

THE WEEKLY JOURNAL

Established 1878.

Published in Two Sections, every Tuesday and Friday, at 95 Middle Street, New Bern, N. C.

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EDITOR AND PROPRIETOR.

SUBSCRIPTION RATES:

Two Months, 35 Cents.
Three Months, 50 " "
Six Months, 60 " "
Twelve Months, \$1.00
ONLY IN ADVANCE.

Advertising rates furnished upon application at the office, or upon inquiry by mail.

The Journal is only sent on pay-in-advance basis. Subscribers will receive notice of expiration of their subscriptions, and an immediate response to notice will be appreciated by the Journal.

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

Section One, Tuesday, Feb. 25, 1902

SOMETHING WRONG IN OUR CONVICTION OF CRIMINALS.

Reports from Raleigh keep up the never ending story of the pardoning by the Governor of some criminal, and it is said that Governor Aycock's pardon record exceeds that of his predecessor in office, who was given a notoriety because of his frequent pardon of criminals.

In the case of Governor Aycock it is impossible to allege that he will receive any personal benefit of any kind, through his act of pardoning criminals, therefore his course must be that dictated by a judicial mind, rather than that caused by sentiment or emotion, although there may be cases where a criminal's physical condition has warranted executive clemency.

As an illustration of the reasons given for pardoning, three recent cases will serve.

The first man, two years in penitentiary for larceny, pardoned on recommendation of the Judge, Solicitor and a great number of citizens.

The second, 18 months on county roads for stealing a horse. Reason for pardon, prisoner was drinking at time of stealing the horse, and the offence, since the man was sentenced by a jury, is found to be caused by his being drunk at the time, and without any wilful thought of criminal intent.

The third case, five years in penitentiary for manslaughter. Pardon granted upon request of Solicitor and many citizens. The homicide, since the man was convicted by a jury, is regarded as probably accidental and not wilful or malicious.

Here are three instances of the pardoning of men, who judging from the reasons offered for their pardon, should never have been convicted and had the badge of criminality stamped upon them.

At the first heat of passion Judge, Solicitor and many citizens who must have been fully cognizant of every detail of the crimes committed, find the men guilty and give them the sentence of felons.

A few months afterwards, these same prosecutors come forward and recommend the Governor to pardon the men, whom they, Judge, Solicitor and Jury, have said before the sworn law, were guilty and deserved punishment for their crimes.

The evil of this whole pardon power is that men are stamped criminals too hastily and conviction follows in the same heat of passion, without that judicial coolness and fairness which should be given to the prosecution of any and every alleged criminal.

Taking the above cases as precedent, the Governor is placed in a position which forces him to correct the abuses of the prosecutors of criminals, or accepting as true the recommendations presented, he keeps behind the bars, men who are unjustly confined, through a criminal trial that erred.

It is in the prosecution and conviction that this trouble lies.

Put only criminals in the penitentiary and the Governor can lay aside his pardoning power, for he will have no use for it.

"DISCHARGED CURED."

The above expression is said to be the one used by William C. Whitney, when he left the office of Secretary of the Navy.

It has been Mr. Whitney's privilege to be in position which gave him complete insight into political office holding, so that he must know what office holding is, which is gained through being in politics.

Mr. Whitney has been prominent in Democratic circles, and stands today as a man whose opinion and advice is well worthy of the party consideration.

But how few of those who have held

political office, or are now holding them, can or will say they are "cured," and will cease to make effort to gain political office, or continue to endeavor to hold the office they now possess?

Very few, indeed, no matter if they possess wealth and are independent of the office, for there is a fascination in the possession of a political office which makes its possession the effort of nearly every man.

Better a public office with a few dollars per month, than to work outside and make several times the money, seems to be the idea of too many men.

The "discharged cured" office holders are very few and far between.

THE 'STAGE AND THE BILL' POSTER.

The passing of an alleged and advertised "burlesque company" through this State a week or two ago, was the occasion for a pretty general outburst of indignation from the press, not because the company gave an inferior performance, from a dramatic and linguistic point of view, but on account of what was termed the "indecent" of the show.

Two things contributed to this reproach of the company giving an "indecent show," the first being the advance sheets of bill posters, and second, some criticism from an outside party because of a rebuff given the aforesaid party, who to get revenge, sent out the criticism, which went in advance of the company wherever it played.

Nothing is more uncertain than the performance to be expected from the average "opera," "burlesque," or "dramatic" company which gives its one night stands.

The advanced notice pictures the coming show as superior in its every part for number of people and in the abundance of scenery it carries, all fresh from New York or some other metropolitan city.

To aid the press notices, the bill poster arranges every available place with flaming pictures, from "actual scenes of the play."

