

# New Bern Weekly Journal.

State Library

VOLUME XXII.

NEW BERN, GRAVEN COUNTY, N. C. TUESDAY JANUARY 13, 1903.

NUMBER 212.

## SIMONTON'S DECISION.

### Holds That Corporation Commission Can Assess Railroads.

### Ruling Based on Abbott-Beading Field Decision. Notes on Marshall Case Sales of Fertilizer Tags. Penitentiary's Water Supply.

RALPH, January 13.—Much interest is felt here in Judge Simonton's decision, filed yesterday, that the corporation commission has ample power to assess railroads for taxation, having all the power the railroad commission had. The decision, in favor of the State on all legal points, is based upon that of the North Carolina Supreme Court in the Abbott-Beading case. That decision, in fact, was in effect that the powers of the railroad commission were devolved upon the corporation commission. Judge Simonton reserves his decision on some other questions involved in the assessment matter, notably that of the claim by the railroads that taxation is unequal and that while the railroads are taxed at full value, other property is taxed on an average at approximately 60 per cent. This question is referred to ex-Chief Justice James E. Shepherd, standing master, of discrimination against the railroads in taxation, if they desire to prevent it. Under the new assessment railroad property is rated much nearer the true value than other property. In fact, it may be said it is assessed at two-thirds the commercial value, while other property escapes with an assessment of perhaps half its true value. It may further be stated that one-third of the taxable property in the State escapes taxation. These statements are made on the authority of one of the highest and best-informed State officials, who says they are the result of a careful study of the situation.

Property is now assessed at \$200,000,000, including \$10,000,000 of railroad property. If all taxable property were returned for taxation at an amount as near the true value as the railroads are assessed, between \$100,000,000 and \$120,000,000 would be added. If this were done taxation at the present rate of expenditures of the State government, could be reduced one-third.

The Morning Post, interviewed Lawyer A. J. Marshall about his case. He said: "Believing as I do, the feeling which District Attorney Bernard and Assistant District Attorney Spears entertain towards me, I do not expect any favor at their hands as long as they have a string to hold me by. I believe my innocence will be proven."

The rumor was prevalent on the streets that the district attorney would not prosecute the case. This rumor was put before Mr. Bernard here. He said: "There is not the slightest scintilla of foundation for that rumor. The case will go through the usual channels and will be brought up at the next term of the Federal Court here. That rumor was only started for effect."

It is said that the Marshall trial will cost him \$2,000, and that he has mortgaged his property to pay the heavy bill. The judge reduces his bill from \$5,000 to \$3,000. This is construed as very favorable to Marshall. The government wanted the case tried here and not at Wilmington. It cannot convict Marshall here. Some gentlemen from another place in the State told a government official that now a nod should be entered in this case. The jury asked the judge to tell it whether Marshall was guilty or not guilty. Public opinion is that Marshall's innocence is beyond peradventure. It was said that one juror did not like Capt. W. H. Day and hence rejected that gentleman's evidence, which absolutely negated the entire mass of evidence the government produced from convicts.

Up to this date 12 sheriffs have made full settlement of State taxes. Cleveland and Hyde are the two last to settle. Mecklenburg has not settled in full yet, but its sheriff has sent in over \$40,000 to the Treasury.

The other day a press telegram from Alabama said the sales of fertilizer tags were immense and showed that there would be a great increase in the cotton acreage, and further that advices from the other States showed a similar condition of affairs. At the Agricultural Department Secretary Iruan said the sales of tags are entirely normal. All the manufacturers are buying some. It will not be until March that any files can be found as to the cotton acreage from the tag sales. So far there is nothing to indicate an increase of acreage.

Chairman Travis, of the penitentiary executive board, says he is gratified at the showing Capt. Fay makes of the penitentiary earnings for 1900; that it is much better than he thought possible months ago or even weeks ago. At one time Travis and Day were at odds, but now they are cordial. Travis says he does not know whether the penitentiary will draw any of the \$80,000 appropriation for 1900 from the State Treasury; that there will be a balance of \$41,000 or \$74,000 from last year's product, but that this is not enough to run the penitentiary this year on a cash basis, which is the thing desired; that the \$55,000 drawn last year from the State will certainly not be refunded; that the purchase on a cash basis will save at least 5 per cent. He says the renting of the Northampton farm for another year is an excellent thing; that last year \$12,000 was made net on this farm; that it and

## the Caladonia farm are about equal as money-makers.

The penitentiary will, before a great while, have to consider the water problem—that is, whether it will use artesian wells or the city mains. The reservoir now is what was formerly the quarry. The supply is from springs. These must be slowly fading, as the water is lower by about six feet than it was a year ago.

