

# THE DAILY JOURNAL.

VOL. I.

NEW BERNE, N. C., SATURDAY, JUNE 3, 1882.

NO. 54.

## LOCAL NEWS.

### NEW ADVERTISEMENTS.

CENTRAL HOTEL—Call at Desk.  
T. L. HALL—Sea Breeze House.  
J. C. WHITTY—Engines, Mills, etc.  
F. C. ROBERTS—Meeting of Stockholders.

### Weather Report for May.

	Average	Lowest	Highest	Range
At 7 a. m.	50	47	74	27
At 12 p. m.	70	61	91	30
At 5 p. m.	64	51	79	28

Twelve rainy days. Rainfall 3.50 inches.  
No day of the month without clouds.  
Wind from the north 15 days.  
May, 1881—Highest temperature, 94.  
Lowest, 36.

### Journal Miniature Almanac.

Sun rises, 4:44 } Length of day,  
Sun sets, 7:11 } 14 hours and 27 min.  
Moon rises 9:02 p. m.

### Thermometer Record of Yesterday.

7 a. m.	50	79°
2 p. m.	70	78°
9 p. m.	64	74°

Mr. Lewis Coleman, Vice President of the Midland Syndicate, arrived yesterday evening from Boston.

We publish the Weather Report for the month of May, kindly furnished us by Dr. Charles Duffy of this city.

We noticed on the Old Dominion wharf yesterday an Allen Cultivator marked to Smith F. Pierson, Shelburn, Vermont. If it works well it will soon have a national reputation.

### Complimentary.

The New Berne Journal, is undoubtedly one of the best secular newspapers in the State. The plan brother Harper has adopted of giving the local news items, from a number of counties, is a very popular style of journalism, and likely to succeed. We don't say as much to flatter the Kinston reporter, but he certainly is sharp on gathering news items. The Journal as it now is, carries the local news of half dozen counties, as well as State and general news. The people of New Berne and Craven county need be proud of the institution, and should rally to its support.—Baptist Review.

### Magistrate's Court.

Mag. Stanly had before him J. T. Suggs colored on yesterday for an assault and highway robbery on the tramp, whose name it seems impossible for us to get, near Dover last Sunday. He was committed. Witnesses in the case from the neighborhood say that the tramp's recovery is exceedingly doubtful.

W. G. Brinson Esq. had before him yesterday evening Henry Rouse charged with the same offense. There was no evidence against him save that of Suggs whose testimony was rebutted by quite a number of respectable witnesses from the neighborhood—proving an alibi.

### Declamations.

A short entertainment was given at Prof. Neal's school yesterday morning by declamations from a few of the boys. The following programme of exercises was filled:

- "Old Ironsides," by Robert Jones.
- Rienzi's Address to the Romans, by Jack Neal.
- Burial of Sir John Moore, by Thomas Davis.
- Survivors of the Battle of Bunker Hill, by Denard Roberts.
- Matemus' Address to his Band, by Herbert Simpson.
- Our duty to the Republic, by Edward Charlotte.
- Mark Anthony's Oration, by Charles Gaskill.
- Sparticus to the Gladiators, by Fred Thomas.
- Pitt on the American War, by James Thomas.

These had not been trained for regular closing exercises, but only for a short entertainment, hence, no extensive preparations were made.

Jack Neal, Charles Gaskill and James Thomas not only delivered well but showed much of the natural orator.

### NUMBER TRIAL.

Henry Bryan, col. on Trial for Killing J. M. Agostine.

Friday of Craven Superior Court was occupied with the trial of Henry Bryan, col. who stood indicted for killing Mr. J. M. Agostine in the month of February last. The State was represented by Messrs. Simmons and Manly and M. D. W. Stevenson, and the defendant by Messrs. Wm. Whitford, B. F. Mahew, W. E. Clarke and W. W. Clark. The defendant for whom a plea of insanity is set up, is a stout, light colored darky whose appearance indicates a man of rather below ordinary intelligence—dull and stupid looking rather than insane or demented.