The result of all this is that the performance falls far short of expectations, and unless the local critics, who furnish the newspaper notices are "seen," the show will get a bad notice, which is certain to injure its receipts in the next town.

In the case of the recent company, which caused such a protest on all sides, as it took its way through this State, it is not shown that its stage exhibition was any different or more "indecent" than that given by the leading theatrical companies, whose presentations are termed "classical."

But the bill poster, in all its glaring details, and the advanced notice of the offended critic, did the work for this "burlesque company."

In all this criticism, there seems to have been a superfluous amount from persons, who neither attend the theatre or know what is shown upon the stage of today.

But in the matter of the bill poster, the public certainly had a right to protest, for there is no warrant for the display in public places of any poster, of any show, however it may be recommended, which is an offense to the eye and thought of those who cannot help seeing the glaring nuisance on every side.

The passing show may give its "exhibit" on the stage, and this can be avoided by anyone.

But the bill poster, with its indecent offensiveness cannot be shunned, and is a public nuisance, which any municipality has the right to abate without waiting for any National or State legislative action.

\$100 Reward, \$100.

The readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages and that is Catarrh. Hall's Catarrh Cure is the only positive cure now known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers, that they offer one Hundred Dollars for any case that it fails to cure. Send for list of testimonials. Address:

F. J. CHENEY & CO., Toledo, O.

Sold by Druggists, 75c.

Hall's Family Pills are the best.

Young Roosevelt's Condition.

Washington, Feb. 19.—The President today received word that young Roosevelt is beyond the danger of a relapse and that Mrs. Roosevelt is planning to bring him home next week.

Dr. Bull's Baby Syrup for Teething Babies.

Teething Babies. Price, 10 cts. Cures Wind-Colic, Diarrhoea, Pyretic, Griping Pains, Sour Stomach, Fever, Cholera Infantum. Dr. Bull's Baby Syrup promotes the digestion and soothes the

Kodol Dyspepsia Cure

Digests what you eat.

This preparation contains all of the digestants and digests all kinds of food. It gives instant relief and never fails to cure. It allows you to eat all the food you want. The most sensitive stomachs can take it. By its use many thousands of dyspeptics have been cured after everything else failed. It prevents formation of gas on the stomach, relieving all distress after eating. Dieting unnecessary. Pleasant to take.

It can't help but do you good

Prepared only by E. C. DeWitt & Co., Chicago. The 51. bottle contains 24 times the dose.

F. S. DUFFY & CO.

Against Bible in the Schools.

Topeka, Kan., Feb. 21.—An organized effort to shut out the Bible from the schools of this city has resulted in a suit by J. B. Billard to compel the Board of Education to re-instate his son. The boy was expelled for not desisting from his studies while moral devotional exercises were being conducted.

President Pardons Dying Man.

Washington, Feb. 21.—Because the man is dying of consumption the President today granted a pardon to Walter Holmes, convicted in 1900 of robbing the Baltimore post office of a small sum of money and sentenced to three years in the penitentiary.

When you want a physic that is mild and gentle, easy to take and pleasant in effect use Chamberlain's Stomach and Liver Tablets. Price, 25 cents. Samples free. Every box guaranteed. For sale by F. S. Duffy & Co.

Germany to War on Rats.

Berlin, Feb. 21.—The destruction of rats throughout the empire, in order to mitigate the danger of contagious diseases, has been decided upon, and Dr. Robert Koch, the eminent bacteriologist has been commissioned to devise the campaign.

The greatest danger from cold and influenza is their resulting in pneumonia. If reasonable care is used, however, and Chamberlain's Cough Remedy taken, all danger will be avoided. It will cure a cold or an attack of influenza in less time than any other treatment. It is pleasant and safe to take. For sale by F. S. Duffy & Co.

Final of Treaty With England.

Washington, Feb. 21.—The final ratification of the Hay-Panchoferte treaty will be exchanged as soon as the copies can be executed, the British Government having vested its Ambassador with full power in this direction.

Rheumatism Cured in a Day.

Myrtle Cure for Rheumatism and Neuralgia radically cures in 1 to 3 days. Its action upon the system is remarkable and mysterious. It moves at once the cause and the disease immediately disappears. The first dose greatly benefits. 75 cents and \$1.00. Sold by T. A. Henry, Druggist, New Bern.

New Capitol Architect Named.

Washington, Feb. 21.—The vacancy in the office of Superintendent of the Capitol is filled by the promotion of Elliot Woods, who had for years been the late Edward Clark's assistant.

Millions Put to Work.

