

At Hackburn's
 —CAN BE FOUND AN EQUAL VARIETY OF—
CHOICE FAMILY GROCERIES
 At Wholesale and Retail.
 Our purchases are from first hands and are paid for "Spot Cash" which gives us a decided advantage over "Time" competitors and furthermore the Goods which we buy for the "Family Trade" are guaranteed in every particular and if not perfectly satisfactory, are willfully exchanged for other goods or "Money Refunded."
Smoking and Chewing Tobacco.
 We are constantly adding to our already large stock of King Tobacco, Cigars and Smoking Tobacco. We will wholesale the latter at 50c per lb. And other smokers goods and many brands of King Tobacco are sold by us at a less price than can be obtained from the manufacturer, which all comes from buying largely and paying "CASH". Don't forget the Mr. Thomas La Princesse and Grant and Lee Cigars. Their popularity is constantly increasing.
 Remember, Perfect Satisfaction or Money Refunded is the Rule at
Hackburn's

THE GODS OF FASHION!
 Have decreed that this season shall be one of White Goods. With that trust upon us some one must supply the demands for goods that are in keeping with such a decree. No store in New Bern is better prepared to furnish these necessary goods than we are.
 Every worthy sort, every proper style of material for a White Goods' Season is here. If you would be posted on these, you must see them.

NOW TO SPEAK OF PRICES!

Piques		
27 inch plain welt P K at	10c	
34 inch plain heavy welt P K at	13c	
27 inch Fancy P K at	15c	
27 " " " "	20c	
27 " " " "	25c	
27 " " " "	30c	
27 " " " "	35c	
27 inch extra heavy plain welt P K at	20c	

The sale of these goods so far have been so very flattering we know the prices are right.

Duck.
 Beautiful Pink Duck in plain and stripes, cheap at 13c, here at 10c.

Tell Us Your Needs,
 We Do The Rest.
H. B. Duffy's
 April 13, 1899

JOHN DUNN,
 WHOLESALE & RETAIL
 DEALER IN
Groceries and Confectioneries,
 NEW BERN, N. C.

THE DAY CASE.
 Supreme Court's Decision That Day Is Superintendent.

Judge Montgomery Writes the Opinion. Reception of First Regiment. Gov. Russell's Plan Vindicated at State Fair.

RALEIGH, April 12.—The arrangements for receiving the Raleigh company of the First North Carolina Regiment of Volunteers are complete. The company will most probably arrive from Petersburg about April 20. There will be a public reception at the city hall and a barbecue at the park.
 Democratic State Chairman F. M. Simmons, who conducted so ably the campaign of 1896, will deliver an address at Atlanta April 30 before the Young Men's Democratic Club. He is a stirring speaker.

It is no secret that Governor Russell desires to go to Washington, D. C., and that he does not intend to again live at Wilmington. The plan is, if it can be carried out, to have James E. Boyd made judge and then promote to his place the second assistant, giving the latter's place to Russell. But it appears that there is a hitch, for it is said this was what the Governor went to Washington about last week, and that he was disappointed. It is learned that afterward the Governor went to New York to see a former law partner in regard to any opening there. The Republicans are bitter toward Russell and say their next convention will blackball him.

It is learned from a penitentiary official that varioloid has made its appearance at the Northampton convict farm, on the Roanoke river. All the State convicts have been vaccinated.

The Supreme Court has filed an opinion in the case of State of North Carolina vs. W. H. Day, Justice Montgomery wrote the opinion, which reverses the decision of the Superior Court and declares Day entitled to the office of superintendent of the penitentiary. The opinion says the object was simply to have a decision as to who is entitled to the custody of the State's prison and convicts therein. The question is, was the office of superintendent abolished by the act of 1897? The court says it had no trouble in arriving at the conclusion that the office of superintendent is not an office created by the constitution. There is a contract existing between the state and the defendant Day as to his office, and it cannot be violated during his term. The State, through the Legislature might be satisfied that the management under the executive board created by the directors, under the act of 1897, is a better plan and a safer one for public, yet that is only a matter of method of management. The choice between two modes (that is, whether it is better for three to control than one) is such a choice that cannot be made until the defendant's term has expired. The State's prison is substantially the same institution it was before the act of 1897. The purposes for which it was established are the same now as then, and the duties performed by the superintendent are substantially the same as those transferred to the board of directors and now being performed by the executive committee. No new duties have been imposed and no new power granted, except that to lease or sell lands, which does not alter the nature or character of the institution. No function or duty which was formerly performed by or imposed upon the superintendent is abolished. The functions and duties of that office are still necessary to the public welfare. They have not been abolished; they have been simply transferred to others. That cannot be done according to the law of the land. The contract of the State with the superintendent must be kept.

