THE VICTIM—A POEM.

BY J. S. M.

"Dost thou deem
It such an easy task, from the fond breast,
To root affection out?"—SOUTHEY.

Sit thee down beside me, daughter,
Sit thee down, and tell me why
'Pon thy cheek the big tear glistens,
From thy heart wells up that sigh.
Sit thee down and tell me, darling,
Where the rosy hue hath gone,
From thy lovely cheek, so pallid,—
Father's only, precious one.

Have the accents of unkindness
Touched and torn thy gentle heart?
Or the chilling weight of sorrow
Made thy sprightliness depart?
Has the world, upon thy spirit,
Cast its sable, icy frown,
That the music of thy laughter
Hath to melancholy grown?

Nay, hide nothing from thy father,
Tell him all thy secret woe;
Lean thy head upon his bosom,
Where thy tears may freely flow.
'Tis a *father's* voice that greets thee,
'Tis a *father's deathless love*
That would from thy spirit, darling,
All these sable clouds remove.

Hush!—her coral lips are parted,
And in accents sweetly low,
Come, like music o'er the waters,
Revelations of her woe.
Hush!—for sacred, pure, and holy,
Is the maiden's melting tale,
Telling of her heart's first sorrow,
And of withering hopes and frail.

She had loved—as only gentle,
Youthful maidens e'er *can* love—
One, whose heart did ever deem her
Sister to the pure above;
He was more than all in heaven,
To her tender, loving heart;
She was to him life and glory,
From which he could never part.

But the father, 'pon whose bosom
The fair maiden gently lay,
Rashly, from his loving daughter,
Bid her lover "*hence away!*"
Deeming that the power of absence
Would extinguish all the love
Which for years had burned as brightly
As the altar-fires above.

From that moment to the present
Clothed were all her hopes in shade,
And the widow's heart grew weary
Of the woe upon it laid.
Gone the smile, once so bewitching,
Faded from the cheek the rose,
And the earth grew darkened to her,
Seeking vainly for repose.

* * * * * * * * * * *

Years have gone, and in the church-yard,
'Neath the willow, all alone,
By the little hillock, grassy,
Stands a broken-hearted one.
Down beside the grave, so lowly,
Bows that sad and weeping one,
Calling for his darling Julia,
Who to realms of bliss hath gone.

Oh! they err who vainly tell us,
Early love can ever die!
Lives it ever!—dies it never!
Lasting as the Deity!
By the grassy graves around thee,
By the anguish of remorse,
By the broken-hearts and dying,
By Jehovah's scathing curse!—
Dare not part the hearts of beings,
Who by God are joined in one,
Else his untold wrath o'ertake thee,
E'er thy fiendish work is done!

From the South Carolinian.

Report of the Committee on the New Rules of Court.

The Committee appointed at a meeting of the bar, held in Columbia, on Friday evening, the 19th day of December last, under a resolution unanimously adopted, requesting them to consider of the late rules adopted by the Law Court of Appeals, published in the daily *South Carolinian* of that date, and respectfully to express to the Court the disapprobation of that meeting of some of said rules, and to request their recision, modification or suspension, beg leave to report, hat they are fully impressed with the delicacy and responsibility of the duty assigned them, but will proceed to its discharge with that respect and courtesy which should be observed in communicating with the Court. They do not question the power of the Court to make such just and reasonable rules and orders for the more regular and convenient conducting and effectual despatch of business therein as to them shall seem necessary and proper, and as are consistent with the constitution and laws of the State. Such power was conferred upon them by the act of 1791—7 Statutes at Large, 262—and has been substantially repeated in subsequent legislation. Nor do they assume to dictate to the Court what rules they should adopt, but suppose that it will not be denied that the bar may confer with the Court, and make known their grievances, arising out of such rules as have already been adopted. The rules in question consist of five, designated by the numbers 96, 97, 98, 99 and 100. Upon the first, the Committee have no remarks to make, and pass it without further notice. The next, number 97, is as follows:

"Hereafter, in the formation of a jury for the trial of a felony, where the right of peremptory challenge is claimed and allowed, a child under ten years of age shall, in the presence of the Court, draw one from the names of all the jurors in attendance, which one having answered, shall be presented to the accused; and so on until in regular course the panel may be exhausted or a jury be formed."

