

New Bern Daily Journal.

Vol. XXIII.—No. 140.

New Bern, N. C., Wednesday Morning, September 13, 1905.

Twenty-Fourth Year

J. M. MITCHELL & CO.,

Are Receiving Their New
Fall Goods.

They have the newest things in Ladies Neckwear and Novelties, the line is beautiful, they are at

43 Pollock Street,
Opposite Post Office

J M Mitchell & Co.,
PHONE 288.
43 Pollock St., Opposite Post-office.

J L. HARTSFIELD,

Contractor and Builder.

OFFICE 93 1-2 MIDDLE ST.

PHONE 238.

Would be glad to have
any one inspect my work
as it goes up. Laths
For Sale.



You Will FIND

A FULL LINE OF FURNITURE,
HEATING AND COOK STOVES
PICTURES, GO-CARTS, HOUSE
FURNISHING GOODS, ETC.,

Large and complete
line of Rugs

Picture frames made at

JOHN B. IVES,

98 Middle Street.

Ladies!

Have your Fall Coat
Suits and Skirts Steam
Cleaned and Pressed.
We make them look
like new.

A. BLOCK,
MERCHANT TAILOR.
96 Middle St.
P. S.—We call for and deliver work

Fancy Fruits,

APPLES AND BANANAS.

Fresh Arrivals.

Broad St. Fruit Co.



THE FALL STYLES

as shown in our expensive tailored clothing are
covered by one brief customer. The best he
had in town. We were so busy in buying good
clothes, proper speaking, careful cutting and
fitting, sewing and finishing. We'd like to measure
you for your Fall suit, whether for business or
for evening wear.

F. M. CHADWICK

Notice Stockholders Meeting

There will be a meeting of the stock-
holders of the A. & N. C. R. R. Co. in
New Bern at 12 o'clock m. on Sept. 25,
1905. The stock books for the trans-
fer of stock will be closed from 12
o'clock Sept. 27 to 12 o'clock Sept.
30th, 1905.

D. J. BROADHURST,
Secty & Treas.

RALEIGH.

Lightning Rod Agent Escapes North
After Shooting.

Supreme Court Appeals. Officers Get Most
of Illicit Distillery. Power of Police
Justices. Charters Granted. Gov-
ernor's Northern Trip. Dock-
ery Back to His Office.

Raleigh, Sept. 12.—The Supreme
court today took up the docket of ap-
peals from the third district. Among
the attorneys who are here are A. D.
Ward, New Bern; ex-Governor Aycock
and ex-Judge Robinson of Goldsboro,
and Swift Galloway of Snowhill.

Revenue officers have returned here
after a raid near Durham, in which
they got all of an illicit distillery, ex-
cept the copper which the owner had
removed. It is the belief that the own-
er gave the information himself as to
his plant, this being quite a custom of
moonshiners, in order to throw the of-
ficers off, so that the next time infor-
mation comes the officers would think
it not worth while to go to the place.

A deputy sheriff went out in the
Holly Springs section to capture Aiken,
the lightning rod agent who shot his
partner Lennon. Aiken had gone and
his father said that he had helped him
to escape, having taken him across the
country to Dunn, where he took a train
for the north. There are many shots
in Lennon, too deep to be picked out.

Much interest is felt here in the ha-
beas corpus case to be heard Thursday
by Judge Purnell, involving the power
of the legislature to give the police
justices of Raleigh authority to impose
sentence without a jury trial. Bertha
Brown, the white woman of ill fame,
whom he fined \$100 has been allowed
to give bond for appearance before
Judge Purnell Thursday, and today
papers were served on the road superin-
tendent to bring in three negro convicts
on Thursday who were sentenced by
Justice Badger.

Most of the people in this section ap-
pear to think that the cotton crop is
about half a good one, but it is said
that it is better than the one in 1901.

Charters are granted the Guarantee
Loan, Realty, and Insurance Company
of Salisbury, capital stock \$100,000 E.
P. Wharton of Greensboro, J. S. Mc-
Cubbins and E. H. Harrison of Salie-
bury, stockholders; the Bradley Mfg.
Co., Charlotte, to make handkerchiefs,
suspenders, underwear, clothing, etc.,
capital stock \$250,000, W. S., W. E.,
and F. H. Bradley stockholders; Bailey
Broas, incorporated of Winston-Salem
to manufacture tobacco in all forms,
capital stock \$300,000, Muntford B.
Bailey and others stockholders.

