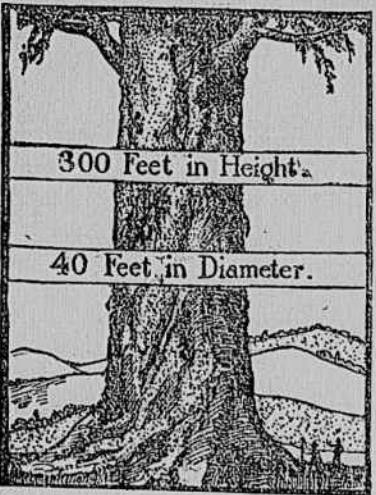


THE NEWS OF NORFOLK ON PAGES 2, 3, 5 & 6.

The Wonderful Blue Gum Tree of Tasmania

A GIANT AMONG TREES



300 Feet in Height.
40 Feet in Diameter.

The Tasmanian Blue Gum Tree may well be considered a giant among trees, rising, as it does, to the height of 300 feet, and measuring, in many instances, forty feet in diameter. The leaves are of a curious form unknown in this country. They are large, sickle-shaped, of a smooth, shining, bluish-green color, thick and leathery. By holding the leaf to the light a number of little bright spots can be seen; these are the glands in which "Hyomei" is found. In Tasmania this tree is called the Fever Tree, as when planted in marshy districts it destroys the miasm. It does this first by emitting antiseptic odors from its leaves, and by its roots acting as a sponge and absorbing the water from the ground. Thousands of these young trees have been purchased by the English government and transplanted in India during the past five years, where they have almost completely neutralized the miasm.

It is from the fresh green leaves of this wonderful tree that science has succeeded in obtaining.

HYOMEI SOAP

The FIRST and ONLY one ever manufactured without the use of FATS, GREASES and DANGEROUS ALKALI.

Nothing Like It

has ever been made before, and if it were not for the beautiful creamy lather, one would doubt that a soap of any description was being used.

There is no soapy smell.
No overpowering perfume.
No smarting of the skin results from its use.

Instead, the skin is thoroughly cleaned and refreshed, every pore is opened, and ALL obstructions to perfect circulation removed. The skin soon becomes soft, smooth and entirely free from blemish. In fact, no troubles of any kind with the skin can exist when Hyomei Soap is used daily. Try it once, and no other will ever be found among your toilet requisites.

Sold by all Druggists Price 25c.
or sent by mail.

THE R. T. BOOTH CO., Ithaca, N. Y.
BRAMBLETON.

The Inasmuch Circle of the King's Daughters will meet this afternoon at 3:30 o'clock with Mrs. J. N. Webster, No. 407 Park avenue.

Miss Mary Lou Sawyer, of Elizabeth City, N. C., is the guest of her uncle, Mr. K. R. Sawyer, No. 134 North Reservoir avenue.

There will be a sociable at McKendree M. E. Church to-night at 8 o'clock for the members and friends of the church.

An important meeting of the Board of Stewards of Trinity M. E. Church will be held at 8 o'clock to-night.

Mrs. Sydney S. Wilkins and her son, Harold, of Philadelphia, are visiting Mrs. D. C. Eldridge, of No. 127 North Reservoir avenue.

A special meeting of the Local Board of Improvement will be held to-morrow night, for the purpose of awarding bids for the removal of street garbage.

Willie, the 3-year-old son of Mr. and Mrs. C. A. Russell, of Ferguson avenue, is ill with acute indigestion.

ATLANTIC CITY.

The ladies of LeKies Memorial M. E. Church are making preparations for a grand fair to be held in the ward beginning February 5th and to last a week at least. It will be remembered that the fair held by them last year was limited in time originally to a week, but the entertainments presented and the pleasures enjoyed were so popular that the fair ran nearer two weeks than one.

They are now engaged in getting up a week's program of entertainments, and expect this event to eclipse that given last year greatly.

The children of the Loyal Temperance Legion will be specially entertained this afternoon at W. C. T. U. Hall by a magic lantern exhibition, given by Mrs. Sheppard, and a large attendance is very likely.

There are many cases of grip at present in the ward, and a large number are suffering from severe colds.

The regular mid-week services were held at all the churches last night, and were well attended.

COURT DECISIONS.

DIGESTED BY W. B. MARTIN.
(Exclusively for Virginian-Pilot.)