This rule is upon a subject of the most grave and vital importance to the country, prescribing the mode of procedure for the organization of a jury in the trial of felonies, when the right of peremptory challenge is claimed and allowed, and is so novel in the administration of the criminal law of this State, that the Committee have been induced to make some examination into the law of trial by jury in such cases, and without presuming to affirm positively what the law really is, (which more appropriately belongs to the Courts to decide,) would respectfully invite the attention of the Court to such views as have very strongly impressed them against the validity of the rule.

The present Constitution of the State was adopted in 1790, and, in the 6th section of the 9th article, provides that "The trial by jury, as heretofore used in this State, shall be forever inviolably preserved." It is exceedingly important, then, to inquire and ascertain how the trial by jury was used before the adoption of the Constitution.

In 1731, the Legislature passed an act commonly known as the Jury Law, and in 1791, the year immediately succeeding the adoption of the Constitution, passed another act on the same subject, extending the principles and provisions of the previous act.

The Legislature that passed this last act must have had the provisions of the Constitution fresh in their minds, and must have known what the jury law was; they adopted the provisions of the act of 1731 as far as they went, and, instead of stopping with the organization of one jury, provided for two on the same principles, as the increase and despatch of business no doubt rendered necessary. In the case of the State vs. Sims, 2 Bailey, Rep. 32, the prisoner claimed the right to have the jury called and presented to him for acceptance or challenge, in the order their names stood on the *venire*, which was refused him by the Court, and constituted one of his grounds of appeal for a new trial. Judge Johnson, in delivering the opinion of the Court in that case, referring to the two acts before alluded to, used the following language:

"I will now proceed to consider the grounds of the motion for new trial in the order in which they are stated in the brief.

"1st. The act of 1731, P. L., 124, directs that the names of the persons who have been duly summoned and shall appear to serve as petit jurors, as petit jurors, and separate box, or glass, and out of these twelve persons shall be drawn, by a child under the age of ten years, and that the persons so drawn shall serve on all trials at the term of the Court at which they are so drawn; and provides that, in case any of the jurors so drawn shall be challenged and the challenge allowed, or shall absent themselves or neglect to attend, then the names of other persons shall be drawn out of the said box or glass, to fill up and complete the said jury.

"The act of 1791, 1 Faust, 162-3, provides for the organization of two juries in the manner prescribed, to serve as common plea and petit jurors, which are designated by the numbers 1 and 2; and, in making up a jury for the trial of a prisoner entitled to challenge, the uniform practice is to begin by calling the foreman of the jury No. 1 to be sworn, and then the others of that jury in the order in which they are drawn; if any are challenged, then to call the names of jury No. 2, in the same order. If that is exhausted, then the names of the supernumerary jurors are to be drawn from the box or glass, until the jury for the trial of the prisoner is completed.

"The objection here is, that the names of the jurors were not called in the order in which they stood on the *venire*. It is enough to say of this objection, that it is opposed to the positive enactment of the Legislature, expressed in terms not to be misconceived, and sanctioned by the practice and usage of the Courts.

"Apart from these considerations, it is difficult to conceive of a system, when taken altogether, better calculated to further the ends of justice, and to secure the trial by jury from fraud and corruption.

"At the term preceding the trial, forty-eight jurors are drawn by lot from the body of the district; out of them again a jury is drawn by lot, and then the prisoner has the right to challenge twenty peremptorily and indefinitely for cause."

