

New Bern Daily Journal.

VOL. XXIII.—NO. 233.

NEW BERN, N. C., WEDNESDAY MORNING, FEBRUARY 28, 1906

TWENTY-FOURTH YEAR

At HACKBURN'S STORES,

If you trade you will
be pleased.

Try—If Not as we say
—then quit.

Gaskill Hdw. & Mill Supply Co

The Painting Season is now at hand.
Use Heath & Milligan. None better. Full Line
of colors.

Two Cars of Windows and doors just to hand.
Ellwood Wire Fence, Lime and Cement.
We are in a position to give you right prices.

Phone 147

Furniture and Household Goods.

We desire to call your attention to our complete line of Furniture. Our stock is being increased daily by the best goods on the market.

Go-Carts.

We have a new lot of baby carts in all styles at prices which will meet with approval.

J. S. MILLER

New Bern N. C.

Lumsden & Stith

INSURANCE AGENCY.

Strong Line of Fire Insurance Companies.
All Business promptly attended to

Coal! Coal!

Full supply of the best quality Hard Coal in Broken, Egg, Stove and Chestnut sizes.

Also the Celebrated Poca-hontas Steam and Domestic lump.

All orders given prompt and personal attention.
Phone 34

Office and Yard No. 16, Craven Street.

Hollister & Cox

J. M. REGISTER

Porch Columns, Rails, Balusters, Spindles, Stair Rail Balusters, Grills, Plinth and Corner Blocks, Sash and Doors, Frames for Wood and Brick Buildings, Mouldings, Mantles, Brackets.

Desirable Property for Sale
Two City lots, 50 and 55 x 214 feet.
One " " 50 x 150 feet, including
church building, 1 large pipe organ, 2
hot air heaters, sold either separately
or collectively. Apply to
J. A. Green,
J. W. Stewart, Chas.
J. J. White, etc.

J. L. O'QUINN & CO., North Carolina Leading Florists.

Roses, Carnations and Violets a specialty. All Flowers in season.
Wedding Bouquets and Floral Decorations at short notice.
Palms, Ferns and Winter Flowering Plants in great variety.
Rosebushes, Shrubbery, Evergreens, Hedge Plants, and Shade Trees in best leading varieties.
Mail, Telephone and Telegraph Orders promptly executed, by
J. L. O'QUINN & CO.,
Raleigh, N. C.
All Phones 149.

Sash, Door and Mantel Factory

No. 22 Hancock St., New Bern, N. C.
Having put in a line of up-to-date machinery to do all kinds of house building work, turning, etc., at the same old stand on Hancock street, I am prepared to fill all orders at short notice and in the best and latest style. All orders entrusted to me will have my personal attention.

J. W. HOLLIS

NEW MASONIC OPERA-HOUSE
The Greatest Play of a Decade
A Jolly American Tramp
By E. E. KIDDER, Author "A Poor Relation," "Peaceful Valley," etc.
A SLENDID TRIUMPH OF AMERICAN DRAMATIC GENIUS
Laughter Beyond Parallel! Thrilling, Intriguing, Entirely Novel! Replete with the Most Unique and Sensational Situations!
The Thurman cornet band is progressing rapidly under the instruction of Prof. Eugene Robertson.
The ladies of the community are planning to have an entertainment for the benefit of the band on the evening of March 9th.

SPLENDID COMPANY GRAND PRESENTATION

Presenting all the Elements of Popularity
Main Floor . . . 50-75
Gallery . . . 25-50c.

THURSDAY, MARCH 1 MELVILLE B. RAYMOND CARTOON COMEDY

Buster Brown

With the Original New York Cast and Production

Master Gabriel

America's Most Talented Toy Comedian as BUSTER
Talented and Well Drilled Character

If inconvenient for you to bring or send your prescription, telephones us and we will send for it and after filling it, send it back promptly. Phone 163. Warren's Drug Store, Opp. postoffice

Sloan's Liniment For Tonsillitis Price 25¢ 50¢ & 1.00

Thurman

February 28.

The weather for the past ten days has been fine, and farmers are hustling. Peas are up and beginning to show green. Side dressing cabbage, and planting potatoes, seem to be the farmers work for the past few days.