J. C. Biggs, of Durham, is the new grand marshal of the Grand Lodge of Masons. A. K. Smith, of Smithfield, grand swordbearer, and T. L. Farrar, of Winston, grand pursuivant. Robert H. Bradley is re-elected grand tiler.

The penitentiary has sold 300 bales of cotton. It has remaining 1,700 bales all at Norfolk.

The revenue act requires that telegraph telephone, sleeping car, refrigerator car, express and dining car companies, etc., shall make reports to the State Auditor during the first months of each year. Notices to them are now being sent out calling for the reports. The reports when received will be turned over to the corporation commission as a basis for the assessment of these companies for taxation.

Already the Confederate monument in the capital square is beginning to look shabby for lack of attention. The lamp posts need painting. The lamp globes are dirty and some bent over. There are bad stains on the base of the monument.

## WHEELER ON THE WAR.

### Philippine Climate Good, Sends Sample of Cotton

MEMPHIS, Tenn., January 11.—A local cotton firm has received a letter from Gen. "Joe" Wheeler, now in the Philippines, enclosing a sample of the cotton grown there.

General Wheeler says very little cotton is grown in the Philippines and most of the cotton in the Manila mills comes from the United States.

Speaking of the Insurrection General Wheeler says: "I regard the insurrection as substantially over. Had it not been for the action of those who are called anti-imperialists in the United States, who had deluged Aguinaldo into the idea that they would secure him independence, it would have been over some time ago.

These islands are rich and are charmingly delightful. All they require is a good honest government. It will be a great advantage to the United States to have our mercantile depots so near the vast population of Eastern Asia."

## NEWSPAPER PROPRIETORS SHOT

### An Attorney Seriously Wounds the Two Men. The Reason Is Not Known.

DENVER, January 13.—H. H. Tammon, one of the proprietors of the Denver Post was shot in the office of that newspaper at noon today by W. W. Anderson, an attorney. The cause of the shooting is unknown.

Anderson also shot Tammon's partner Frederick G. Bonfield. Both publishers were severely wounded. Tammon, besides the proprietorship of the Post, is the founder of the "Great Divide," a monthly magazine, and also the proprietor of one of the leading cigar stores in the west.

## Nicaragua Canal Ahead.

### Washington, Jan. 13. The House Interstate and Foreign Commerce Committee doesn't intend to wait for the report of the Isthmian Canal Commission.

It has ordered a favorable report on the Hepburn bill for the construction of a Canal over the Nicaragua route. The bill authorizes the President to acquire such territory as may be needed for the construction of a canal from Costa Rica and Nicaragua, and directs him as soon as that has been done to go ahead with the construction of the canal. The bill carries an appropriation of \$140,000,000. Mr. Hepburn expresses so much confidence in getting action on the bill at this session that it is suspected that he has received a promise from the Speaker, Senator Morgan approves the bill and says he would like to see it a law at once, but he has a serious doubt about the Senate acting in advance of the report of the Canal Commission.

## COTTON MARKET.

The following quotations were received by J. E. Latham, New Bern, N. C.

	New York, January 13.	Open.	High.	Low.	Close.
Jan. cotton	7.32	7.43	7.32	7.33	
May cotton	7.34	7.39	7.33	7.39	
Nov. cotton	6.76			6.74	
Sept. cotton	6.94			6.90	

CHICAGO MARKETS

	Open.	High.	Low.	Close.
WHEAT	67 1/2	67 1/2	67 1/2	68 1/2
CORN	33 1/2	33 1/2	33 1/2	34 1/2
COFFEE	7 1/2	7 3/4	7 1/2	7 3/4
So. Ry. Pfd.	51 1/2			51 1/2
B. R. T.	64			68
C. & O.	29 1/2			29 1/2
Reading	41			40 1/2
Cont. Tob. Pref.	84			84
A. S. W.	47 1/2			48 1/2

Receipts at cotton ports were 25,900 bales.

## THE BEST

should be your aim when buying medicine. Get Hood's Sarsaparilla and have the best medicine MONEY CAN BUY.

## LONDON TALKS.

### Criticism Of Ministry May Lead To Their Resigning.

### General Buller Seems To Have Flanked The Boer Army Quite Close To Ladysmith. Boers May Be Forced To Give Battle.

Special to Journal.