There was considerable trouble in

getting a jury—so many having formed and expressed an opinion that the prisoner was guilty. The selection of the jury resulted in the following: four whites Messrs. E. M. Pavia, Ransom Buck, W. R. Bell and George B. Pate; and eight colored, Messrs. A. G. Oden, Jesse Brooks, Joseph Mumford, Samuel Jackson, W. F. James, Henry Spruill, Lafayette Nash and A. S. George.

After the reading of the bill of indictment and a statement of the case to be proved by Mr. Stevenson, the State introduced the following testimony:

Maj. J. W. Andrews: I am a Civil Engineer and Supt. of Midland N. C. railroad. I made this diagram of the ticket office where the killing took place. (Points out and describes, in detail, the rooms and doors and furniture.)

J. W. Morris: I am now, and was at the time of the killing of Mr. Agostine, agent of the Midland railroad at New Berne. Mr. Agostine was night watchman at that depot—had held the position for about two years—and his watch was from 6 p. m. to 7 a. m. I have known the defendant for about four years; he was a stevedore for O. D. S. Co. when that line connected with the A. & N. C. R. R., and worked there about one year.

Afterwards he worked at the depot under my employ. On Thursday morning Feb. 2, 1882, at 11 a. m., Henry Bryan, the defendant, came to me in the ticket office and told me he had a "smooth quarter" which I had paid him on Tuesday night, and wanted to exchange for a good one. I refused and told him my rule was not to take back money paid out to employees unless my attention was called to it at time of payment. He went away and I saw him no more during that day. At night about 7 p. m. I went into the reception room—the room was dark except a stream of light coming through the door from office. On going into office, and pulling to gate, the defendant was standing about two feet from me. There were present Mr. Galloway and Mr. Magilton. I said to defendant: "Henry what now?" He said, "I came again to see about that quarter. I asked him again if he didn't understand my rule. He said that he did, but if I did not pay him the quarter he would go to law about it. I told him that was all right. Mr. Magilton then said, "Boy go out, I am busy writing a letter. You disturb me. Talking with you does no good." The defendant said, "Talking does do good sometimes."

About that time I heard Mr. J. M. Agostine walking through the door from the freight warehouse into freight office. He was smoking a pipe, holding it in his right hand. We had been talking loud. Mr. Agostine walked up to Bryan, caught him by lappel of coat with thumb and forefinger of left hand and said, "Henry you had better go out; these gentlemen are busy." Bryan immediately raised his right hand and struck Mr. Agostine a blow on left side of his neck. It sounded as if he had slapped him. I jumped to unlatch gate, and Magilton and Galloway started toward defendant. Bryan ran as soon as he struck the blow through the door into reception room, and ran against the door.

Mr. Agostine sank down into the chair; and seeing the blood spout out of his neck, I stopped and hollowed to Galloway to hold him—that he had stabbed Agostine. I went out into reception room and saw Bryan run back with a cotton hook in hand, drawing back. I sent for a physician. On coming back Mr. Magilton had placed Mr. Agostine on a table. Mr. Wagner afterwards handed me a piece of knife blade—bloody—which resembles the blade now shown me. Mr. Agostine lived only ten or fifteen minutes from time he was struck.

C. R. S. Magilton: Am now a conductor on the Midland Railway; was an employee of that company at the time of the killing of Mr. Agostine. I was writing in the Ticket Office when Mr. Morris came in. I heard the conversation between Morris and Bryan. [Witness gave about the same testimony as detailed by witness Morris.] After Bryan ran I went after him. Heard Morris say Mr. Agostine was stabbed. Mr. Galloway got me some water, and I tried to stop the flow of blood by holding my finger in it until Dr. Hughes came. He died in about fifteen minutes after he was stricken. Dr. Hughes arrived about a minute before he died.

Wm. Whitford (col.): I was at the depot when Mr. Agostine was killed. Saw Henry Bryan in the office when Mr. Agostine was killed. Henry commenced talking about the quarter—and Mr. Agostine was sweeping out the office. Soon Mr. Morris came in at front door and went in the office behind his desk; Henry Bryan had on a canvas apron and had his hands under his apron. Henry came up to Mr. Morris and they commenced talking about the quarter. Mr. Agostine took hold of him by the coat and told him to go out. Defendant took his hand from under apron and struck him, and then ran. I heard a noise as if he had run against a door. I went after the doctor.