At the same term Sims' case was decided, the case of the State vs. Crank—2 Bailey reports, 66—came before the Court, in which the same question arose, and it was ruled, on the authority of the former case, "That in organizing a jury for the trial of a prisoner, the jurors of the juries numbers 1 and 2 are to be called in succession, beginning with the foreman; and it is not until both the regular juries are exhausted that the supernumeraries in the panel annexed to the *venire* are to be drawn." The motions in both cases were dismissed, which settled the melancholy fate of two citizens of South Carolina. Neither of those men were allowed to take any of the supernumeraries unless they reached them by first exhausting juries Nos. 1 and 2; but by putting the names of all the jurors in a box or glass, and having them drawn one at a time by a child under ten years of age, according to the new rule, the prisoner is as likely to have supernumeraries presented to him first as those that have been organized, or he may have presented a mixture of both in the course of the process. A prisoner is entitled to a list of the names on the *venire* two days before he is put on his trial; and in the meantime, juries Nos. 1 and 2 are organized, so that he and his counsel know the order in which the jurors empaneled will be presented to him, and he can make up his mind which twelve jurors he desires to sit on his trial, and he may so make his calculations that, by an intelligent exercise of his right of challenge, he will get most, if not all of them.

But if the two organized juries and the supernumeraries are thrown together, and subjected to a new drawing, then he has to grope his way in the dark, and his right of challenge may avail him very little; or, to say the least of it, the value of such right would be greatly impaired. It may be said, however, that the prisoner has too great an advantage in selecting his jury in the mode heretofore used; but if the humane provisions of the laws *favorem vitæ* give it to him, it is his right to enjoy it, and he may point with feelings of gratitude and pride to the fundamental law of his country as the great shield of his protection.

In the case of the State vs. Simmons *et al.*, 2 Speer's Reports, 261—the constitutionality of the act of 1835 was drawn in question. That act provided that it should not be lawful for a person to bring into this State, as a servant, any slave who had been carried out of the same, if at any time during the absence of such slave from the State he or she had been in parts or places situated in Europe, in the West Indies, or Mexico, or in any State north of the Potomac or city of Washington; and for violation of the act the party was declared liable to a forfeiture of $1,000, and the slave subject to sale by the order of two magistrates and five freeholders—one-half the proceeds to be paid to the informer, and the other half to the State. The owner of the slave in that case applied to the Court for a writ of prohibition to restrain such proceedings, and it was awarded, on the ground that the act not being sanctioned by the law existing at the adoption of the State Constitution, and not proceeding by the common law mode of trial by jury, was unconstitutional and void. So that it appears even an attempt of the Legislature to alter the mode of trial by jury proved abortive.

Is, then, the organization of a jury, under the 97th rule, consistent with the trial by jury as heretofore used, and the express enactments of the Legislature before and since the adoption of the Constitution, as expounded and enforced by judicial decisions? Judge Richardson well said, in discussing the 11th rule of Court, in Miller & Leckie vs. Jones, 2 Speer's Rep., 321, "So here, the sense of the rule is in its application under the law, which the rule cannot alter or even modify, but follows implicity." But to say the least of it, is there not too much room for doubt to hazard its enforcement?

No. 98. "Attorneys shall make such preparation for every trial, and for every motion, on circuit, that the judge on circuit shall, without writing more than notes of the oral testimony given by witnesses adduced in Court, have in a permanent form the means of exact information, sufficient for his understanding the points involved; for his instructing the jury fully; and for his making a report to the Court of Appeals."

Except as to the oral testimony, this rule virtually requires a brief of the case, which in England it is the duty of an attorney to make and furnish to the barrister. But the relation of attorney and barrister does not exist in this country; if it did, the rule might be practicable. The labors of the bar are exceedingly onerous—and they can well appreciate those of the bench—and are disposed to give all the aid in their power to facilitate the despatch of business in the Courts. Such course is, beyond doubt, not only promotive of the best interest of their clients and their own, but is absolutely necessary to the proper administration of justice, and is a courtesy due to the bench.