Notes of Cases Recently Decided,
Which are of Interest to
Our People.

POWELL V. SOUTHERN R. CO.
Supreme Court of North Carolina.
December 5, 1899.

WHAT FACTS SUFFICIENT TO
SUBMIT THE QUESTION OF THE
NEGLECT OF A RAILROAD
COMPANY TO THE JURY.

This was an action by an administrator for the death of his intestate, alleged to have been caused by a train of the defendant company and through its negligence.

The plaintiff moved the court to withdraw the case from the jury on the ground that there was no evidence to sustain it, but the court refused, and there was a verdict and judgment for the plaintiff. The company appealed.

The court says:

The defendant contends:

1. That there was no evidence that the plaintiff's intestate was killed by defendant's train. There was no eye witness who saw the killing, but it was in evidence that the deceased was seen at a store near the defendant's depot, in Morganton, at 9 o'clock at night, and again at 5 minutes past 12, and the next morning he was found lying dead 300 yards east of the depot, and between it and Campbell's crossing, and about 100 yards from the latter. The deceased was lying on his back, and there was blood on his back and head. His head was lying east, his feet west, about three or four feet from the end of the cross-ties. His clothes had dust on them. He had a wound on the back of his head; his skull was crushed—wounds sufficient to cause death. Fingers of right hand torn and right shoulder bruised. His hat was found between the cross-ties and had grease on it, and looked like it had been run over by the wheel. There was no sign of scuffling on the ground. The intestate's usual way home was along the railroad track from the depot to Campbell's crossing. When seen that night at 9 o'clock, near the depot, he was thought to be sober, but had had a dram. He drank whiskey and was in the habit of getting drunk. The defendant's freight train passed that night between 1 and 2 o'clock, going east. Certainly there was more than a scintilla of evidence going to show that the deceased was knocked off the track and killed by the train, and the determination of the fact was properly left to the jury.

2. The defendant contends there was no evidence of negligence. It was in evidence that it was a moonlight night when the deceased was killed; that the freight train which passed going east between 1 and 2 o'clock that night was a heavy train, running twenty-five to thirty miles an hour; that the engineer on said train neither sounded the whistle for the station, which was 300 yards west of the spot where the deceased was killed, nor for Campbell's crossing, which was 100 or more yards east of the point, nor for the other (the tannery) crossing in the town within the corporate limits of which the deceased was killed,—it being stated that he never sounded it at all; that the said town has a population of 2,500 or 3,000; that the bulk of a man could have been discerned 200 yards away at 2 o'clock that night; that no other eastbound train passed that night; that it was probable that the light of the headlight would light up the point where the intestate was struck, so that the engineer on the right side of the engine might, with a proper lookout, have seen the man, who was sitting or lying down on the right side edge of the track, judging from his being found on that side. There was evidence in rebuttal of part of the above, but upon the conflict of evidence the jury are to decide. Upon the above there was sufficient evidence to submit the case to the jury upon the issue as to negligence. Affirmed.

HENDERSON & CO. VS. U. S. NATIONAL BANK.
Supreme Court of Nebraska.
November 23, 1899.

A BANK IS NOT OBLIGED TO PAY
A CHECK FOR A SUM GREATER
THAN THE AMOUNT IT HAS TO
THE CREDIT OF THE DRAWER.

SUCH CHECK DOES NOT TRANSFER
THE ACTUAL AMOUNT TO
DRAWERS' CREDIT.

The question involved in this case was whether, if a depositor drew on a bank a check for more than he had to his credit the bank was bound to pay on it the sum which he had there, although less than the check called for. The lower court gave judgment for the defendant and the plaintiff appealed.

The court says:

In the case at bar the amount on deposit was less than the amount of the check, and the check being for a sum greater than stood to the credit of the drawer, the bank was under no obligation to pay the check, or to make the partial payment. The check was not operative as an assignment, since the funds were not present to meet it. The bank was not obligated to pay it, in whole or in part, and it did not transfer the fund. Affirmed.

A Bonnet Party.

On next Tuesday evening, at the residence of Miss Daisy Cotton, No. 1 Arlington Place, there will be a "Bonnet Party," given by the ladies of Spurgeon Memorial Baptist Church. Music and games will be the features of the evening. Prizes will be awarded to the gentleman for trimming the best hat, and also a booby prize. Everybody is invited to attend. Refreshments will be served.