The wonderful activity of the new century is shown by an enormous demand for the world's best workers—Dr. King's New Life Pills. For Constipation, Sick Headache, Biliousness, or any trouble of Stomach, Liver or Kidneys they're unrivaled. Only 25c. at C. D. Bradham's drug store.

Fire From Boiler Explosion.

Brooklyn, February 20.—Four apartment houses, 12 to 20 Kingston avenue, were burned this morning as the result of the explosion of a steam heated boiler.

A Legacy Of The Grip

Is often a run-down system. Weakness, nervousness, lack of appetite, energy and ambition, with disordered liver and kidneys often follow an attack of this wretched disease. The greatest need then is Electric Bitters, the splendid tonic, blood purifier and regulator of Stomach, Liver and Kidneys. Thousands have proved that they wonderfully strengthen the nerves, build up the system, and restore to health and good spirits after an attack of Grip. If suffering, try them. Only 50c. Perfect satisfaction guaranteed by C. D. Bradham.

Exclusion Bill Comes Soon.

Washington, Feb. 21.—An exclusion bill to shut out the Chinese of every class is promised by Senator Penrose, who said the measure would be reported early by his committee.

Retires After Forty Years Service.

Washington, Feb. 21.—After practically continuous service for 40 years, Lieutenant Colonel Charles McClure, of the pay department of the army, is retired.

Bucklen's Arnica Salve.

The best and most famous compound in the world to conquer aches and kill pains. Cures Cuts, heals Burns and Bruises, subdues Inflammation, masters Piles. Millions of Boxes sold yearly. Works wonders in Bells, Hoers, Fevers, Skin Eruptions. It cures or no pay. 25c. at C. D. Bradham's drug store.

RALEIGH.

Temple Building For Grand Lodge Of Masons.

Railroad Extension Work. State Base Ball League. Heavy Demands Upon Charity. Mc Kinley Fund Grows Slowly.

RALEIGH, N. C. February 21.—A heavy sleep began to form last night. It is the third in two weeks. A driving rain had little or no effect on the deep masses of snow.

Judge Henry R. Bryan was here today on his way to Henderson to hold his first court this spring. He has almost recovered from his long illness.

The McKinley memorial fund for North Carolina comes in very slowly, though earnest efforts are at last being made to raise the \$1,000 which North Carolina is expected to contribute. Thus far only \$35 has come in—\$5. from Governor Aycock, \$20. from Rocky Mount and \$10. from Rockingham.

The special committee of the Grand Lodge of Masons appointed to arrange for the building of a Temple met here today, but not a quorum was present. Messrs. Drewry, Cotton and Harris were the only members who attended. These conferred with architects, in order to get ideas as to plans. Charlotte, Greensboro and Durham make offers of large financial aid. Gen. Cotton says the idea is to have a \$100,000. building, and the Raleigh is the logical place for it. There will be another meeting of the committee in April, when the architects will submit designs and plans. If Raleigh is selected as the place it will have to make a very liberal subscription. The committee favors a plan for a building in which there will be stores and offices so as to yield some revenue.

Active steps are being taken to extend the Raleigh and Cape Fear railway to Fayetteville. The owners have been at Fayetteville, and as stated last week it seems reasonably sure that the road will be extended there from Fuquay Springs, its present terminus. It has also been stated by your correspondent that the Carolina and Northern railway will be extended to Charleston, thus giving the latter city connection with Lumberton. It is the desire to connect the latter place with Raleigh by means of an extension of the Raleigh and Cape Fear from Fayetteville to Lumberton. All this matter is under discussion here now.

There is marked slowness as to the completion of the State baseball league. All the matter ought to be perfected by the first of March.

The relief work among the poor grows more extensive here day by day. It is costly, for the demands are great. Hardly any kinds of work can be done.

Mr. Chadbourne of Augusta, Maine, the President of the National Association of Railway Commissioners, is here for a day or two, the guest of friends in this city.

Farmers Trade Children.

TOPEKA, KAN., Feb. 20.—An unusual transaction occurred in Russell county in this State a few days ago, when Valclaw Gadless and Henry Bretz, wealthy Russian farmers, traded children. The story was brought here today by ex-State Treasurer C. L. Atherton.

Gadless and Bretz are neighbors. Gadless had six children and all were girls, and the four children in the Bretz family are boys. Bretz wanted to trade his 9 year-old son John for Emma, the 11 year-old daughter of his neighbor. Gadless thought the trade unequal, and finally consented when given a load of corn to boot. The parents appeared in Russell Saturday with the children who had been traded and had the transaction recorded by the county clerk. The transaction has excited a great deal of comment.