It is not valid argument to contend that the executive board can conduct the State's prison in better and more satisfactory manner than can one man. You cannot oust the incumbent of his office and continue the office afterwards, and this rule applies to offices created by the constitution, as well as those created by the Legislature. It is not necessary for the appointment and nomination of the defendant Day to have been confirmed by the Senate. There was a vacancy due to the resignation of Newborne. The Governor makes nominations to fill vacancies in office. He does that alone in all cases. The defendant Day is entitled to the possession of the property of the State's prison, to the control of convicts, as under the law of 1897, and to the right to execute the duties of the office of superintendent.

Justice Furches writes a concurring opinion, saying that it is to plain to argue that Day's position was a public office; that this is not denied and that he had property in this office which could not be transferred to another or others; that this is the law of North Carolina, and that this court has so held in every

ROYAL BAKING POWDER
 ABSOLUTELY PURE
 Makes the food more delicious and wholesome

case involving this question. It was so laid down in the great case of Hoke vs. Henderson, held over since 1833 to be the leading case of this subject and styled by Chief Justice Pearson "that Great Mine of Learning." Judge Furches then says: "I do not expect to enter into discussion of politics that might influence me if I were acting as the Legislature, nor do I expect to count the number of lawyers in the Legislature which passed this act, nor do I expect to impugn their motives, as it seems to be thought I will if I am not of the opinion that the act is unconstitutional. This kind of argument should have no weight with an independent judiciary. This suggestion is true, it convicts every judge who has ever occupied a seat on this court of being guilty of impugning the motives of the Legislature—Taylor, Henderson, Kulla, Pearson and all their associates. If this were so, I suppose there would never be another Legislative act declared unconstitutional. This court constituted now, as then, declared the act of 1897, which attempted to take charge of the insane asylums, unconstitutional. I must now hold as I did then."

CASTORIA
 For Infants and Children.
 The Kind You Have Always Bought
 Bears the Signature of *Chas. H. Fletcher*

PROOF.
 It is an easy matter to claim that a remedy has wonderful curative power. The manufacturers of

RHEUMACIDE
 leave it to those who have been permanently cured of RHEUMATISM to make claims. Among those who have recently written us their voluntary letters saying they have been cured are: Rev. J. L. Foster, Raleigh, N. C.; Mr. J. E. Robinson, Editor, Goldsboro, N. C. Daily Argus; Mr. A. Duns, a prominent merchant, Macon, Ga.; and Mr. W. K. Duke, a railroad man, Kansas City, Mo.

Rheumacide Will Cure You.
 MANILA, April 11. Adjutant General, Washington: Lawton's success at Santa Cruz more complete than reported yesterday. Enemy left ninety three uniformed dead on field and captured seriously wounded. Lawton captured city without destruction of property. His loss, ten wounded, slight, except two, one since died, Lieutenant Elling only soldier wounded; slight in hand. Enemy retired eastward; Lawton in pursuit this morning.

The attack of the natives upon the railway north of Manila indicates to the War Department officials that while General MacArthur was pushing northward bodies of Filipinos took to the mountains and jungles on the right of the railway and have been watching for an opportunity to capture the road at some point and thus cut off the main body of the army to the northward. The repulse of the natives shows that they had not sufficient force to accomplish their purpose.

TO CURE A COUGH IN ONE DAY
 Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c. The genuine has L. B. Q. on each tablet.

Weekly Crop Bulletin.
 The Weekly Crop Bulletin for week ending Monday, April 10, 1899, is as follows:
 The opening of the crop season of 1899 in North Carolina has been extremely unfavorable. The winter was severe, the remarkable freeze on February 14th broke all previous records for cold weather in the State, and since then the rainfall has been so excessive that the soil has been continuously soaked. Roads have been almost impassable, and very little farm work could be accomplished. The season averages from two to four weeks late everywhere, with practically no preparations yet made for the main crops—corn, cotton, and tobacco.

The reports of crop correspondents for the week ending Monday, April 10th, are unanimously unfavorable. The weather has been cold, wet and gloomy. The week opened with a snowstorm on Tuesday, averaging from 3 to 6 inches in depth and breaking all previous records for April. On Friday a general and heavy rainfall occurred, bringing the average precipitation for the week to over 2.00 inches. Following the snowstorm the temperature fell to below freezing in the central and western portions of the State, with frost as far as Southport. Frosts also occurred on the 6th and 10th as far south as Wilmington. The average temperature for the week was over 10 degrees below the normal.