A PLEASANT DUTY.—"When I know anything worthy of recommendation, I consider it my duty to tell it," says Rev. Jas. Murdock, of Hamsburg, Pa. "Dr. Agnew's Catarrhal Powder has cured me of Catarrh of five years standing. It is certainly magical in its effects. The first application benefited me in five minutes. I would not be without it in the house." Sold by R. P. Holmes.—17.

SEABOARD LINES CONSOLIDATED

Continued from Page 1.

and accepted by the clerk, the defendants came by counsel before his honor the judge, and entered a special appearance, and moved to vacate said restraining order, which was done; whereas, it was not competent for the judge then to vacate the same, in the absence of any pleadings or affidavits or demurrer.

"Second, That no defence was properly brought before the court, and in the absence thereof, it was error to vacate the restraining order.

"Third, That the restraining order having been granted, the motion to vacate the same could only be granted when no case was made upon the bill itself; whereas the bill states a good and sufficient case in law and equity.

"Fourth, That a good and sufficient case being stated by the bill itself, it was error to refuse to grant the restraining order, upon the said hearing; no pleadings, affidavits or other written denials being filed.

"Whereas, the said complainant prays that the said order be reversed and that the said court may be directed to enter a decree correcting the errors hereinbefore cited."

The appeal was allowed by Judge Purnell, and Ryan was required to file a bond in the sum of \$2,000. This is given in the Fidelity and Deposit Company of Maryland.

DANVILLE'S NEW DEPOT.

The Southern Railway's new passenger station at Danville is now practically completed, and will be occupied probably about February 1st. It is a commodious, substantial and architecturally attractive structure, thoroughly equipped and conveniently arranged. The building is of rough-hewn granite and white brick, with terra cotta trimmings, and is surmounted by a tower and surrounded by umbrella sheds. The Southern now controls and operates the old Atlantic and Danville line, which, with the Richmond and Danville Division, the main line, and Danville and Western, narrow gauge, run twenty trains a day to and from this station.

REASONS FOR FIGHT.

There are plenty of reasons why the Southern Railway should fight the Seaboard's consolidation scheme. Here is one of them:

It means a further invasion of the Southern's territory by the Seaboard. It means that the Seaboard will go to Greensboro, and Greensboro is the vital point of the Southern's interest in North Carolina.

"Do you contemplate any early extension of your road?" I asked Mr. W. C. Peatty, president of the Carriage Road.

"Yes," he said, "I may build on to Greensboro. It is pretty certain that I will do so if the Seaboard's consolidation plans are perfected."

"The Seaboard, then, is back of the enterprise?"

"Yes," the Seaboard is anxious to get to Greensboro, and this is perhaps about the best way to get there. And it will be an invaluable feeder to the main line, as it opens up the West to it."

"How much new road will you have to build to reach Greensboro?"

"About 40 miles. It will not be an expensive road, either, for the country is comparatively level, and no costly bridges or trestles will have to be erected."

B. AND O. IMPROVEMENTS.

Plans for the expenditure of \$25,000,000 in improving the physical condition of the Baltimore and Ohio Railroad have been completed, and within the next three years that vast amount of improvements of roadbeds, bridges, tracks and equipments will be made on all lines of the system.

The present rapid development of earning power of the system has led the directors to the belief that a large percentage of the \$25,000,000 can be spared from surplus earnings. Although the detailed plans of improvement have not been made public yet, it is said that a great percentage of the money will be spent in improving the line between Chicago and Pittsburg.

The Baltimore and Ohio Southwestern is spending \$1,500,000 straightening and shortening its line through Indiana more than five miles, preparatory to cutting the schedule between St. Louis and Cincinnati from nine to eight hours. Four thousand men will be worked just as soon as the weather permits, and the road will be practically rebuilt across Indiana. One of the greatest changes is made by tunneling the hills in the Willow Valley and the big hill west of Michell, Ind. The Willow tunnel will be 1,650 feet in length and will cut off more than two miles and many sharp curves. The big tunnel east of Michell is being lowered nine feet. It is 1,700 feet in length. There are 25 different contracts and some of them provide for rebuilding the track 10 or 15 miles, sometimes departing a mile from the present right of way.

DIVIDENDS DECLARED.

