

Yorkville, S. C., on February 8, 1887, was graduated at the South Carolina College in Columbia, 1873, and was admitted to the Bar in 1876.

Judge Witherspoon entered the State service as Lieutenant in the Twelfth Regiment, S. C. V., in August, 1861, and served on the coast until March, 1862, when he was appointed Post-Commissary at Columbia, on which duty he remained until the end of the war.

In 1876 Judge Witherspoon engaged actively in politics, and was elected Senator on a York county, which was then carried by the Democrats. Some creditable was his conduct that he was re-elected without opposition last year.

In 1878 he was elected Democratic County Chairman, which position he still holds.

In the Senate Judge Witherspoon has been a member of the Judiciary Committee. He was a member of the Board of Commissioners to settle the State debt, a most arduous undertaking.

He was a member of the Commission appointed at the last session of the Legislature to suggest amendments to the Constitution of the State, and he is, at present, President pro tempore of the Senate.

In every station Judge Witherspoon has given entire satisfaction, and his scrupulousness is universally recognized. With his experience at the Bar and in public affairs, such a man cannot fail to prove an excellent representative of the majesty of the law on the bench.

The Railroad Bill. The Senate, on Monday, began the discussion of the railroad bill, reported by the committee, consisting of Senators Smythe and Galliard, and Representatives Haswell, Simons and Newland.

The bill has been passed with amendments, and the House will take it up on Tuesday. It provides that when any company is organized by another company or by a trustee or receiver, its charter and obligations shall bind them also.

It permits purchasers of any road to organize a new company without water the stock.

A section permitting the issue of bonds in excess of the paid in capital was deleted by the Senate on Tuesday. It has been generally shown that the Greenwood and Augusta Road with capital has issued bonds for six hundred thousand, thus enabling to be built.

Senators Smythe and Galliard fought for the provision, but it was struck out by a vote of eighteen to ten. Whether any be the plea for the roads now building, it is unwise to permit roads to mortgage their property for several times its value.

Another section provides that no road shall subscribe to the stock of another, or go its security without permission of the Legislature, with certain provisions where two companies act conjointly. No proxies shall be valid unless executed not more than thirty days before the meeting of the stockholders.

There shall be three commissioners appointed by the Governor, with the approval of the Senate, for six years, one retiring each two years. These commissioners shall take an oath that they are not pecuniarily interested in any road and will not become interested during their term.

The salary of each shall be \$3,000, with \$1200 for clerk hire and \$500 for expenses, all of which is to be borne by the railroad in the way of a tax. In our opinion this expense too great. It should be diminished. These commissioners shall have the supervision of all railroads. In case of any infraction or delinquency they may apply to a circuit court for a restraining injunction to suspend the offending road. They may also institute suit to compel a railroad to keep its line in general repair.

All agreements between railroad companies for pooling or combination or pro rata charges must be submitted to the commissioners for ratification. In a word, the commissioners shall have authority to exercise supervision in all matters affecting public interests, but the courts shall have the duty of redressing grievances.

Connecting railroads shall not be subject to discrimination, provided it is willing to carry freight as cheaply as competing lines.

Trains shall not run between seven o'clock p.m. and four a.m., except mail trains, and connection trains delayed by accident. Penalty to railroads in violation of this provision, \$1000.

After a long and arduous session of the Legislature, the bill for the re-organization of the State, which was introduced by a number of members of the House, is just about to be passed. It is a bill which should be passed, and it is a bill which will exercise his persuasive power upon the Legislature during the session, therefore, and he is confident of success.

Between Colonel Witherspoon and Mr. Hemphill the contest was warm but not unbecomingly, the friends of both parties claiming success until the ballot box settled the question. Colonel Witherspoon had been defeated by Judge Mackey four years ago from motives of policy, and his friends used this argument with effect, besides showing Colonel Witherspoon's fitness for the place. Mr. Hemphill's youth was an obstacle to some who believe in age as a qualification, though his ability was not questioned.