On account of the very wet condition of the soil very little plowing could be done. An insignificant amount of corn was planted, and the delay in the preparation of cotton land will contribute to limit the acreage to be planted. Gardens have hardly been touched, but a good many Irish potatoes have been planted, a few sweet potatoes bedded, and some melons put in. Tobacco plants are small and growing slowly. Preparations indicate a large crop of tobacco. Winter wheat and oats are generally thin and small, having been badly winter killed, but east of the Blue Ridge the plants

look healthy. Winter oats are in the worst condition. Much loss of grain on lowlands resulted from frequent freshets in the mountainous sections. Sowing of spring oats has been delayed until it is almost too late. Rice lands are still under water.
 Truck crops are growing slowly and shipments can hardly be said to have begun. Frosts cut down peas and unprotected Irish potatoes, but the greatest loss results from retarded growth. The reports of damage to strawberries are very diversified, but considering that many acres of vines were covered and the number of blossoms was still small the percentage of actual loss will not be great. The prospect for other fruit is not encouraging; fruit trees and grape vines were seriously cut back by the February freeze; peaches especially show very limited bloom.

REAL ESTATE AGENCY
 Houses and Lots For Sale at Lowest Possible Figures. Desirable Houses and Towns that will prove a fine investment.
 Collection of Rents a Specialty.
 Office at residence, 17 Johnson street.
E. E. HARPER.

SMALL SUGAR CURED FIG . . . HAMS
 Fresh Lot Just Received.
 Also a new barrel of Fulton Market Corned Beef.
 Small Breakfast Strips and English Cured Shoulders.
 Heinz's Pickles and Baked Beans with Tomato Sauce.
 Fresh Prunes, Dried Apples and Peaches.
 Canned Peaches, Corn, Tomatoes, Succotash, Lobster, Sardines and Salmon.
 Lima Beans, White Beans, Fresh Grits and Carolina Rice.
 Fresh Cream Cheese and the very best butter.
 Genuine Codfish and Nice Irish Potatoes.
 Anything you want in Groceries at the Lowest Possible Price.
McDaniel & Gaskill, Wholesale & Retail Grocers,
 Phone 91. 71 Broad St.

FANCY GROCERIES OF ALL KINDS
 Success, Reliance and High Class Canned Goods, Fancy Sugar Cured Ham and Bacon, Choice Fresh Roasted Coffee, and our Famous Tea, we have spread in a tempting array for our patrons delectation, at prices attractions that it will pay you to come many miles to secure.
 If you want good bread try a barrel of our "Best in the World." There is nothing better made.
J. R. PARKER, JR., GROCER,
 Phone 69. 77 Broad Street.

Our Spring and Summer Goods NOW IN.
 Good Values For Every Dollar You Pay Us!
Men's Suits. FOR SPRING AND SUMMER. Suits worth \$4 00, our price \$3 50. In dark and light colors worth \$6 00, we sell for \$5 50. Clay Worsted Suits, all wool \$4 75 to \$10 00. Finer grade of Suits worth \$12 50 to \$16 00. We sell for \$8 00 to \$10 00.
Shoes. In Black and Tans, Large Stock and Sold at Living Prices.
Dry Goods. Also big assortment Spring and Summer Dry Goods.
Men's Pants. 3000 Pairs of Men's Pants. Big assortment from Fifty Cents and Upward.
Hats. For Every head in Straw and Fel at Low Prices.
 Our Goods Are all New. No Old Stock.
AMERICAN STOCK COMPANY,
 59 & 61 Middle St., New Bern, N. C.

THE Spring Season
 Is upon us and when you go to house-cleaning you will find that you need probably a:
New Carpet, Matting, Art Square or Rug, Or an Odd Chair or Rocker!
 All of these and other things too numerous to mention, you will find at our store.
 Our new WALL PAPERS have been purchased and will arrive within the next week. The prices are right and you are asked to examine them.
 We have become agents for the largest Tile Manufacturer in the World and will carry a Stock of HEARTHS AND FACINGS at all times.
 We carry an up-to-date stock and will at all times be pleased to show you through.
 You are as welcome to look as to trade.
FRANC. H. JONES & CO.
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Dr. Bull's Cough Syrup.
 Mothers! The wonderful remedy which you can give your child when attacked by Cough or Whooping Cough. It never fails to cure Cough and Whooping Cough. Price 25c.