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Section Two, Friday July 25, 1902

NEWSPAPER CRITICISM AND LIBEL

The suit of the Commonwealth's Attorney against the Virginian-Pilot of Norfolk, because it is supposed, of that newspaper's criticism of the attorney's handling of a certain criminal case, this suit is a matter of interest to every newspaper publisher.

Perhaps no line is harder to positively define than the one where a newspaper's criticism ceases to be public news and is a just subject for a libel suit.

Newspaper criticism is no more acceptable to the public official, than it is to the citizen in private life.

The former may be more hastily provoked to action in the matter, not so much in regard to the sustaining of his individual character, as to the saving of his official reputation, whereby his tenure of public office may be threatened.

The newspaper of today is the mentor of the people, and being such it must treat and deal with the conduct of public officials.

No man in a position of public trust can feel so keenly, and view so dispassionately, the conduct of public affairs, as does the newspaper, this being of course outside any politics in the matter.

The public press is practically a unit, in its desire to promote all that is best for the people, and it is not too much to say that the sacrifices are made by newspapers, not by outside persons, in all the great achievements which have marked the world's progress.

And it is in this matter of libel, of what shall constitute a claim for damages upon a newspaper, because of its exposure or criticism, or both, of the public conduct of a public official, that is so vital to newspaper publishers.

As in the case of the Virginian-Pilot, how were the people to pass on the subject, without the judgment of newspaper as well as that of their Attorney?

Public officials are not infallible, nor is the newspaper, but the chances are that the latter will be more often correct than the former, having less of personal interest and being without special prejudice, in the case under consideration, and as to being sustained in its opinions, the logical and judicial, the newspaper cares to be found correct in them fully as much as may the individual who seeks damages for criticism from the newspaper.

The newspaper refusing to impartially criticize the conduct of public affairs, presenting just reasons for its position, is not carrying out its special duty. It may be a great responsibility, a risk to its interests in so doing, yet it is no more than doing its paramount duty as the mentor of the people.

And in doing this, its duty, it may be claimed as being subject for libel, because of its passing judgment upon some individual's conduct of a public affair.

A newspaper may have passed its limit, in criticizing, yet do so without malice or prejudice, only carried the publication of its judgment to a full completion, in order that the people might understand the case as it appeared from the newspaper point of opinion and judgment.

The Virginian-Pilot's may have been such a case. It is not clear that there was a warrant that it was a case for libel! A jury should easily decide such a case.

LAST OF THE MINING KINGS.

The death of John W. Mackay in London, marks the last of the famous mining Kings of California, whose energy, activity and business skill marked the development in Nevada and California of the mining industry.

A century of a century ago, an earnest man so well known in the great west as Mackay, O'Brien, Flood and

Pair, had their phenomenal success in mining operations, especially the great Comstock mine which in six years had an output of over three hundred million dollars.

In all of the enterprises of the Bonanza Firm, as it was known, Mackay was the leading spirit. From mining operations into the banking business, and then into the telegraph business, Mackay showed the same energy and intelligence, which brought him success.

Joining James Gordon Bennett, in an ocean telegraph line, he also founded the Postal Telegraph Company, being actively engaged in building up both.

While living abroad a great deal, Mr. Mackay was ever an American in spirit and deed, and was always interested in American affairs.

His was a life which has added much to the increase and building up of American industries, and proven of value in advancing all interests of civilization.

OF THINGS PAST.

The esteemed Charlotte Observer notes the case of Mr. Pearson of Burke, who withdraws as a candidate for the Democratic nomination for the next Legislature, one of the gentleman's reasons for withdrawing being the fear that the "discarded negro issue" might be revived, and he would not be in sympathy with it.

The Observer makes this withdrawal the basis for a "No More Nigger for Him" editorial in which the Observer says:

He (Pearson) forsores another "nigger" campaign and has no stomach for it. How many men in the west have? We are here to say that if it is insisted upon and persisted in it will disgust and alienate more western white voters than it will terrify and solidify. We people up here have had enough of it and want to get down to the consideration of men and of live issues.