Every Mother Knows

how hard it is to keep the children covered up at night. They will kick the quilts off and take cold. Do not give them medicines containing opium. Allen's Lung Balm, free from narcotic drugs, is never more useful than when it ridges the children of cold and saves the mother's anxiety. It makes a friend of everyone who uses it.

To Guard Prince Henry.

NEW YORK, Feb. 20.—Police Commissioner Partridge today assigned to Detective Valley the task of selecting eight detectives to be near Prince Henry during his time in this city.

It is the intention of the city authorities to surround the Prince with guards that accident will be reduced to a minimum. In addition to the bodyguard of detectives, many uniformed officers will be at the pier and other public places to keep back the throng of curious persons who will try to get as close as possible to the royal visitor.

The claim of other cough medicines to be as good as Chamberlain's are effectually set at rest in the following testimonial of Mr. C. D. Glass, an employee of Bartlett & Dennis Co., Gardner, Me. He says: "I had kept adding to a cold and cough in the winter of 1897, trying every cough medicine I heard of without permanent help, until one day I was in the drug store of Mr. Houlahan and he advised me to try Chamberlain's Cough Remedy and offered to pay back my money if I was not cured. My lungs and bronchial tubes were very sore at this time, but I was completely cured by this remedy, and have since always turned to it when I got a cold, and soon found relief. I also recommend it to my friends and am glad to say it is the best of all cough medicines." For sale by F. S. Duffy & Co.

SILVER ANNIVERSARY.

H. N. Duke's Generosity to Oxford Orphanage Recognized by His Associates.

Special to Journal.

RALEIGH, N. C., Feb. 21.—Past Grand Master of Masons, John Nichols, and Grand Secretary of Masons, John C. Drewry, left here today for Durham, where they attended the celebration this evening of the silver anniversary of Benjamin N. Duke.

They carried with them a handsome embossed, framed resolutions adopted by the Grand Lodge at its annual communication last month, in acknowledgment of Mr. Duke's devotion and great financial aid of Oxford Orphanage Asylum of which he last autumn resigned the trusteeship.

GENERAL FUNSTON'S DENIAL.

Secretary Root Declares That The Humanity Of The American Soldiers Has Never Been Surpassed.

Washington, D. C., Feb. 20.—"It is an atrocious lie, without the slightest foundation of fact."

General Funston so characterizes the report called to the attention of the Senate last week, that the "water cure" is the favorite torture of the Americans to force the natives to give information, and that a soldier who was with General Funston had stated that he had helped to administer the "water cure" to 100 natives, all but twenty-six of whom died.

General Funston's denial, supplemented by a letter from Lieutenant Batson, commander of the Meschabeo co. to the same effect, was sent to the Senate today by the Secretary of War, together with the records of thirteen inqueries into similar charges.

The Secretary says that the Filipinos governing our soldiers in the Philippines are the same as those promulgated under President Lincoln, in 1863. Continuing, he says, "I send you a memorandum of forty-four officers, soldiers and camp followers who have been tried, and thirty-nine of them convicted, for violation of such orders as are above described."

"The war on the part of the Filipinos has been conducted with barbarous cruelty and general disregard to the rules of civilized warfare. They deliberately adopted the policy of killing all natives, however peaceful, who were friendly to our Government."

"The Filipino troops have frequently fired upon our men from under protection of flags of truce, tortured to death American prisoners, buried alive both American and friendly natives, and horribly mutilated American dead."

"That the soldiers fighting against such an enemy and witnessing such deeds should occasionally retaliate by unjustifiable severities is not incredible. But that such occurrences have been sanctioned or permitted is not true. A constant and effective pressure of prohibition, precept and discipline has been maintained against them. That there has been any such practice is not true. The cases have been few and far between."

"The war in the Philippines has been conducted by the American army with scrupulous regard for the rules of civilized warfare, and with humanity never surpassed, if ever equalled, in any conflict, worthy only of praise and reflecting credit upon the American people."

Saved Her Child's Life.

"In three weeks our chubby little boy was changed by Pneumonia almost to a skeleton," writes Mrs. W. Watkins, of Pleasant City, O. "A terrible cough set in, that, in spite of a good doctor's treatment for several weeks, grew worse every day. We then used Dr. King's New Discovery for Consumption, and our darling was soon sound and well. We are sure this grand medicine saved his life." Millions know it's the only sure cure for Coughs, Colds and all Lung diseases. C. D. Bradham guarantees satisfaction, 50c, \$1.00. Trial bottles free.

Against Cherry Trees.

Washington, February 20.—A fraud order has been issued by the postoffice department denying the use of the mails to the Amos-Owen Cherry tree company of Rutherfordton, N. C.

Dr. Bull's Pills for Liver Ills.