The Committee have known an instance where an attorney, in the management of a cause, has refused to furnish copies of papers used on the trial upon the request of the Court. If such matters were left to the sound discretion of the Court in each particular case—and the good sense and courtesy of the counsel concerned, without being trammelled with any peremptory rule on the subject—much valuable time and labor would be saved in the transaction of business. But the Committee do insist that this rule makes a demand upon the time and labor of the bar that it is impossible to meet; to say nothing of the impracticability of getting not a little of the information required, short of a searching investigation in open Court. These observations, so far as they are appropriate, are intended to apply also to the 1st and 5th specifications explanatory of this rule. The 2d, 3d and 6th specifications, under the same rule, are not objected to by a majority of the Committee.

No. 99. "This rule makes no further requisition than the rules heretofore of force, as explained by the Courts and understood by the profession.

No. 100. "In addition to the report, the grounds of appeal and matters which, by the report, may be required to be printed, an attorney bringing up an appeal shall have printed the points which he makes, and the citations of authority on which he intends to rely; and he shall furnish, of the brief thus prepared, a copy to the opposite attorney, at least two days before the appeal will be heard, and a copy to each of the judges, and one to the reporter at the hearing. A specimen, by way of illustration, is placed in the hands of the reporter, to be printed with these additional rules in his next volume of reports.

In Columbia, two Courts of Appeal sit at the same time, twice a year—one of the terms during the session of the Legislature. In Charleston, two Courts of Appeal and the Circuit Court. All three sit at the same, time in January and February. It frequently happens that the attorney for the appellant is not furnished on circuit with the judge's report, but finds it in the hands of the Clerk of the Court of Appeals when he goes to attend that Court, and sometimes it is made during the appeal term and handed to him. The grounds of appeal are required, by the rules of Court, to be specific, and of course contain all the points made in the appeal. It would seem, then, that the only object to be attained by adding substantially the same points to the brief, is to get them stated in connexion with the authorities relied upon, all to be printed and served on the opposite attorney two days before the hearing. This would be very well if it could be done. So, too, it would be vastly more convenient if but one Court were in session at a time; but it is not so arranged, and likely cannot be. We have to grapple with things as we find them, and make the best of them we may. It frequently occurs that while an attorney is engaged in one court, another is arguing a case in opposition to him in the other court; and the law gives him the right to reply to what he has not heard. One, under such circumstances, with his time engrossed in the examination of books, papers and the argument of causes, amidst confusion and perplexity, growing out of the organization of the courts and the limited time for the transaction of business, would find it impossible to write out points and authorities for the printer, to be added to his brief. Indeed, he may esteem himself fortunate if he can get his notes of authority digested, and his briefs ready, without such an appendix, by the time the hearing of his causes is ordered.

It should be borne in mind, also, that such requisitions, under these rules, involve not only extraordinary labor and consumption of time, but very considerable pecuniary expenses, more than have been encountered heretofore.

In conclusion, the Committee, on behalf of those they represent, as well as for themselves, would most respectfully express their disapprobation of such of the rules under consideration as they have before indicated objections to, and request of the Court that they may be rescinded, modified or suspended.

The Court will please accept the kind regard and respects of the Committee.

Respectfully submitted,

C. P. SULLIVAN, Chairman.

Jan. 29, 1857.

—

CHARLESTON, January 29, 1857.

Hon. J. B. O'Neall,

President Law Courtof Appeals:

DEAR SIR: As Chairman of the Committee appointed at a meeting of the bar, held in Columbia, on the 19th December last, on the subject of the new rules adopted by the Law Court of Appeals, I have the honor herewith to communicate to you, and through you to the Court over which you have the honor to preside, the report of the Committee on that subject, together with a copy of the proceedings of the meeting, for the consideration of the Court.

With high consideration and respect, your obedient servant, C. P. SULLIVAN.