If the Western people, including the Charlotte Observer have had enough of the "nigger issue," how does it think the people "down east" feel about it? We are not merely out and past the issue, but are ceasing to have patience with the Democrats who every once in a while are dragging it out, as if we were interested in the issue.

If the Observer had noted these columns a few weeks ago, and read the proceeding of the Eighth Senatorial Convention, at which a prominent Democrat declared his county people were independent now that the negro issue was dead, and would not be driven, etc, our esteemed contemporary would not feel that the west could stick up its nose at an issue, as if the same issue was tolerated by the east.

If the Observer will note the Wilmington Messenger, as well as the JOURNAL, it can see how much of an "issue" is the matter of the negro voting.

It is a past issue, and the politician who attempts to "terrify" and "solidify" white voters upon it, will be laughed at down this way.

It is to be hoped the Observer will in future give us some live thoughts, and not drum up political bogies for our consideration and denial.

How's This?

We offer One Hundred Dollars Reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure.

F. J. CHENEY & CO., Toledo, O. We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly honorable in all business and financially able to carry out all obligations made by their firm.

WERT & TRUAX, Wholesale Druggists, Toledo, O.

WARD, KIRKMAN & MARVIN, Wholesale Druggists, Toledo, O.

Hall's Catarrh Cure is taken internally acting directly upon the blood and mucous surfaces of the system. Testimonials sent free. Price 75c. per bottle. Sold by all Druggists.

Hall's Family Pills are the best.

Suburbanite's Troubles. Manhattan—But I suppose you never have any excitement down in Lonelyville.

Suburbanite—I don't, eh? Say, have you ever tried taking a bath in a roomful of mosquitoes?—Town Topics

The New Cost. "What protection has this place against fire?" asked the tourist. "Not much," replied the native. "We rely principally on a belief in the efficacy of prayer."—New York Times.

A Sprained Ankle Quickly Cured. "At one time I suffered from a severe sprain of the ankle," says Geo. E. Cary editor of the Guide, Washington, Va. "After using several well recommended medicines without success, I tried Chamberlain's Pain Balm, and am pleased to say that relief came as soon as I began its use and a complete cure speedily followed." Sold by F. S. Duffy & Co.

The World Bats. It happened at a meeting of club-women, who were settling various complicated international, national and civic affairs with their usual facility. "Do you believe in imperialism?" asked the speaker.

Mrs. Strengthened rose instantly. "In the family," she said, "I do." The speaker was murmuring—Chicago Post.

W. A. DUFFY & CO., Proprietors. In the line of the New York Journal.

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. Dosing unnecessary. Pleasant to take. It can't help but do you good.

Prepared only by F. S. DUFFY & Co., Chicago. The St. Louis contains 24 times the dose.

F. S. DUFFY & CO.

FLOWER AND TREE.

Nothing is more charming in the way of plants than a wisteria trained into a tree.

For a fine lawn trim with regularity and frequency. Regularity is one of the secrets of success in this line.

Allow plenty of spreading room for all wild roses and perennials. One of their most lovable features is this tendency to increase.

A fond in the garden is a real friend to the gardener. It means a dearth of insects and other plant enemies, and it costs nothing at all to keep.

As a cardinal rule never give sickly plants manure. It will insure their destruction as surely as if you fed a much enfeebled invalid on an alderman's diet.

Saved From an Awful Fate.

"Everybody said I had consumption," writes Mrs. A. M. Shields, of Chambersburg, Pa. "I was so low after six months of severe sickness, caused by Hay Fever and Asthma, that few thought I could get well, but I learned of the marvelous merit of Dr. King's New Discovery for Consumption, used it, and was completely cured." For desperate Throat and Lung Diseases it is the safest cure in the world, and is infallible for Coughs, Colds and Bronchial Affections. Guaranteed bottles 50c and \$1.00. Trial bottles free at C. D. Bradham's.