The directors of the North Carolina Railroad Company met here yesterday and declared an annual dividend of 6½ per cent—2½ per cent, payable on February 10th and 3 per cent, payable on August 10th.

The capital stock of the company is \$4,000,000, therefore to pay the dividend this year will require \$260,000—or \$130,000 on February 10th and \$130,000 on August 10th.

Next year, under the terms of the lease of the road to the Southern Railway Company, a dividend of 7 per cent, or 3½ per cent, semi-annually, will be paid. Under the terms of the lease, the State is hereafter to get 7 per cent on the par value of the stock. As a matter of fact, as the stock in the road is worth \$160, the State is getting only a little over 4 per cent, on the market value of its stock.

JUDGE WADDILL'S DECISION.

The decision of Judge Waddill, refusing to grant the injunction prayed for by Thomas P. Ryan, naturally greatly pleased those interested gentlemen who are endeavoring to consummate the scheme of consolidation of the Seaboard Air Line system.

Mr. John L. Williams, father of Mr. John Skelton Williams, said yesterday to a Richmond Dispatch representative: "The work of consolidation will go

forward uninterruptedly, just as it has been for some time. No serious interference on the part of the opposition is apprehended, though the friends of consolidation may be bothered a little by one or two more suits. In the end, however, the plan of consolidation heretofore outlined will be consummated."

It was stated yesterday that the opinion was held in some quarters that Mr. Ryan could appeal from the decision of Judge Waddill. In another quarter it was stated that no appeal could be taken. It is believed by some that Mr. Ryan will certainly exercise the right of appeal if it exists.

The roads which will complete the system of consolidation, as now proposed, and which thread the South in almost every possible direction, are Raleigh and Augusta Air Line Railroad Company, the Durham and Northern Railroad Company, the Roanoke and Tar River Railroad Company, the Seaboard and Roanoke Railroad Company, the Louisville Railroad Company, the Carolina Central Railroad Company, the Palmetto Railroad Company, the Chesterfield and Kershaw Railroad Company, the Georgia, Carolina and Northern Railway Company, the Seaboard Air Line Belt Railroad Company, the Georgia and Alabama Railway, the Florida Central and Peninsular Railroad Company, the Georgia and Alabama Terminal Company, the Logansville and Lawrenceville Railroad, of Georgia; the Richmond, Petersburg and Carolina Railroad Company, the Pittsboro' Railroad Company, and the South Broad Railroad Company.

SHOPS AND DEPOTS.

Raleigh, N. C., Jan. 17.—Vice-President St. John, of the Seaboard Air Line, announced to-day that the railroad shops burned here several years ago would be rebuilt at an early date, and a large number of men employed in them.

The general shops of the system, he says, will remain at Portsmouth, Va., but there will be repair shops maintained at Raleigh, N. C., at Richmond, or Manassas, Va., at Americus, Ga., and at Jacksonville, Fla.

A very large new freight depot will also be erected here.

"We hope to have our through Florida trains in operation by February 1st," continued Mr. St. John, but we fear it will not be earlier than February 10th. We have now five steel bridges in process of construction. These can be completed by the 1st, if the manufacturers and the contractors will do their duty, but I fear it will be the 10th before it is done.

TRAINS AND EQUIPMENT.

"The trains and equipment of the new system are all complete and now at Wilmington, Del., subject to our Pullman outfits for our fast Florida Pullman outfits for our fast Florida service. Then, at Portsmouth, there are the day cars, mail and baggage and express cars for these through trains."

Mr. St. John says he does not yet know what the schedules of the new trains will be.

President Williams thinks the line will be in operation early in February. The grading, he says, is all done, and the bridges will soon be completed.

LAMBERT'S POINT.

The committee from the Volunteer Fire Company of Lambert's Point, which went to Baltimore Monday, accompanied by Chief Ryan, of the Norfolk department, to select a fire engine for the company, returned yesterday, after deciding upon a thirty-five gallon, double-tank Holloway chemical engine.

The preliminary meeting for the instituting a new lodge of K. of P. was held at the Point last night, and was very largely attended. District Organizer Cunningham came over from Newport News, and was joined by a delegation from Norfolk lodges, among them being Past Chancellor George C. Fawcett, of Bathurst Lodge No. 93, and others of the same lodge. The formal organization will be completed very soon, and the election and installation of officers will follow. It is understood that the new lodge will start with a large membership and under very favorable circumstances.