Governor Glenn goes first to Concord
New Hampshire on a New England tour.
His wife and Miss Rebecca Glenn, his
daughter, have gone to Buffalo Lithia
Springs. Mrs. James B. Glenn and her
daughter Aisla have gone to Greensboro
for a few days and thence go to Chal-
moss, Va. Mr. E. P. B. Glenn and his
four children, who have been visiting
at the executive mansion here for a
fortnight have gone to their home at
Macon, Ga., accompanied by his mother
Mrs. Chalmers Glenn, who will remain
there during the winter.

United States John C. Dockery has
returned here from Baltimore and is
now in his office again, for the first
time in over two months. One of the
two bullets fired by policeman Rogers
has been taken out, being located under
the shoulder blade but the other one re-
mained and is in the chest. The partial
paralysis of one leg continues and is
rather a puzzle to the physicians as the
bullet is not in a place calculated to
cause such trouble.

HERVEY HAS COME

And Anasias Has a Worthy Follower in
him.

Mr. W. H. Hervey, the popular and
polite hotel clerk arrived in New Bern
Monday to assume his duties as clerk
at the Hotel Chatawa after a delight-
ful visit in the north and other places.
We are informed by Mr. Hervey that
since the Atlantic Hotel closed at More-
head that he has been to New York
City, Coney Island, Bar Harbor and
Bern, Switzerland, the namesake of
New Bern. At the last named place
he reports that he met the Mayor of
the municipality of Bern, who, when
Mr. Hervey introduced himself was ex-
ceedingly cordial and hospitable. He
gave Mr. Hervey many souvenirs of
the old Swissburg and made him a kind
adieu upon his departure.

Mr. Hervey also had a trip over New
York City in the ship which made a
successful flight there a few days
ago.

He had several exciting and thrill-
ing adventures and came back the
same old delightfully provoking
Hervey he always was.

A tonic that makes rich, red blood,
brings strength, health and happiness
to the whole family. Nothing equals
Hollister's Rocky Mountain Tea as a
tonic. Sold by F. S. Duffy.

GUILTY OF NEGLIGENCE.

The Atlantic Coast Line is so Charged by
Four Juries. Engineer Uninstructed.

Norfolk Public Ledger:

The Atlantic Coast Line railroad
stands charged by four juries with
negligence as the result of today's in-
quest into the cause of the wreck on its
line at Bruce station, August 27th,
when seventeen people were killed and
fifty or more were injured. The Nor-
folk city jury, sitting to learn the cir-
cumstances leading to the death of one
of the victims who died here in a hos-
pital, returned first a verdict holding
that the company was negligent in send-
ing Engineer Reig in charge of the ex-
cursion train's engine when he was un-
acquainted with this division. The Nor-
folk county jury followed soon after
with a similar verdict.

The former follows:
"We, the jury from the City of Nor-
folk, find that the Atlantic Coast Line
railroad was negligent in placing En-
gineer Reig in charge of the train on a
division on which he was not fully ac-
quainted."

The Norfolk county verdict follows:
"We, the jury find that the said par-
ties came to the death in a wreck on
the Atlantic Coast Line railway near
Bruce's station, on August 17, at an
open draw-bridge, and further that the
said Atlantic Coast Line railway was
negligent in entrusting train to one
Engineer Reig, who was not familiar
with this division of the road."

THE ENGINEERS TESTIMONY.

The first witness was S. B. Reig, en-
gineer of the ill-fated train, who said
he lived in East Ralford, Va. He said
he was in charge of the excursion train
and when he saw the drawbridge open
it was too late for him to stop. He had
never been over this end of the line be-
fore. Did not know there was a draw-
bridge. He did not see the half-mile
board. Crossed other bridges and rail-
road crossings and stopped at them.
Did not see stop boards; first thing he
saw was the open draw. He was not
prepared to say there was not a half-
mile board; was using all precautions.
He shut off steam and applied break.
Did not know anything else after en-
gine went through draw. Rules of
road were that an engineer should learn
a road before running over it. Witness
was placed in charge of engine by the
roundhouse foreman at Rocky Mount,
N. C. Witness told him he did not
know road, but was ordered to go any-
how. Witness asked for an old fireman,
who knew the road. Witness did not
know whether fireman knew the road
or not. Had not orders to stop after
leaving Parmelee. Had a white board
and saw the stop board at the bridge,
but saw the open draw before he got
to the board.