J. R. Wagner: I was dock clerk of the Midland railroad at the time of the murder. I got to the scene of the homicide about half an hour after the killing. Sitting down near the stove I found a broken knife blade, bloody, (recognizes the blade presented.)

Dr. James B. Hughes: I was called to see Mr. Agostine on the night of the homicide. On reaching him he appeared to be dead; but I used restorative and I thought I detected some movement of the heart. He died of the wound in the neck, the knife having punctured a vital part of the brain.

### TESTIMONY FOR DEFENSE.

The State rested its case at this point and the defense introduced the following testimony (about fifty witnesses being sworn.)

O. H. Perry: I knew Henry Bryan before the war; he belonged to my father.

er. He was accustomed to having fits. I saw him have one fit—up a persimmon tree—when the fit was over he finished shaking down persimmons.

Michael Green, col: Have known Henry Bryan from a child. He has had fits from infancy up to present time. After his fits he would have a sleepy, wild look, lasting several days. From my observation and association with the prisoner, I believe that he was not in a condition to know right from wrong.

Mary Jane Green: The prisoner is my brother. He has been having fits since he was a year old. When he was about three years old a mule kicked him in the forehead, and afterwards fits would come on him when he was apparently well. He has acted with more sense since his fits has been grown. If he was in his fifty wraps when he killed Mr. Agostine, I think he did it for the want of understanding. Between the times of the fits I think the prisoner knew right from wrong. I have not known him to have a fit in ten years.

D. N. Kilburn: Have known prisoner for six or eight years. Have had him in my employ—did odd jobs for me last year. I believe prisoner is idiotic. Have seen him have two fits. His general demeanor is quiet—grim. In his average condition I think prisoner knew the difference between right and wrong.

W. H. S. Turner: Have known prisoner five or six years—have seen him have three fits. I think he lacks sense—is foolish. He could count. In his average condition I think he would know it was wrong to strike a man.

Isaac Forbes, Robert Chapman, Isaac Harris, Thomas Battle, E. E. Tucker, Gus Powers, Jos. Outlaw, Manuel Merich, Cesar Williams, Moses Little, Sandy Ellis and David Barham—all colored—gave similar testimony as to knowledge of prisoner's mental condition—considering him not a "bright" man.

Robert Williams, col: Prisoner has fits three or four times a month—will have one next week; don't know right from wrong. Prisoner had a hard fit on Wednesday night before killing Mr. Agostine next day. On next day he was out of his senses the whole day. I never saw him after 12 o'clock on the day of the killing. I don't believe prisoner knows ten men in New Berne.

Rebecca Williams, col: Am the wife of the witness just testifying; prisoner had a fit on the night before killing Mr. Agostine; and next day had the jerks until 12 o'clock.

Thomas Morris, col.: Saw Henry Bryan at Depot between 12 and 3 o'clock on day of killing Mr. Agostine; and again at 5 or 6 p. m. I spoke to him and he never noticed me. Don't think prisoner bright.

Defense here obtained permission for prisoner to stand.

Dr. Charles Duffy examined as an expert; Describes Epilepsy and its symptoms. From the evidence given on the stand I would say prisoner had had Epilepsy.

From my observations of prisoner in my office before the killing, I believe him to be insane.

A single attack of epilepsy may cause a deterioration of the brain.

Mania is sometimes a consequence of epilepsy. The doctor then gives description of different phases of mania, idiocy and imbecility, and its causes and manifestations.

Before Dr. Duffy was subjected to cross-examination court was adjourned to Saturday morning at eight o'clock.

From News and Observer.

Closing Exercises of La Grange Institute—Address by Prof. Winston, &c.

LA GRANGE, N. C., May 26, 1882.