The trucking interest in this section is on the decline, only about one-fourth as many acres in truck this season as previously planted. If all the farmers in the trucking sections of the South would follow this plan, better prices would prevail, and the financial result would be a decided profit, instead of heavy loss, as has been the result for the past few years.

The farmers are preparing for about the same acreage in cotton as last year.

One of the best revivals that "Old Riverdale Church" has been blessed with, closed last Wednesday night. It was not only a protracted service of a ten days meeting, but a "Revival in deed and in truth."

The meeting was conducted by the Methodist pastor, Rev. W. A. Pland, assisted by Rev. E. C. Glenn, a Methodist evangelist, who held from two to three services each day. The services were very impressive from the beginning, and we feel the meeting was a "God send" to all old, indifferent and careless church members, not only Methodist, but Presbyterians and Baptists also. They all attended and helped in singing and praying, and all joined in with one accord in recommitting themselves to God. Our good brethren of the Free Will Baptist church who was to have a quarterly conference service on Sunday, held their services on Saturday night and agreed to worship with the Methodist people on Sunday. Sunday morning their good pastor, Rev. Mr. Daugherty and the congregation took part in the revival services. A short recess and dinner was taken on the church ground and an evening service was held. There were eleven accessions to the Methodist church, besides others who will join the Baptist and Presbyterian churches. Let God be praised for the outburst of His Holy Spirit in our community.

The attendance at our Sunday school yesterday was large and the services were more impressive than ever. Our pastor Rev. Mr. Pland was present and in a very appropriate impressive and touching speech, presented to our much loved and worthy superintendent a fine silk umbrella, silver handled handle with monogram inscribed thereon as a gift from the Sunday school.

Miss Salie Conner returned to her school at Perfection yesterday afternoon after a brief visit to her parents. Miss Marie Buys spent yesterday with her parents at Havelock and returned to New Bern to attend to her school duties as teacher.

Miss Carrie Hardison is visiting Mrs. Wm. Buys of Havelock.

The Misses McLachlin of New Bern are visiting their brothers, who are some of Thurman's young energetic and progressive farmers.

Commodore Thos. Gaskill Jr., of the U. S. at Large among our visitors and seems to enjoy himself second to none. Miss Beale Morton spent Sunday with her grand parents and returned to her school at Croatan.

Mr. and Mrs. Jack Griffin of New Bern spent the day Sunday with Mrs. N. S. Haskett.

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THE COMING INN

New Lessee of The Popular Black Mountain Resort.

The Inn, at Black Mountain, North Carolina, is leased to Lambert and Wilkinson, of Asheville, for the coming season. Mrs. L. B. Lambert has had extensive experience in this business, and is noted for the excellent cuisine afforded to her guests. The Inn will be run in modern ways and improvements to the property are now under way. The season promises to be a very successful one. Patrons of The Inn are unanimous in saying that its location is one of the finest in Western Carolina.

In every class the colors are saturated. Its fame has spread from sea to sea. Be not surprised if in the other world, You hear of Early Mountain Inn.

—For sale by F. S. Kelly.

NEW BERN'S POSITION

In Matter of Injunction Against P. O. & W. Railway.

City Attorney McIver's Statement in the Tax Payers of New Bern and Pamlico County What Would Be Future This Road If Undisturbed.

As City Attorney 1 have been directed by the Board of Aldermen to make a statement of the position of the city authorities in reference to the Pamlico Oriental and Western Railroad Company matter.

By a vote of the people \$50,000.00 in bonds was given for \$50,000.00 in stock of this company. Our bonds have been issued and the tax payers of New Bern must pay them.

The purpose of the subscription was to assist our neighbors and customers living in Pamlico county, especially in the northeastern part in getting for their rich and fertile section the advantages of railroad transportation. By the terms of the contract of subscription the city did not receive its stock until the road was completed to Roanoke and therefore had no voice in the control and management of the company until after that date.