Justice Greater Than Charity. The one divine work, the one ordered sacrifice, is to do justice, and it is the last we are ever inclined to do. Anything rather than that. As much charity as you choose, but no justice. "Nay," you will say, "charity is greater than justice." Yes, it is greater; it is the summit of justice; it is the temple of which justice is the foundation. But you can't have the top without the bottom; you cannot build upon charity. You must build upon justice for this main reason, that you have not at first charity to build with. It is the last reward of good work. Do justice to your brother (you can do that whether you love him or not) and you will come to love him. It is all very fine to think you can build upon charity to begin with, but you will find all you have to begin with begins at home and is essentially love of yourself.—Bunskin.

You may as well expect to run a steam engine without water as to find an active energetic man with a torpid liver and you may know that his food or feels dull and languid after eating often has headache and sometimes dizziness. A few doses of Chamberlain's Stomach and Liver Tablets will restore his liver to its normal functions, renew his vitality, improve his digestion and make him feel like a new man. Price 25 cents. Samples free at F. S. Duffy & Co's drug store.

A Reckless Flunger. In the great gambling hall there was breathless silence.

A poker game between two of the billionaires was in progress.

About their tables were packed and jammed hundreds of curious excited people watching their play with astonishment.

"I'll bet you a porterhouse steak," says one.

Murmurs of awe rise from the watchers.

Clear and stern comes the answer: "I'll see that porterhouse steak and raise you two rib roasts, a pig's knuckle and a can of extol soup."

Here the onlookers gasped.

One of them indeed muttered: "It is such things that make anarchists."—Baltimore American.

Call at F. S. Duffy & Co's drug store and get a free sample of Chamberlain's Stomach and Liver Tablets. They are an elegant physic. They also improve the appetite, strengthen the digestion and regulate the liver and bowels. They are easy to take and pleasant in effect.

Has Nightly Fall. How doth the mighty crowd look up Through smoked or colored glass To him who travails upon The welcome railroad pass! —Buffalo Express.

The Man He Was Looking For. Hewitt—"I'm going to give you five. Jewett—"If you can do it, you shall be my tailor."—New York Times.

The Best Prescription for Malaria. Chills and Fever is a bottle of Groves' TARTARUM CHLOR. It is simply iron and quinine in a tasteless form. No cure—no pay. Price 50c.

A Dangerous Benefit. Examples are good in their way For great and also for small, But following them may tend to spoil Much that's original. —Philadelphia North American.

The Easy Way. "How does he play golf?" "By proxy. He sends a caddy over the course, while he sits on the clubhouse porch."—Judge.

Acid Immediately. Colds are sometimes from troublesomeness in winter than in winter, it's so hard to keep from adding to them while cooling off after exercise. One Minute Cough Cure cures at once. Absolutely safe. Also immediately stops even for coughs, colds, croup, throat and lung troubles. F. S. Duffy.

COOLER WEATHER

Favorable For State Firemen's Tournament at Capitol.

Assessment Upon Common Carriers. A. & M. College Buildings. State Charters. Prizes Offered for Firemen's Contests. Supt. Joyner Better.

RALEIGH, July 23.—The corporation commission, having completed its assessment of the various common carriers, today gave out the figures, which are as follows: Atlantic Coast Line \$13,798,460; Seaboard Air Line \$8,712,728; South ern \$15,832,677; W. A. Allamoa railroads \$3,966,520; total for railroads \$43,488,386. The Pullman car company \$180,305; telegraph companies \$905,140; express companies \$285,770; telephone companies \$380,484; street railways \$1,194,590; electric light and gas companies \$150,010; water works \$330,485; steamboats \$236,300; grand total \$46,029,840.

There is improvement in the condition of State Superintendent J. Y. Joyner and it is said today that he may be able to be in his office next.

The buildings of the Agricultural and Mechanical College here are now united; but is the desire to have those devoted to agriculture on a new site west of the present one, so as to separate them from the mechanical buildings. The site referred to was recently purchased and is in front of the State fair grounds. It is the highest part in several miles of Raleigh. The trustees of the college will ask the legislature to appropriate \$40,000 for these agricultural buildings.