La Grange, or Moseley Hall, as it was formerly and more appropriately known, is a small but flourishing town on the Midland Railroad, Atlantic Division, with an energetic and intelligent population, and surroundings and neighborhood. No place is complete without its places of worship and schools for educating the rising generation. All of these may be found here, not in prospect, but in actual possession, and we are proud to chronicle the fact that Lenoir county is abreast with the times in education. Beside the two at Kinston, we find here two schools, both under the management of sterling young gentlemen. Messrs. Rouse and James Joiner, who graduated last summer at Chapel Hill, conduct the one, and Capt. Adam Davis, late from Randolph Macon, the other. All of these young gentlemen are to the manor born, and reflect credit on themselves and honor not only on their town and county, but State as well. Capt. Davis' school has a military feature, and about ninety scholars; the closing exercises will take place on the 1st and 2d of June.

The other, under Messrs. Rouse and Joiner, has just closed.

To these exercises we invite your attention, regretting that want of space forbids our saying as much as we would like.

The exercises on Wednesday consisted of recitations, dialogues, declamations and musical displays of vocal duets, vocal solos, instrumental quartets, vocal chants, etc. The music department and training under the tutelage of Miss Lou Daniel was highly entertaining and emphatically satisfactory.

The annual address was delivered by Prof. Geo. T. Winston, Professor of Latin at Chapel Hill.

Mr. Winston was introduced in a handsome speech by Mr. C. S. Wooten, who arose and complimented the people upon securing the services of Messrs. Rouse and Joiner, who graduated at Chapel Hill last June with distinction. Mr. Winston then, as an introduction, spoke of the "Conflict of Races," and took for his subject "The Three Great Races" whose characteristics he portrayed with force and vigor and judgment.

At the close of his speech, Mr. C. C. Daniels, editor of the Kinston Free Press, presented Prof. Winston, on behalf of the ladies, with a large and handsome bouquet, making a neat little flowery talk. After which came the presentations of medals, etc.

A committee composed of Judge Faircloth, Rev. G. W. Sanderlin and W. B. Fort awarded to Miss Ida Bizzle, for proficiency in Latin, a copy of Tennyson's poems, which was presented in an appropriate speech by Rev. Mr. McCorkle.

A medal was awarded to Miss Effie Rouse for elocution, which was presented by Prof. Winston.

A medal to Master J. C. B. Koonce for elocution, presented by the same.

At night the musical festival, under the supervision of Miss Lula Daniel, teacher of music, was a decided success. No such chorus singing, or instrumental performances, were ever heard in La Grange before. The whole concluded with very instructive speeches from Messrs. Rouse and Joiner.

La Grange has cause to be proud of such teachers as the Messrs. Rouse, Joiner, Davis and Misses Daniel, Hargrove, Scarborough and Kinsey, who have assuredly done much to elevate the standard of education in this town and section.

The audience was large, and showed an unusual amount of enthusiasm.

D. R. WALKER.

MESSRS. EDITORS:—While at the depot to-day I learned that the Midland Road has promoted our most efficient Freight Clerk, J. R. Wagner to Conductor on the road. Of course we congratulate Jo but at the same time feel that he has left one of the most important places on the Midland road, and a place most difficult and hardest to give satisfaction. For about a year he has worked hard in this department day and night and has saved the road money by his faithful services working, as if he was as much interested in the finances of the railroad as W. J. Best Esq.

Well Jo, we wish you a good time in your new department, we know it will be much raised but we tell you now you had better look out for "Capt. John," for when he gets a special order it makes him furious.

I saw in the JOURNAL some days ago Mr. Oaksmith spoken of for Gen. Manager of the Midland but "the boys" say "not much." Col. Andrews is the right man in the right place and the employees all like him very much and of course they know more about the gentleman in his official character than any body else.

Col. Andrews (we think) is a fine specimen of the Northern gentleman and is a man that our people will like when they know him better—as they do Messrs. Kilburn, Hon. O. and Capt. E. Hubbs, Maj. Dennison, Mr. Stimson, Col. Powers and many others.

Truly  
NEWBERNIAN.

(From the Wilmington Star.)  
R. A. M.

Thirty-Fourth Annual Convention of the M. E. Grand Chapter.

The Grand Chapter resumed its session at 10 a. m. The proceedings of the evening session of Tuesday were read and approved.