The charter of this company was a peculiar one in that it allowed organization and corporate powers without any stock subscription. This corporate organization negotiated a deal through promoters with the Pamlico Construction Co., a New Jersey corporation with water for capital stock, so far as we have been able to find. At the very time of the contract of the P. O. & W. R. Co., and the Pamlico Construction Co., the Pamlico Construction Co., was voting in the stockholders meeting of the P. O. & W. R. Co., a majority of all stock issue and since that time a majority of the stock voted in all the stockholders meetings have been voted by the parties contracting with the company.

In other words throughout its history parties making contracts with the P. O. & W. R. Co., to build its road have been contracting with themselves in as much as the watered stock given them was at all times a good majority of the entire stock of the company.

We have not had access to the copies of the contracts made but from the minutes of the directors and stockholders meetings we gather that the Pamlico Construction Co., and those who have succeeded it were to be given as payment in full for construction and equipment of the railroad from New Bern via Bayboro to Goose Creek Island on Pamlico river, with a branch from Bayboro to Oriental on Neuse river \$500,000.00 of first mortgage bonds up on all the assets of the railroad company and in addition they were to be given the further sum of all the proceeds of the capital stock subscription of the railroad company. This included the \$50,000.00 of the bonds of the county of Pamlico and with the exception of a few small blocks of stock issued to the promoters, the entire balance of the railroad company authorized for \$750,000.00 over \$500,000.00 was issued to James A. Bryan.

According to our information \$500,000.00 would be an ample price for the full construction and equipment for the railroad contracted for. While the contractors have already received mortgage bonds in the sum of \$500,000.00 the proceeds of stock subscriptions and stock \$750,000.00.

There has been contracted about twenty miles of road. At the total expenditure it is said of \$268,000.00 which is about \$100,000.00 more than the work done ought to have cost. The company now owns this road and a contract for the construction and equipment of the balance of the road fully paid subject to the outstanding mortgage of \$500,000.00.

The Pamlico Construction Co., failed to carry out this contract and all its rights and obligations we gather from the minutes of the meetings of the company were assigned to Mr. James A. Bryan who undertook to carry out the contract, who in turn last September assigned upon the same conditions, the same to Kleybolt & Co., a banking concern of Cincinnati, O., with offices in New York and Chicago, noted in the mercantile gazette as worth from \$125,000.00 to \$200,000.00.

The stock of James A. Bryan, however, was transferred directly to Kleybolt & Co., but was assigned to one Carlton Buncie, as to whom we are informed nothing as to his financial responsibility but that he is a representative or agent of Kleybolt & Co.

Kleybolt & Co., in their capacity as bankers, have recently caused to be organized a Virginia corporation called the Virginia and Carolina Coast Railroad Co., with capital stock of \$7,500,000.00 with an issue of first mortgage bonds of \$7,500,000.00 they have issued \$1,000,000.00 of bonds setting the company about the on the 15th of the year sales being made below the face. This is a sign, but probably correct. This stock, of course, is worth nothing.

This corporation has proposed to the P. O. & W. R. Co. to purchase all the construction, rights and property for the sum of \$1,000,000.00 of the market stock, which probably will have no value.

That this stock issue should be made not to the P. O. & W. R. Co. but to the share holders of the P. O. & W. R. Co. at the proportion of one to five.

This means the wiping out of existence of the P. O. & W. R. Co., and the uniting in Kleybolt & Co., or its corporation the contract to complete the P. O. & W. railroad and also the sole right of enforcing that contract.

The board of directors of the P. O. & W. R. Co. voted favorably on this proposition and called a meeting of the stockholders in New Bern for Feb. 27, 1906 to ratify the same.

With Carlton Buncie in the interest of Kleybolt & Co., holding over 5,000 shares of the capital stock of the P. O. & W. R. Co., the action of the stockholders meeting if not interfered with was a foregone conclusion.

In this aspect of the case the Board of Aldermen in the interest of New Bern and Pamlico county have brought suit and procured an injunction to prevent such action.

If this action should be ratified then all guarantee of the completion of the railroad would have been destroyed, and the only person who could have compelled Kleybolt & Co. to carry out its contract with James A. Bryan to which James A. Bryan who succeeded as purchaser from the Pamlico Construction Co. under its contract with the P. O. & W. R. Co. would have been vested into tools and agents of Kleybolt & Co., at whose expense the contract was to have been carried out.