A charter is granted by the State to the Red Cross Remedy Co., of Wilmington, capital \$10,000, James M. Forsee and others stockholders; also charters to the Elizabeth City Hosiery Co., capital \$10,000, E. F. Ayndell and others stockholders; the Peerless Mattress Co., of Lexington, capital \$10,000, W. R. Holt and others stockholders.

One of the large oaks in the capital square has died, since July 1. Its loss makes an ugly gap in the superb growth of trees.

Among today's arrivals were R. E. Smith and W. G. Von Glat of Wilmington; T. A. Green of New Bern.

It is said that Gov. Aycock may remain away until the end of the week.

The sudden change in temperature last night following the intense heat, was very grateful and adds much to the pleasure of the firemen who are here in such numbers.

The fourteenth annual convention of the North Carolina State Firemen's Association began at 11 o'clock this morning in the city, President James D. McNeill presided. Rev. Dr. I. M. C. Pittenger offered prayer. Address of welcome was delivered by M. T. Leach. To this Robert Dick Douglas of Greensboro responded. President McNeill called on Chiefs of various fire departments to make remarks. Roll was called and Salisbury, Salem, Winston, Tarboro, Wilmington, Wilson, Greensboro, Henderson, Kinston, New Bern, Raleigh, Spencer, Washington, Rocky Mount, Monroe, Burlington, Asheville, Charlotte, Concord, Durham, Elizabeth City, Fayetteville and Goldsboro were found to be represented. Speeches were made by insurance commissioner J. R. Young, Rev. Dr. Pittenger, Mayors Boyden of Salisbury, Webb, of Kinston, and Powell of Raleigh.

The firemen's tournament is to begin tomorrow at 11 a. m. and continues Thursday. The races all take place on Hillsboro street, except the Hook and Ladder contest, which will be on New Bern avenue. The courses are both good ones. There will be a street parade at 11 a. m. tomorrow. The engine contests begin at 11. The prizes for long distance are \$50, \$30 and \$25; for quick steam \$50 and \$25. The hook and ladder prizes are \$100, \$50 and \$25. The horse hose wagon races occur tomorrow, prizes \$35, \$50 and \$25, also the championship reel races, prizes \$75, \$50 and \$25. The hook and ladder contests occur Thursday, as do also the hand reel grab contests, prizes \$40, \$25, and \$15. There will also be on Thursday special feature races.

Women and Jewels. Jewels, candy, flowers, man—that is the order of a woman's preferences. Jewels form a magnet of mighty power to the average woman. Even that greatest of all jewels, health, is often ruined in the strenuous efforts to make or save the money to purchase them. If a woman will risk her health to get a coveted gem, then let her fortify herself against the insidious consequences of coughs, colds and bronchial affections by the regular use of Dr. Bosche's German Syrup. It will promptly arrest consumption in its early stages and heal the affected lungs and bronchial tubes and drive the dread disease from the system. It is not a cure-all, but it is a certain cure for coughs, colds and all bronchial troubles. You can get this reliable remedy at F. S. Duffy's.

Get Green's Special Almannan.

She Complained. Friend—I thought you said you intended to put on mourning for your poor husband?

Widow—I did, but it was so very unbecoming that I compromised by wearing black stockings.—Denver Republican.

A Good Cough Medicine. It speaks well for Chamberlain's Cough Remedy when druggists use it in their own families in preference to any other. "I have sold Chamberlain's Cough Remedy for the past five years with complete satisfaction to myself and customers," says Druggist J. Goldsmith, Van Riten, N. Y. "I have always used it in my own family for both ordinary coughs and colds and for the cough following influenza, and find it very efficacious." For sale by F. S. Duffy & Co.

TELEGRAPHIC BREVITIES.

Wind and rain caused terrible damage in Baltimore and vicinity Sunday. Twelve people were killed by the storm.

The steamer Primus, of the Hamburg-American line was rammed by a tug in the Elbe river, Germany, Monday morning and sank. Fifty persons are reported to have drowned.

Ashley Cooke and Theo. Lauterdale were hanged in Greenville, Miss., for the murder of Thos. Wray, an engineer. The men are highly connected and great efforts were made to save them but were of no avail.