LONDON, Jan. 13.—There is much talk of the resignation of the Ministry, or a wedding out of old ministers to make way for new and younger men. These would be such as George Windham, Lord Selborne, Williams-St. John Broderick, now all three under secretaries. But it is neither Lord Salisbury's nor Buller's way to throw over their colleagues to appease public opinion.

The cabinet will probably keep together until Parliament meets on January 30th, in order to show what they have done and are doing to retrieve their mistakes here and in South Africa. They will trust to the American maxim against changing horses while crossing the stream to carry them through.

One of Secretary Balfour's speeches this week has been seized upon by a section of the press as foreshadowing military conscriptions here. The Ministry is certainly convinced of the folly of trying to police the world wide empire with a corporal's guard, but they know public opinion too well to attempt conscription. That is not to say, however, that they will not use conscription as a bogey to frighten the tax payers into largely increased military expenditure, and an improvement in the pay and position of the common soldier. Also it would be used to secure a provision for yearly maneuvers on a large scale, and the securing of fresh training grounds and rifle ranges throughout the country, the strengthening of the yeomanry guard, the militia and volunteer forces, and generally speaking the leveling up of the English fighting machine.

The War Office has issued a statement received from the Boer commandants at Pretoria and Bloemfontein, referring to the countries among the British troops at the night near Colesburg on the sixth. The list shows that the Suffolk regiment lost six dead and twenty eight wounded.

## Change of Criminal Court for Craven County.

### By Act of the last Legislature the February term of the Circuit Criminal Court was changed from the third Monday to the fourth Monday in February, being Feb. 26th, 1900.

WASHINGTON, January 13.—The State Department has been informed that the American goods on the Dutch steamship *Barra*, detained by the British government on the suspicion that they were destined for the Boer army, have been released and are now at Delagoa Bay.

London, January 12.—The War Office makes public the following dispatch from General Buller, dated Springfield, Natal, at 9:20 p.m., Thursday.

"I occupied the south bank of the Tugela river at Potgieter's drift this morning and seized point. The river is in flood. The enemy is strongly entrenched about four and a half miles to the north."

Potgieter's Drift is about 16 miles west of Colenso and six miles northwest of Springfield, from which General Buller's message was sent.

If, as was reported, the Boers had strongly entrenched Springfield, where they mounted one or two long guns, it would seem that their position there was abandoned.

At Potgieter's Drift General Buller has the main Boer intrenchments on the right. If he can maintain himself he seriously threatens the safety of General Buller's right flank.

The river before him he reports in flood, but as he probably has the Royal Engineers, with their pontoon train, this is not serious. His immediate opponents are four and a half miles north, guarding, no doubt, the road which leads to Dewdrop and Ladysmith. From the drift to Dewdrop is about 10 miles.

Once at Dewdrop the relieving force would be in communication with the besieged garrison, for General Buller's advanced posts are two or three miles from his camp on each side of the road.

The movement upon the Boer's right threatens their line of communication with the Free State and should bring on a battle almost immediately. Buller, it seems certain, means fight. The chief obstacle in his path for the moment is the Tugela, but floods go down in Natal as rapidly as they rise.

It is probable that General Buller will order to begin his attack as soon as the Springfield position had been turned and General Buller had secured the drift. Everything looks as if a decisive movement to clear the way to Ladysmith had begun an effort on which the whole issue of the Natal campaign depends.

LONDON, Jan. 12.—The Daily Telegraph has received the following telegraph from South Africa.

Free Camp, Natal, Jan. 9.—A storm accompanied by heavy rain, began last night. It is still pouring.

There has been no firing at Ladysmith or Colenso, and the trenches are filled with water.

It is said that the Boers who are holding Mount Hlangwane are isolated by the temporary bridge over the Tugela has been carried away.

## RALEIGH.

### The Voters Fully Educated on State Issues.

### More Room Needed at the Capital. Greensboro Issues Gold Bonds. Taxable Property Should be Equalized. Cotton Used at Home.

RALPH, Jan. 13.—The Democrats are making excellent arrangements for disseminating political news this year. Chairman Simmons knows how to manage these things, as the 1898 campaign showed most conclusively.

Some of the government officials appear to be greatly vexed regarding the Marshall counterfeiting case and at the failure to convict him.