There is this further phase of the case to be considered. The laws of this State do not permit corporations to water their stock by means of contracts with themselves, or through their dummies. Our laws require that the holders of stock in a corporation shall have paid in full par value therefor, either in money, property or work.

It is clear in this case that substantially all the capital stock of the P. O. & W. R. Co. with the exception of the subscriptions of New Bern and Pamlico county is watered pure and simple. It is equally clear that the holders of this water stock are indebted to the company to the extent of the full par value of their stock. The collection of this money can be forced only by action of the corporation or through the court by means of a receiver.

If Kleybolt & Co. control the corporation will they make Kleybolt & Co. make good its water?

As New Bern and Pamlico county are the only people who have paid for their stock, should not New Bern and Pamlico county control the operation of the railroad and its management so that it should be conducted for their mutual interest rather than it should pass into the hands of a foreign corporation to build up sections of foreign States?

Is it not the duty of the corporate power of New Bern and Pamlico county to see that the people's money which has been put into this enterprise should be returned to them in dollars and cents rather than in water?

For these reasons the board of aldermen of the city of New Bern call upon its people and upon the authorities and the people of Pamlico county to back them in their fight for justice against a game of watered stock which in proportion of the amount involved exceeds the watering pictured by Lawson in the story of "The Crime Amalgamated Copper."

W. D. MCIVER,
City Attorney.

LIST OF LETTERS

Remaining in the Post Office at New Bern, Craven county, N. C., Feb. 26, 1906.

MEN'S LIST.

A—John Affonso.
B—G B Barrow, Jonah Barrow, 63 Burn St.
C—Rem Nie Chapman, 29 Mivlar St. Thomas Cewler.
D—Frank Dall.
H—J L Hodges, Geo Holder, James Hoge.
J—Sares James.
K—J B Motion, Jas Marsh, (d.) C A McDaniel.
P—Edward Pigott, Kit Pollock, Herbert L. Proctor.
R—Will Ramsey, D. Rice.
S—James Bruce Smith, Robert Smith, D A Swindell, Joe Smith.
V—H Clair Valentine.

WOMEN'S LIST.

B—Bessie Ball, Mrs Edith G Berry, 2 New St., Mrs Alvey Boston, R F D No. 2.
D—Lizzie Dixon.
G—Emma Graham, Isabel Grims (d.) R—Pearle Hatch, care Alfred Beker.
J—Bertha Jones, 46 Railroad St.
L—Fannie Lawrence, care Mr. John Doan.
M—Mrs. Bowen Moore, 10 North St. Anna Morris.
R—Miss Babs And Rogers.
S—Ada Sellers, R F D No. 1.
W—Mrs Corinne Waters, Mary Jane Weeks.

Persons calling for the above letters will please pay advertisement and give date of list.

The regulations now require that (1) each shall be collected on the delivery of such advertised letter.

E. W. HANCOCK,
Postmaster.

SHOT BUT NOT KILLED

A Blind Tiger Winged By Raiding Police.

Evidence of Liquor Business Carried on by Colored Men Up Town.

Another drag net campaign has been accomplished and alleged violators of the law have been brought into the line light of publicity. Monday night Chief of Police Hargett acting upon his own investigation and some reliable information raided two places up town assisted by officers Lupton, Bryan and Bowden. The stores raided were those of Providence Bryan on Burn street and Richard Guion on Broad street above Five Points. The haul was rich and the men living in the houses where the liquor was kept will have to do some pretty clever explaining to shift the dark cloud that now hangs over them. Having become assured that liquor was kept in the places suspected the chief and officers went first to Bryan's house on Burn street and after considerable search they found a big tin box used for keeping bread. There was enough whiskey in it to put a good many out of commission and still have some left. The place was searched for stray bottles of lightning and some were found in various places carefully covered. Bryan was arrested and taken to the city jail.

At Guion's place it was found that he kept a little store and lived in the second story of the building. In the living apartment was found a large trunk and in this was concealed a much larger quantity of "wet goods" than "medicinal" or "family purposes" could demand. The stuff was bundled into baskets and carried off. Some had never been unwrapped but everything indicated that it was kept for sale. Guion was disposed at first to resist the officers but after arrest made no attempt and submitted peacefully.