One pill a dose. Box 50 pills, 10 cts. Cure Constipation, Liver Troubles, Biliousness, Impure Blood, Dyspepsia, Female Complaints, Stomach and Bowel Disorders. Dr. Bull's Pills never gripe.

Hurricane at Apia.

San Francisco, Feb. 19.—Passengers arriving from Pago-Pago, Samoa, on the steamer Sonoma report that a great hurricane occurred at Apia about February 2nd or 3rd and that several vessels were blown ashore.

Duffy the druggist, will refund you your money if you are not satisfied after using Chamberlain's Stomach and Liver Tablets. They cure disorders of the stomach, biliousness constipation and headache. Price 25 cents. Samples free F. S. Duffy & Co.

A Sub-Treasury for the South.

Washington, Feb. 20.—The need of a sub-Treasury for the South was presented to the Ways and Means committee today by Mayor Meyers and a delegation of business men of Savannah, who asked for the establishment of such a Treasury branch at that city.

It was stated that such a branch would be of material aid in financial dealings in the South, particularly at the time when the cotton crop and other Southern staples are being moved.

ARE YOU WISE

A great many people suffer through ignorance. They don't know that for all influenza there is no remedy so equal Mexican Mustang Liniment.



an easy way

and a sure way to treat a case of Sore Throat in order to kill disease germs and insure healthy throat action is to take half a glassfull of water put into it a teaspoonful of

Mexican Mustang Liniment

and with this gargle the throat is freed from dangerous germs. Then bath the outside of the throat thoroughly with the liniment and after doing this pour some on a wet cloth and wrap around the neck. It is a POSITIVE CURE.

25c, 50c, and \$1.00 a bottle.

IT MAY BE YOU have long been troubled with a running sore or sore throat. Treat it at once with Mexican Mustang Liniment and you can depend upon a speedy cure.

ARE YOU DEAF? ANY HEAD NOISES?

ALL CASES OF DEAFNESS OR HARD HEARING ARE NOW CURABLE

by our new invention. Only those born deaf are incurable. HEAD NOISES CEASE IMMEDIATELY.

F. A. WERMAN, OF BALTIMORE, SAYS:

Gentlemen:—Being entirely cured of deafness, thanks to your treatment, I will now give you a full history of my case, to be used at your discretion. About five years ago my right ear began to ring, and this kept on getting worse, until I lost my hearing in this ear entirely. I underwent a treatment for catarrh, for three months, without any success, consulted a number of physicians, among others, the most eminent ear specialist of this city, who told me that only an operation could help me, and even that only temporarily, that the head noises would then cease, but the hearing in the affected ear would be lost forever. I then saw your advertisement, accidentally in a New York paper, and ordered your treatment. After I had used it only a few days according to your directions, the noises ceased, and so did, after five weeks, my hearing in the diseased ear has been entirely restored. I thank you heartily and best to remain Very truly yours, F. A. WERMAN, 730 S. Broadway, Baltimore, Md.

Our treatment does not interfere with your usual occupations. Examination and advice free. YOU CAN CURE YOURSELF AT HOME at a nominal cost. INTERNATIONAL AURAL CLINIC, 1093 LA SALLE AVE., CHICAGO, ILL.

FOR HORSES & MULES, CALL ON Julius M. Arnold

66 B ROAD STREET. Who has just returned from the West with the finest lot of Horses ever seen in New Bern, Suitable for the FARM, 1 RIVING, SADDLE, also DRAUGHT HORSES, that will be for cash on time. GUARANTEED AS REPRESENTED.

JULIUS M. ARNOLD,

A CHANCE IN A LIFE TIME

to invest on the ground floor with owners, in a developed free milling gold mine that has produced, and has expended on it

Fifty Thousand Dollars

in development on the ledge and a complete five stamp mill, with all other necessary machinery ready to run.

The Oark is not a prospect, but a mine that has produced. We are placing 100,000 shares of development stock at 25c per share, capital stock 1,000,000 shares (par value \$1.00 each), fully paid and non-assessable, to further develop and pay the property as a paying basis.

A property lying near the Oark, with owners as good a showing and very little development, sold last week to a New York syndicate for \$200,000. The stock will pay dividends and be worth par inside of six months. This is the best investment for the money that has ever been offered to the investing public.

Do not lose this opportunity. It will never appear again. For further particulars, prospectus, report on mine, references, etc., ADDRESS:

Ozark Gold Mining & Milling Co., MOSCOW, IDAHO.

FOR HORSES, MULES, Buggies, Farm Wagons, Cart Wheels and Harness

GIVE ME A TRIAL

THOS. J. MITCHELL,