Captain Walker, of the tug Glendale,
was recalled and in answer to question
by Juror Hubbard, said the flag on the
draw was on his starboard side; he did
not see one on the port side. The flag
was on the opposite side of the draw
from the direction that the train came.

J. H. Nurney, road master of the At-
lantic Coast Line, described locations
of signboards; said there were fixed
signals half mile from draw bridges;
large printed letters with the words
"Drawbridge;" about 350 feet from
bridges are signboards bearing the
word "Stop;" the third signal was a
red flag twenty four inches square. On
every time table were directions to stop
before crossing drawbridges. Time ta-
ble gave no information as to location
of drawbridges. There was nothing to
obstruct the view of the engineer to
keep him from seeing signboard at
Bruce's Station.

Witness could not say as to whether
it was against rules for a man to run
over road without knowing it. He
thought there was an old fireman on
the train at the time. Witness thought
that if there was an old fireman or con-
ductor on the train it might be suffi-
cient, but it would be better for the en-
gineer to know the road. A new man
should be on a lookout for signals more
carefully than an old man. Witness
said that the signals were in their
proper places. Flag signals are put on
each end of the drawbridge before the
angle bar is removed in opening the
draw. Witness said road was straight
for a mile and a half on one side a mile
on the other side. Witness had been in
railroad business for thirty five years
and knew his company was up-to-date
in all respects in the way of signals.
The flag signals on the bridge stood
about two feet above the cross tie.

F. T. Beasley, passenger engineer
employed by the Coast Line, was pu-
on by Judge Brooke and said he was
familiar with the road and scene of the
accident and that the signals could be
seen at Bruce's station by the engineer.
Witness said that rules of the company
and State law required engineers to
stop trains before crossing drawbridges.
Witness had run over the line for 15
years. An engineer who did not know
a road should be cautious than one who
knew the road. The draw at Bruce's
station could be seen 1,500 feet away.
Witness called greatly on signals in
running, but he was so familiar
with the road that he could go over it
without signals. A man running 25 or
30 miles an hour, could read the stop
signal if he saw it. The witness said
that when a new man was taken on,
it was customary for the master me-
chanic to give him a lesson in running

him to ride on the engine.

Judge Brooke, attorney for the com-
pany here, handed a letter to the wit-
ness signed by the master mechanic
authorizing S. B. Reig to ride.
There were only two other draw
bridges on the line run over by Reig
with his excursion train. Witness did
not know whether the letter had ever
been delivered to Reig, or whether the
latter had availed himself of the privi-
lege.

A bracing tonic. Cures all stomach
troubles. Makes red blood, bone and
muscle. A wonderful remedy for mak-
ing sick people well. Hollister's Rocky
Mountain Tea. 35 cents, Tea or Tab-
lets. For sale by F. S. Duffy.

IN DEWEY CASE

Opening Arguments Made Before Supreme
Court Yesterday. Opinions Handed
Down By Court On Other Cases.

Special to Journal.

Raleigh, Sept. 12.—The opening ar-
gument today in the Supreme Court
was in the case against defaulting ex-
cavator Dewey of New Bern, who made
the long flight to El Paso, Texas,
where he lived in quiet and under
another name so long. Some very
prominent men appeared in the argu-
ment. Ex-Governor Aycock, F. T.
Osborne (by brief) A. D. Ward and P.
M. Pearall for Dewey, the attorney
general, W. W. Clark, D. L. Ward and
O. H. Guion for the State. Chief Jus-
tice Hill, of Arkansas was invited by
the court to sit on the bench during
the hearing. He expressed much in-
terest in the argument, and after it
had ended, complimented several of the
attorneys.