The Mayor's office is the reciprocal of all confiscated liquor and has the appearance of a bar room. The acquisitions have come from time to time since January 1. The different brands on the shelf are; 12 to 20 bottles of Old Henry whiskey, several bottles of Dixie gin, 12 to 20 bottles of Baker Maryland Rye, no brand, several bottles, Old Sharpe William, Home made cocktail, Pigeon gin, Monogram whiskey and Honest measure whiskey, several bottles each and these in addition to that confiscated Monday night.

There were seven men in the police court yesterday whose names appear on the blotter as having sold liquor without a license. They were Providence Bryan, Richard Guion, J. T. York, Sam Blackledge, Messrs. William Lovinear James Harrison and J. O. Land.

Sam Blackledge was the first defendant before the Mayor, and Charles Gibson was the witness against him. He stated that he bought whiskey on the 24th inst, that he went into J. O. Land's store and got a half pint of whiskey, paid 25 cents for it and started out on Burn street to go home and was arrested by the officers. R O'Hara was attorney for Blackledge and questioned the man closely but the witness was positive in his statements. He said that when he wanted either, beerine or any light drink he would ask for it but when he wanted whiskey he would merely put the quarter on the counter and the bottle would be passed over. Police officer Lupton's evidence dealt largely with the circumstances of Gibson's arrest. A bottle of the liquor was displayed in court and was declared by Chief Hargett to be whiskey.

Providence Bryan was the next man to be tried and attorney W. W. Clark immediately moved for a dismissal of the case on the ground that there was a flaw in the warrant because it did not stipulate to whom the liquor was sold. The Mayor upon advice of the States Attorney, D. L. Ward amended the warrant but Mr. Clark stated that under the circumstances he was not ready to proceed with the trial consequently all the men were put under \$250 bonds for their appearance at eleven o'clock today.

For one week only.
Beginning February 24. We will give with each 25 cent purchase your choice of any 5 cent article in stock. With each \$1.00 purchase your choice of any 25 cent article in stock. All goods are marked in plain figures so that you may know that this is a bargain week for our customers. We thank you in advance for your trade.

WATERS' CHINA STORE

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CASTORIA.

A MATTER OF HEALTH



ROYAL BAKING POWDER
Absolutely Pure
HAS NO SUBSTITUTE

A Cream of Tartar Powder
free from alum or phosphatic acid

How are You Fixed on Bed Linen?

We have received a new shipment of Ready-made Sheets and Pillow Cases and can supply your needs a great deal less than you can make them. Get our prices.

Bleach Sheets, 2 1-2x2 1-4 yds. at 55c.
" " 2 1-2x2 1-2 yds. at 60-70c.
Pillow Cases, 45x36 inches, at 12 1-2c, 15c, 20c.
These articles are made of the best brand on the market.

Beautiful 10 1-4 Fringed Marseilles Bed Spread at \$1.75 to \$3.00 each.
10-4 Plain Spreads at 75c to \$2.50 each.

J. M. Mitchell & Co.,
PHONE 288.
61 Pollock St., Opp. Episcopal Church

NEW ARRIVALS.

We have just received a new line of Colored Lawns and Organdies and a new lot of White Lawns, India Linens, etc. Also a big lot of Embroidered Shirt Waist Patterns, Lace Collars and Turn-Over Collars. Ladies Patent Leather Sandals, Oxfords and Shoes in the Newest Spring Styles.

We invite you to call and see them.

J. J. BAXTER

Furniture, Stoves, Mattings, Etc.

Largest stock of Mattings in the city. Royall and Borden Felt Mattresses.
New line of Go-Carts.

We are still offering some bargains and it will pay you to call on us.

JOHN B. IVES.

Phone 257 93 Middle Street.

Photo Portraits.

Latest Styles at

Wooten's Studio, 92 East Front St.

Always Remember the Famous
Laxative Bromo Quinine
Cures a Cold in One Day, Grip in Two.

E. H. Lane on Dec. 23c.