Ground Broken for Building

Yesterday work was started on the foundation of the new mammoth electric power house of the Norfolk Railway and Light Company, on Cove street, the trench for the foundation wall being opened on the eastern side of the lot. When completed this will be the largest electric plant in Virginia and will probably be the nucleus of one of the largest systems of roads and power and lighting distribution in the South.

OTHER LOCAL ON PAGE 6

THE CARBON STUDIO,
H. V. LINEBACK, MANAGER,
242 Main Street.

Campbell's old stand, Ballentine Bldg. Photographs in any size or style, finished both in gloss or carbon. Portraits in water color, pastel or crayon. Miniatures in gold brooches, both plain and in color.

OUR LEADERS—Gloss Cabinets at \$1 per dozen. Carbons, at \$2.00 per dozen. The public is invited to inspect work. J327-1m

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The Saks Stores
234-238 MAIN STREET.

HATS	Percale Shirts
Derbies, Fedoras and Golf shapes, worth up to \$2.20	\$1.00 and \$1.25 Goods
\$1.15	59c

Please Read Carefully

—for one or two gentlemen evidently didn't notice the announcement of our Marked Down Improvement Sale. EVERY WINTER-WEIGHT SUIT AND OVERCOAT IN THE HOUSE is included. We make our statements very plain and comprehensive, for we stand back of what we advertise.

There are hundreds of Coats, scores of styles—all marked down—but the guarantee of satisfaction isn't one whit less strong. Why should it be—the garments are the same?

\$11 Overcoats—	\$6.75	\$30 Suits—	\$16.00
\$15 Overcoats—	\$9.25	\$18 Suits—	\$11.00
\$18 Overcoats—	\$11.00	\$15 Suits—	\$9.25
\$30 Overcoats—	\$16.00	\$11 Suits—	\$6.75

Saks & Company.

McCurdie's White Pine Tar and Wild Cherry Syrup
FOR COUGHS, COLDS AND BRONCHITIS!

We make this Cough Syrup ourselves. We make it of the very purest, freshest and most reliable drugs. We make it in small quantities. When you buy it you get it as it ought to be—it hasn't lost all its virtues by standing around on shelves and in warehouses for months or years. It not only ought to cure—it positively does cure. 25c a bottle.

MCCURDEY & MCCURDEY,
PRESCRIPTION PHARMACISTS,
406 Main Street, Opp. Hotel Norfolk. 733 Church Street, Cor. Calvert

An Unusual Sale of Suits.

We are going to have quite a little suit sale this week. Mind you we do not advertise to sell \$25 suits for \$6.25 or any such tommyrot which every sensible person instantly recognizes as "fake" of the first water, but we are going to offer such bargains as an intelligent merchant who understands his business can offer to an intelligent public which is not to be fooled with mere words. We have arranged to sell out the remaining suits of a number of lots which have proven so satisfactory and sold so well that but few of each are left. In view of the fact that we have already done so well with them and that there are but few left anyhow we are going to put on sale these

\$18 and \$20 Suits at \$15.

DREWREY'S. 317 Main Street.

It's going UP.

YOU CANNOT EXPECT IT TO DO OTHERWISE THESE COLD AND FREEZING MORNINGS AND BLIZZARDY NIGHTS. BETTER SEE THAT YOUR SUPPLY OF COAL IS IN YOUR CELLAR, INSTEAD OF AT OUR YARDS.

Batchelder & Collins,
Phone 101 145 Water St.

THE Lowenberg Specialty STORE
SPECIAL PRICES
—ON ALL—
Tailor-made Suits and Jackets ...
TO-DAY.

Our Guarantee—Perfect Fit or your Money Back.

All Fitting and Altering by an Expert Man Tailor. Alterations Free.

BENJ. LOWENBERG,
34 Granby Street.

A Delightful Heater
For furnishing a fine, delightful, regular heat, there's nothing to be compared with the Gas Stove.

WE HAVE SEVERAL VARIETIES with prices just as varied, and we are sure to please you. A gas stove keeps cold weather at bay as no other stove can.

CITY GAS CO.,
82 Plume Street.

BENJ. L. DOZIER,
Livery, Boarding and Transient Stables,
61, 63, 65 Cove Street.
Everything new and up-to-date.
S. S. PHONE, 606.
OLD PHONE, 928.