His friends showed that many of our ablest judges were elected before this, and at least one champion at fifty-six. While Mr. Hemphill's friends are disappointed, they cheerfully acquiesce in the result, and it is conceded that Judge Mackey would have filled the position with satisfaction.

The Senate was up with its business on Friday, and adjourned over until Tuesday evening. It is said that the present session has been characterized by more solid, sound thinking than any previous one. No baggage has yet been exploded, with the exception of a noisy harangue by the militant Senator, Miller, of Bonifant, on the election law. This bill has passed the Senate, having the regulars of the strike out, and it will now be taken up in the House.

There will be no contest over any of its features, except that in regard to registration, which is held by some to be an unnecessary burden and expense. A conference was held, which agreed to accept registration, but the subject has been postponed in the House and a new conference may be necessary.

The House has passed a general stock law by a decisive vote, after a heated discussion. Two or three sections concerning companies have been exempted on condition that they will fence themselves round. This is a radical change, and the striking feature of the bill is the fact that the majority in the House hold that since the general law will require every person to fence his stock, it is but logical that each county desiring to retain its old system should be permitted to do so.

This bill will doubtless increase the number of the counties to able to fence their stock, though there is much grumbling in the lower sections of the State.

Right here it may be said that the Legislature is in danger of rushing things a little too hastily. The stock law, the lien law, the new election law, all three matters of vital importance, and all press on the same scale. The safest policy of any dominant party is to make few experiments immediately preceding an election. As the election law is the most important, it should have precedence, and the other measures should be considered afterwards.

The stock law will probably pass the Senate by a close vote, and become the law of the land. The lien law, it is generally conceded, will not be reported. Speaking of these measures a gentleman said, "The action of the Legislature is inconsistent. The up-country have the stock law, and when they are told that the safety of the party is endangered in the lower counties through divisions of sentiment, they seek the idea, but as soon as mention is made of the lien law they become very conservative and refuse to repeat it for fear of doing harm." There is force in this. The argument for the repeal of the lien law is just as strong as that for the repeal of the fence law. Why should one be taken and the other left? Of course reference is made only to the lower counties in which most of the land is unenclosed. In the agricultural portions of the State the repeal of the fence law adds thousands of thousands of dollars to the wealth of the people, and no county that has adopted the change is willing to go back to the old system.

After these three measures have been disposed of constitutional questions will be considered. First comes the question whether a few amendments should be submitted to the people or whether the entire instrument is to be overhauled by a convention. Experience has shown that conventions are dangerous, and the result of their work is as problematical as the verdict of a jury. The existing constitution is not so bad as it might be, and it is far safer to amend it by section than to have an extra election, and propose grave issues that are now settled.

One feature of the present session is the comparatively small number of bills introduced—an evidence that the people are settling down. Special legislation is regarded with disfavor, and though some pet schemes occasionally get through, it is to run the gamut of criticism and objection.

The railroad bill will probably pass with some modifications. The Senate is at work upon it. On Thursday and Friday a number of railroad magnates made lengthy arguments against it, and endeavored to show that the result would be disastrous. What effect their eloquence produced remains to be seen.

Friends of the College and of the Citadel have an extra election, and are showing that three hundred and fifty colored students are educated at Clinton and as yet only sixty whites at college. The State must provide higher education. It is proposed to this by applying surplus proceeds from the penitentiary. Not a bad idea to make crime pay the expense of education.

A legislative session preceding a campaign always brings out candidates. Generals Bratton and Kennedy are chiefly mentioned for the governorship, with Mayor Courtenay and Senator Crayton as possibilities. Judge J. J. Pope, Colonel John C. Haswell, Colonel Edward McCrary and Mr. James Aldrich are spoken of for attorney-general. Other offices have not yet attracted much attention. As for the railroad Commissioners—their name is Legion. But this is enough for the present.

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