The following Companions were then elected Grand Officers for the ensuing year:

- James Southgate, Durham, Grand High Priest.
- Eugene Grissom, Raleigh, Dep. Grand High Priest.
- Andrew J. Blair, Asheville, Grand King.
- Samuel Northrop, Wilmington, Grand Scribe.
- D. W. Bain, Raleigh, Grand Secretary.
- Rev. Solomon Pool, Cary, Grand Chaplain.
- Isaac Patterson, New Berne, Grand Capt. of the Host.

The Grand High Priest announced the following officers:

- T. H. Glover, Charlotte, Grand Principal Sojourner.
- Thomas E. Bond, Wilmington, Grand Royal Arch Captain.
- J. W. Gulick, Goldsboro, Grand Master 3rd Vail.
- D. P. Mast, Winston, Grand Master 2nd Vail.
- Jas. H. Carter, Asheville, Grand Master 1st Vail.
- Robt. H. Bradley, Raleigh, Grand Tiler.

The Grand Chapter adopted resolutions of thanks to Concord Chapter No. 1 for the hospitable reception, and to the different railroad companies for courtesies received from them.

The officers elect and appointed, except Deputy Grand High Priest Eugene Grissom and Grand Chaplain Pool, were installed by Companion Alfred Martin, P. G. H. P.

The following standing committees for the ensuing year were then announced:

- Finance—Thomas E. Bond, B. P. Briggs, W. H. Mitchell.

Foreign Correspondence—J. I. Macks.

Jurisdiction—H. H. Munson, John Nichols, Eugene Grissom.

The next annual Convocation was fixed at Raleigh, on 3rd Tuesday in May, 1883.

### CITY ITEMS.

This column, next to local news, is to be used for Local Advertising.

CANVASSERS WANTED.—Call at desk of Central Hotel to-day between 9 a. m. and 12 m. 1 tl.

### COMMERCIAL.

#### NEW BERNE MARKET.

COTTON.—Middling 11½; Low Middling 11; Good Ordinary 10; Ordinary 8.

TURPENTINE.—Yellow dip \$2.50, Scrape \$1.50. Nothing doing.

RICE.—\$1.15 to \$1.20. Sales at quotations.

CORN—Firm; 93c. in sacks; 90c. in bulk. Sales at quotations.

PEAS—\$1.35.

COUNTRY PRODUCE.—Bacon—hams 14c; shoulders 11c; sides 13c. Lard 14c. Meal—unbolted \$1.00; bolted \$1.10; Fresh pork 8a9c. Beef—stall fed, 6a7c. on foot; grass fed 5c. Potatoes—yams 60. Eggs 11. Hides—dry 10a12c, green 5c. Beeswax 20c. Chickens 60@62c. per pair. Fodder \$1.50 per cwt. Peanuts \$1.75.

By telegraph to the New Berne Journal.

#### DOMESTIC MARKETS.

BALTIMORE, June 2.—Flour quiet and steady; Howard st. and western superfine \$3.25a4.50; extra \$4.75a5.75; family \$6.00a6.75; City Mills superfine \$3.50a4.75; do. extra \$5.00a7.50; Rio brands \$7.25a7.37. Wheat—southern quiet; western opened firm and closed dull; southern red \$1.35a1.40; amber \$1.40a1.44; No. 1 western winter spot \$1.38. Corn—southern dull and easy; western opened higher and active, closing easy; southern white 90a91c.; do. yellow 83a84c.

BALTIMORE, June 2—Night.—Oats dull; southern 59a60c.; western white 60a62c.; do. mixed 59a60c.; Pennsylvania 59a60c. Provisions firm; mess pork \$20.00a21.00. Bulk meats—shoulders and clear rib sides packed 9a12c. Bacon—shoulders 10c.; clear rib sides 13c.; hams 15a16c. Lard—refined 12c. Coffee steady; Rio cargoes, ordinary to fair, 8a9c. Sugar quiet; A soft 9c. Whisky dull at \$1.20a1.21.

NEW YORK, June 2.—Cotton quiet; sales 525 bales; Uplands 12 1-16c.; Orleans 12 5-16. Consolidated net receipts 766; exports to Great Britain, —; to France, 793; to continent 6,350.