What threatened to be a race riot occurred at Franklin, Va., when special officer Jones tried to arrest a Negro named Johnson who was the ring leader of a fracas which started on an excursion train.

The British steamer, Comeric, is grounded off Sewells Pt., Va. The boat was bound from New Orleans to Hamburg with a miscellaneous cargo.

Secyid Aed has been proclaimed Sultan of Zanzibar in succession of Hamoud Bin Said, who died last Friday.

John W. Mackey, the multi-millionaire, died in London after a brief illness. He was one of the wealthiest citizens of the United States. He made his money by his interest in mines.

Four people were killed by a cloud-burst at Binghampton, \$300,000 worth of property was destroyed.

The Law and Order League and patrons of a base ball game had a fight at Nebraska City, Neb., Sunday. The trouble arose over the attempt to play a game contrary to the ordinance of the city. The Law and Order men were beaten.

MAITLAND, Fla., October 10th, 1901. The Hancock Liquid Sulphur Co., Baltimore, Md.

Gentlemen—I have had Eczema over thirty years, have tried many remedies prescribed by various physicians, but to nothing has the disease yielded so readily as to LIQUID SULPHUR. I think if used properly it is undoubtedly a specific for Eczema. I have prescribed it for others with most satisfactory results. I consider it the best remedy for cutaneous affections I have ever known, and regard it as the greatest medical discovery of the age.

Respectfully yours, W. A. HEARD, M. D.

For sale at F. S. Duffy's.

Held As Accessory.

SPECIAL TO JOURNAL.

RALEIGH, N. C. July 23.—Lawrence Davis was held today to appear at the next term of court to answer to the charge of offering money and thousand mile railway ticket to Lorenzo Morris, a weak minded youth to kill Miss Katherine White, Morris killed her with an axe.

Davis was admitted to bail which he gave.

Mr. W. S. Whedon, Cashier of the First National Bank of Waterloo, Iowa in a recent letter gives some experience as a carpenter in his employ, that will be of value to other mechanics. He says: "I had a carpenter working for me who was obliged to stop work for several days on account of being troubled with diarrhoea. I mentioned to him that I had been similarly troubled and that Chamberlain's Colic, Cholera and Diarrhoea Remedy had cured me. He bought a bottle of it from the druggist here and informed me that one dose cured him, and is again at his work." For sale by F. S. Duffy & Co.

Weekly Crop Bulletin.

For Week Ending Monday, July 21, 1902. Very warm, dry, sunny weather prevailed during the greater portion of the past week, and drought appears again to be causing some injury to crops, except at places in the extreme eastern and western portions of the State, where light showers occurred on the 15th. At this, the critical period of the crop season, abundant moisture is indispensable to fill out the grains of corn and to enable cotton to make sufficient size of wood for a full crop.

The mean temperature during the week was about 82°, or 8° above the normal; very high temperatures prevailed during the latter portion, when maxima exceeding 100° occurred, especially on Saturday, the 19th; these high temperatures were accompanied by rather dry winds, and most crops began to suffer for lack of moisture.

The rainfall of the week was very small, and was limited to showers about the 15th at a few places; the deficiency was over 1.25 inches. In some sections wells are getting low and stock has to be watered. Crops have made rather slow growth this week, though not by any means beyond reach of improvement if rains fall soon; lowland crops are fine; the cultivation of the staple crops has been practically completed nearly everywhere.

Poisoning the System.

It is through the bowels that the body is cleansed of impurities. Constipation keeps these poisons in the system, causing headache, dizziness and melancholia at first, then uneasily eruptions and finally serious illness unless a remedy is applied. DeWitt's Little Early Bitters prevent this trouble by stimulating the liver and promote easy, healthy action of the bowels. Three little pills do not act violently but by strengthening the bowels enable them to perform their own work. Never gripe or distress. F. S. Duffy.