Opinions were handed down as fol-
lows by the Supreme Court:

Pitchford vs Simes from Warren, two
cases, no error in each.

Joyner vs Early, from Bertie, af-
firmed.

Pritchard vs Mitchell from Bertie,
affirmed.

Wilkins vs Norman, from Washing-
ton, affirmed.

Latham vs Lumber Co., from Wash-
ington, affirmed.

Moore vs Fowle, from Beaufort, af-
firmed.

Johnson vs Wescott, from Davidson,
affirmed.

Bonner vs Statesbury, from Hyde,
new trial.

Davidson vs Borden, from Perquimans
error.

Williams vs Hughes, from Camden,
affirmed.

Hinton vs Moore, from Pasquotank,
affirmed.

Jennings vs White, from Pasquotank
new trial.

Board Education vs Makely, af-
firmed.

State vs Archbell, from Beaufort, no
error.

McKinzie vs Edwards, from Greene,
defendants appeal docketed and dis-
missed on motion under rule 17.

Colds cause congestion and consti-
tution. Fluids which should pass through
the bowels and kidneys are secreted by
the nose and throat. Hollister's Rocky
Mountain Tea will positively cure. 35
cents. Sold by F. S. Duffy.

Misses Wyatt Music Class.

The Misses Wyatt opened their
music classes, in this city, Monday
September 12th, at 153 Middle St. The
following as to their musical standing
of the Misses Wyatt is of importance:

TO THE PEOPLE OF NEW BERN,
I take this opportunity to recommend
to those who desire to secure compe-
tent teachers of piano and violin the
Misses Bessie and Jessie Wyatt.

Miss Bessie Wyatt has taken both
the certificate and the full diploma
course in piano playing, and has had
several years successful experience as
a teacher in some of the prominent
schools in the State.

Miss Jessie Wyatt also took a teach-
ers certificate in the violin department
and has had experience as a teacher.

They are deserving of confidence and
patronage.

Very respectfully,
GILMORE WARD BRYANT,
Director Southern Conservatory of
Music.
Durham, Sept. 2, 1905.

Watch and Clock Repairing.

I am now located at 10 Broad street,
where I am ready to repair watches,
clocks, jewelry, etc., at prices that
cannot fail to please. Notify me and I
will call for your work and deliver it.

E. J. MATTHEWS

CANTORIA.

Has the best for the best thing
in the world.

New Barrel Fulton Market
Corned Beef

At McDaniels Grocery Store.

Also Harveys Small Sugar
Cured Hams and Break-
fast Strips.

Fresh Grits and Rice. Large Cucumber Pickles, Heinz Sweet
Mixed and Plain. Sweet Cucumber Pickles, Fresh Prunes, Nice
Large Corned Mackerel. Try a pound of our pure kettle rendered
Lard and your biscuit will taste better.

J. L. McDaniel

Wholesale & Retail Grocer.

Farker Store. Corner Broad and Hancock Sts.

JUST RE-
CEIVED.

A Full Car of the Well Known Brands.

Our Patent, Calla Lilly and
Above All Flour.

If you wish to get a barrel of first
class goods at a low price, come to see
me. You can get anything else usually
kept in a grocery store at a reasonable
price here also

L. H. Ervin,

Wholesale and Retail Grocer.

No. 81 South Front St.

FANCY VESTS

Light and Fancy Vests continue to
grow in favor. No man who makes any
pretensions to correct dressing can get
along without EXTRA VESTS. The
white and light colors are the most pop-
ular. Dark ones if you prefer them. We
have them in cotton, silk and all sorts of
washable combinations. TO BE RIGHT,
you must have one or two light vests
Come and see the new beauties \$1, 1.50,
2.00, 2.50 and 3.00

J. J. BAXTER.

Have a Picture of Your House

WHILE THE LEAVES ARE OUT.

50 CENTS AND \$1.00

The Wooten Studio.

92 EAST FRONT STREET.

Ellwood Wire Fence.

Car Load Just Received.

Cook Stoves, Heaters. Full line Hardware
and Builders Material. Heath and Milligan
Paints, Oils and Glass.

Gaskill Hdw. & Mill Supply Co.

Phone 14

House Work is Hard Work without GOLD DUST.