NEW YORK, June 2.—Cotton—Net receipts 20 bales; gross 813 bales. Futures closed easy; sales 91,000 bales. June 11 96a11 98; July 12 97; August 12 13a13 16; September 11 85a11 86; October 11 44a11 45; November 11 28a11 29; December 11 29a11 30; January 11 43a 11 45; February 11 56a11 58.

Coffee dull and rather weak; sales Rio, August 77.55. Sugar firm and in better demand; fair to good refining 7 1-16a7c.; refined stronger and in better inquiry; standard A 9c. Molasses dull and weak; grocery grades steady and demand fair. Rice fairly active and steady; Rangoon 2c. Rosin dull and lower at \$2.20a2.25. Turpentine heavy and lower at 41a42c. Wool quiet; closing strong; old mess spot \$19.75; new mess \$20.00a20.25. Middles firm and very quiet; long clear 11c. Lard about 5c, higher and fairly active, closing strong; sales prime steam spot \$11.65; June \$11.62a11 67½; July 11.67½ a11.72.

WILMINGTON, June 2.—Spirits turpentine dull at 39c. Rosin dull; strained \$1.60; good strained \$1.65. Tar firm at \$1.50. Crude turpentine not quoted. Corn—prime white 98c.; mixed 91c.

CHICAGO, June 2.—Corn active, firm and higher at 71c. for cash and June. Pork active, firm and higher at \$19.62a19.75 for cash; \$19.62a19.65 for June.

#### FOREIGN MARKETS.

LIVERPOOL, June 2—Noon.—Cotton steady; Middling uplands 6d; middling Orleans 6 13-16d. Sales 12,000 bales; for speculation and export, 3,000. Receipts 13,300 bales; American 10,300.

#### Cotton Markets.

June 2.—Galveston, 11½; Norfolk 11½; Baltimore, 11 9-16; Boston, 12; Wilmington, 11 3-16; Philadelphia, 12; Savannah, 11½; New Orleans, 11½; Mobile, 11½; Memphis, 11½; Augusta, 11½; Charleston, 11½.

#### AGENTS WANTED.

Call at desk of Central Hotel to-day between 9 a. m. and 12 M.

#### NOTICE.

The 28th General Annual Meeting of the Stockholders of the Atlantic & North Carolina Railroad Company will be held at Morehead City on Thursday, 29th June, 1882.

F. C. ROBERTS, Secretary.

#### SEA BREEZE HOUSE,

Morehead City, N. C.

Will be opened for the reception of guests on 15th of June. Fare and general accommodations equal to any.

Terms moderate.

T. L. HALL, Proprietor.



I am prepared to take orders for the celebrated

ONEIDA ENGINES, SAW MILLS, GRIST MILLS, COTTON GINS, &c.,

samples of which may be seen in building next door to the Cotton Exchange, after June 15th.

J. C. WHITTY,  
New Berne, N. C.  
Address till June 15th at Pollockville, N. C. je 3 im.

## K. R. JONES, COMMISSION Merchant.

Consignments of Grain, Cotton, and other

PRODUCE SOLICITED.

PROMPT ATTENTION GUARANTEED

WHOLESALE AND RETAIL

—DEALER IN—

General Merchandise.

Dry Goods, Notions,

HATS,

BOOTS AND SHOES.

GROCERIES

OF ALL KINDS

Pork, Bacon, Flour Sugar,

Coffee, Salt, Syrup and

MOLASSES.

SNUFF and TOBACCO.

HARDWARE

—SUCH AS—

Spades, Shovels, Hoes, Axes,

Nails Plow Traces Hames,

&c. &c.

Farmer's Supplies

GENERALLY

—ALSO—

MOTT'S SWEET CIDER,

THE BEST MADE,

CONSTANTLY IN STOCK

Prices low for cash.

Satisfaction guaranteed.

Highest cash prices paid for country Produce.

Call and see me.

North West corner

SOUTH FRONT &

MIDDLE Streets,

NEW BERNE, N. C.

Mar. 30, 1 y w

C. B. HART & CO.

ONE PRICE CASH STORE