Advertisement for Mexican Mustang Liniment. Includes illustration of a man sitting on a bench and text: 'Keep this fact always fresh in your memory: For Cuts, Wounds and all Open Sores, you need only to apply Mexican Mustang Liniment. A few times and the soreness and inflammation will be conquered and the wounded flesh healed. To get the best results you should saturate a piece of soft cloth with the liniment and bind it upon the wound as you would a poultice. 25c, 50c, and \$1.00 a bottle. KEEP AN EYE ON your poultry and at the very first sign of Bump, Scaly Legs, Bumblefoot or other diseases among your fowls use Mexican Mustang Liniment.'

Advertisement for Tucker Bros. Marble and Granite Monuments. Includes illustration of a monument and text: 'MARBLE AND GRANITE MONUMENTS. TUCKER BROS. 810 North Front Street, WILMINGTON, N. C. The place to buy your Cemetery Work at BOTTOM PRICES. In Foreign and Domestic Granite and Marble. Lettering and Finish the Best. Send for latest designs. All work delivered. Branch yard, Goldsboro, N. C.'

Advertisement for The North Carolina State Normal and Industrial College. Text: 'THE NORTH CAROLINA State Normal and Industrial College. Literary Classical Scientific Commercial Industrial Pedagogical Musical. Session opens September 18th. Expenses \$100 to \$140; for non-residents of the State \$160. Faculty of 33 members. Practice and Observation School connected with the College. Correspondence invited from those desiring competent teachers and stenographers. To secure board in the dormitories all free tuition applications should be made before July 15th. For catalogue and other information address PRESIDENT CHARLES D. McIVER, GREENSBORO, N. C.'

Advertisement for Agricultural and Mechanical College. Text: 'Agricultural and Mechanical College. INDUSTRIAL EDUCATION: A combination of theory and practice, of book study and manual work in Engineering, Agriculture, Chemistry, Electricity, Mechanic Arts and Cotton Manufacturing. Full Courses (4 years), Short Courses (2 year), Special Courses (3 mos.). Tuition and room, \$10 a term; board \$8 a month. 30 teachers, 360 students, new building for 500. Write for booklet "A Day at the A. & M. College." President GEO. T. WINSTON, Raleigh, N. C.'

Advertisement for Debnam Military School. Text: 'DEBNAM MILITARY SCHOOL. L. A. GRANGE, N. C. English, Classical, Scientific and Commercial for boys and young men. Seventy-one Boarding Pupils from seventeen Counties and two States the past year. A Military School that is not a machine; where EFFICIENCY, COURAGE OF MIND AND IS COURAGE; where VALOUR, MANLY, BENEVOLENT boys are wanted. A four years Preparatory Course, giving full and thorough preparation for College or For Life. Athletics encouraged. Charges reasonable. Term begins Sept. 3rd. Write for illustrated catalogue. J. E. DEBNAM, Supt.'

Advertisement for University of North Carolina. Text: 'UNIVERSITY Of North Carolina. Academic Department Law, Medicine, Pharmacy. One hundred and eight scholarships. Free tuition to teachers and to ministers' sons. Loans for the needy. 563 Students. 54 Instructors. New Dormitories, Water Works, Central Heating System. Fall term begins September 8, 1902. Address, F. P. VENABLE, President, CHAPEL HILL, N. C.'

Advertisement for Trinity College. Text: 'Trinity College, DURHAM, N. C. Offers 125 graduate and undergraduate courses of study. New library facilities, laboratory equipments and gymnasium. Number of students doubled in 2 years. Large number of scholarships awarded annually. Loans made to worthy students. Expenses very moderate. For catalogue address, D. W. NEWSOM, Registrar. D. L. WARD, Attorney at Law, 74 So. Front St. Opp. Hotel Chateaux, NEW BERN, N. C. Craven County Attorney. Circuit, Craven, Jones, Onslow, Currituck, Pamlico, Greene, Lenoir, and the Supreme and Federal Courts.'

Advertisement for Department of Pharmacy. Text: 'DEPARTMENT OF PHARMACY University of North Carolina. NINE INSTRUCTORS. Well Equipped Laboratories, Thorough Work. Fall term begins September 8th 1902. Address, F. P. VENABLE, President, Chapel Hill, N. C.'