There has long been a "tradition" so to speak, that there are plans some where for the addition of wings to the north and south ends of the State Capitol. Patient search during the last year or two has revealed no trace of any such plans and an architect says he does not believe there ever were any. The matter of increasing the size of the building is under consideration. It is certain that more room is needed. During legislative sessions many rooms in the Supreme Court and library building and some in the agricultural building have to be utilized.

A company is organizing to buy the Peace property, on Deep river, four miles above the Bynum Cotton Factory, for the purpose of utilizing the water power in operating a large cotton mill. The property the Duke's lately bought, and on which they will build large cotton mills, is below the Bynum factory.

A gentleman returning from St. Arv reports 22 cases of smallpox there, all in a quail form.

About two months ago the adoption of Greensboro adopted a resolution providing for the payment of these bonds in "lawful money." Saturday night this order was rescinded and a resolution adopted declaring the bonds to be payable in gold at the present ratio of exchange. The aldermen believe a higher premium can be realized if the bonds are made payable in gold.

In 1897 the railroad commission was made a State board to tax equalization. It was unable to do much work then, because of limited force, etc., but yet increased taxable values \$2,000,000. In speaking of general taxation Clerk Brown, of the corporation commission, said that if the assessment of all property were placed in the hands of the commission the State revenue would not doubt be largely increased. A State official says Mr. Brown's views are very sensible and correct. The whole matter of equality of taxation will undoubtedly figure very prominently this year and perhaps the Legislature at its session in June may act in the premises.

The home mills now spin all the cotton grown in the State, save a little which is exported from Wilmington. The cotton compresses in the State, with the exception of those at Wilmington are idle. Exporters find it harder and harder to get cotton in this State. It is said one exporter has lost heavily this season. He has to bid against the cotton mills.

The revenue cutter *Algonquin* has arrived at Wilmington, her new station.

General Lee's birthday (Oct. 19) is a legal holiday in this State. Many ex-Confederate camps will have special exercises.

Four years ago three brothers named Bill and W. H. Prantley were convicted of murdering John Bonnet, a rich merchant, in Bradford county, in order to rob his safe. They were tried, and in some strange way escaped the gallows, but got 30 years sentences. One of the Bills escaped from the penitentiary and is now in Germany, one died in prison and one is now here. Prantley escaped from a farm last May. It is now found that he has returned to Bradford county, and walks the roads around, swearing he will never be recaptured. A posse will go after him this week.

## FRENCH STEAMER BURNED.

### Many Lives Reported Lost. Report Doubtful by the Company.

Special to Journal.

St. Johns, January 13.—The French cable steamer *Francine Arago* is believed to be shipwrecked in St. Mary's Bay. The ship was ordered from Grand Banks, and was due at St. Mary's Bay to repair a broken cable. The crew numbered 120, of whom none were saved. It is believed that the ship caught fire and was run ashore.

The government steam yacht and a bay steamer were sent today to the scene of the wrecked steamer to see if any of the crew survived.

New York, January 13.—The general manager of the company said today that he did not think that the vessel lost in St. Mary's Bay was the *Francine Arago*. This vessel left Havre a week ago for St. Pierre N. F. and was not yet due. According to the estimates she is yet six hundred miles south of New Found land.

L. T. Travis, Agent Southern R. R., Selma, Ga., writes: "I can not say too much in praise of One Minute Cough Cure. In my case it worked like a charm." The only harmless remedy that gives immediate results. Cures coughs, colds, croup, bronchitis, and all throat and lung troubles. F. S. Duffy.

## PROBABLY RETIRE.

### Boers Fortify North of Ladysmith to Cover a Retreat.

### Buller Appears to Have Turned Them on Both Flanks.

But little news allowed to come through Kimberley again attacked. General Roberts in charge of the forces.

LONDON, Jan. 13.—The standard job, under the following from Ladysmith, Thursday, January 12, by telegraph via Worcester.

"The Boers are fortifying positions north and west of Ladysmith, doubtless with a view of securing a safe line of retreat should their operations to General Buller's advantage."

"They still surround Ladysmith by large numbers, and may be contemplating the another attack."

"It is known, however, that they are greatly depressed by their heavy losses. They had been perfectly confident of their ability to defeat the garrison and take possession of the town."

The besiegers have been quiet for two days, but can be seen in active movements on the distant hills.

The garrison has perceived two small bodies of Boers with two machine guns. The Boer heavy piece on Bulwana Hill has not been fired for two days.

More Boer dead have been found at the base of Colesburg Camp.

