this trip to assist the *Highlander* in bringing a heavy freight from Willis' Creek and other points.

The Clyde liner *Saginaw*, which was delayed this week, did not pass out at Southport until 4 o'clock yesterday afternoon.

The British steamer *Devonshire*, 2,365 tons, Capt. Coull, arrived yesterday and is the largest tramp to reach port this season. She will receive a cargo of cotton from Messrs. Sprunt & Son.

Schooner *Pasadena* arrived Sunday from New York and is receiving a cargo of cross ties from the Eccleston Lumber Co.

The Executive Committee of the Chamber of Commerce will meet this afternoon at the usual hour in the Chamber's new home on Princess street. The moving was completed yesterday.

**Bought Steamer Franklin Pierce.**

All persons holding claims against the steamer *Franklin Pierce* are requested to present same to Brooks & Taylor for payment on or before Oct. 15th. Messrs. Brooks & Taylor have purchased the *Pierce* from Mr. F. E. White and will operate it in the future from this to lower Cape Fear points.