LONDON, January 11.—The Daily Mail has received the following dispatch from South Africa.

Pretoria, January 12.—An arrival from the front states that Sir Charles Warren has marched with 11,000 men eastward from Ficksburg by way of Weenen.

His march, it is reported, found no sign of the Boers at Gadder's Kloof, and Colenso, it is also said, was deserted.

There are rumors that the Boers are preparing to leave Natal, discouraged by their failure to reduce Ladysmith.

All the colonial and irregulars have been placed under General Warren's command.

As yet no Boer sources killed in the attack on Ladysmith on January 9 was Commandant de Vries, who, but for his well-known friendship to England, would have been a common enemy. That of the Free State.

It is reported from the Zulu border that the Boer women have been sent for by their husbands at the front owing to the great scarcity of food at Ladysmith.

LONDON, January 13.—The Daily Mail has received the following dispatch from South Africa.

Middelburg, Cape Colony, Jan. 10.—At 4 o'clock this morning a heavy firing was heard to the north. The Boers were evidently again engaged at Gadder's Kloof.

It is rumored that President Kruger is visiting the general with the object of supporting General Buller's operations in the event of a general retreat of the Boers to the north.

LONDON, January 13.—Though there is every reason to suppose that the fighting is proceeding upon the line of the Tugela river, the results so far are still so veiled.

A dispatch from Lord Roberts, sent Sunday and reporting "no change in the situation," tends to increase the probability that the Boers have not yet retreated to the north.

In connection with Gen. Buller's movement General Warren, either on Thursday or Friday night, with 12,000 men, in the direction of Weenen on the Boer's left flank, which would give color to the rumor that the Boers are being flanked there.

As yet no Boer sources killed in the attack on Ladysmith on January 9 was Commandant de Vries, who, but for his well-known friendship to England, would have been a common enemy. That of the Free State.

It is reported from the Zulu border that the Boer women have been sent for by their husbands at the front owing to the great scarcity of food at Ladysmith.

## J. L. McDANIEL,

### Wholesale and Retail Grocer,

### 71 BROAD STREET IS HEADQUARTERS FOR

## GROCERIES AND PROVISIONS

### TOBACCO, SNUFF AND CIGARS.

My Specialties are Flour, Meat and Coffee. I have the best Flour you ever saw.

My S. W. Draft, Star and Admiral Flour stand at the head. Buy either of these brands and you will be pleased with your bargain.

I have the largest and best selection of Groceries in New Bern, and I can save you money.

Everything Guaranteed as Represented.

Good Stables Free.

## J. L. McDaniel,

### 71 BROAD STREET.

## E. B. Hackburn's

### Is the Place to Trade.

### All Goods First-class

### and Guaranteed.

### Every body is using our 20c Mocha

### and Java Coffee and our I. X. L. Flour.

## E. B. HACKBURN.

### At Gaskill & Mitchell's

### Grocery

### You will find everything cleaned up from the Holiday Trade and New Goods in place.

New Buckhead in 10c, 15c and 20c packages.

Maple Syrup and Fancy Butter.

Best Meats of all kinds, chicken and turkey for a lunch.

Best Extract, Canned Fruits and Vegetables.

UP IN QUALITY, DOWN IN PRICE.

For the Belle-Haven Corn, you will use another.

For a good smoke try our Perique to mix with your Dutch Mixture or any tobacco you are now using. A good assortment of fine Cigars and Tobacco always to be had at our store, 61 Broad Street.

## GASKILL & MITCHELL'S,

### HARDWARE GROCERIES,

### 73 MIDDLE STREET. Phone 147. 61 BROAD STREET.

## E. H. & J. A. Meadows Co.,

### MANUFACTURERS—

### Meadows' High Grade Special Guanos.

### If you farm on the intensive system and for profit, you must use HIGH GRADE GUANO.

### Our goods are specially adapted for this section.

## MEADOWS' GREAT Potato Cabbage GUANO,

### Used by the largest and most successful farmers in this section.

### Their Field Results speak louder than Words.

## SPECIAL GUANOS FOR ALL CROPS.

### Use Meadows' GOLD LEAF TOBACCO GUANO, (Tried and True) for Color, Silkiness and Fine Texture. Manufactured in the bright leaf section of the State, and specially prepared for the needs of our land.

### If interested send for leaflet of analysis and testimonials.

### Our 1900 Calendar also for the asking.

## E. H. & J. A. MEADOWS CO.,

### Works: Union Point. New Bern, N. C.