—

CALDER HOUSE,

CHARLESTON, January 31, 1857.

To C. P. Sullivan, Esq., Chairman of the Cammittee on the part of the bar.

MY DEAR SIR: Your remonstrance on the part of the bar, assemoled at Colombia on the 19th day of December last, was laid, as you requested, before the judges.

They received it in the kindest spirit, and instructed me to say in answer:

The 97th rule was adopted without any special consideration of the constitutional objection which you urge. If you, or any other member of the bar, should have a client convicted, you will have the opportunity of making and arguing the objection, and of having it most impartially heard and decided. In the meantime, I would say to you, the working of the rule has been tried and approved before brother Glover, in the Court now sitting.

The 98th rule and its specifications were never intended to be enforced in every case, but only so far as the judge trying a case might deem copies necessary for his own information, or that of the Court of Appeals.

It is believed that the 100th rule is a very important one to the bench and the bar. We think the bar will find it to work well. Let it and all the others be fairly tried, and if they or any of them are found to be oppressive, or not promotive of the ends of justice, we shall be ready to modify or rescind.

The brief I placed in your hands is illustrative of how easily the points may be made and the authorities cited. That was prepared by Col. DeTreville. The younger members of the bar *here* have uniformly complied with the rule. It never was intended to exclude additional authorities, which subsequent research or opportunity may have found. Yours, truly,

JOHN BELTON O'NEALL,

President of Law Court of Appeals.

P. S. I presume this answer to your remonstrance should be made public.

O'N.

STARTLING OCCURRENCE.—At a church in an adjoining county, a Sunday or two since, just as the congregation were about to kneel down to prayer, a lady, in a tone of horror, raised the cry of s-n-a-k-e! Great excitement prevailed, and there was a mighty rush from the dangerous locality. At length a gentleman advanced to the spot, gazed a moment upon the coiled monster, and, pouncing upon it, held up to the view of the startled crowd a whalebone hoop, which had wriggled itself out of a lady's petticoat and quietly coiled itself upon the floor. This is a fact, and ought to admonish the ladies of the danger of not securing well the snake-like circles which encompass their lower extremities.—*Clarkesville (Tenn.) Chronicle.*

FRENCH FASHIONS.—Husbands and fathers will shudder to learn that the French fashions, as set by the Empress Eugenie, contemplate no contraction of "circumference and cost." Says a correspondent:

"The latest fete at the Tuileries was marked by (if possible) a greater extravagance than ever in the dresses. The Empress's costume no crinoline could possibly have supported, so enormous was the extent and so solid the substructure. The dress was a petticoat of white tulle, with three skirts *bouillone*, a tonic of sky-blue velvet, trimmed with tulle puffings and large gold beads; and a head-dress of blue foliage, surmounted by a diamond tiara—all of which, of course, became her Majesty."

Mr. Robert Chambers is the proprietor of Glenmoriston, and notwithstanding his literary enthusiasm on popular rights and privileges, manages his beautiful estate much after the usual fashion. He erected, at the opening of an attractive walk, a board, on which was inscribed, "No thoroughfare this way. Trespassers will be prosecuted with the utmost rigor of the law." A wag, during the night, painted on the other side of the board, "Chambers' Information for the People."

A countryman once went into an ordinary's office and inquired if that was "the place where people git licenses to git married?" Upon being answered in the affirmative, he said he'd "take one." "After "taking one," he inquired the price. The *obliging* official said: "Well, the legal fee is one dollar and fifty-six cents, *but gentlemen generally give what they please.*" "Wal," says the countryman, "that's kind ov you," at the same time throwing down *a quarter.* That ordinary was "*sold.*"

MORE GARROTING.—The last case of garroting that we have heard of is this: As a gentleman was about leaving a house in a fashionable quarter of the city, where he had been spending the evening, a pair of white arms were thrown about his neck, and his lips were stifled. The suddenness of the attack deprived him of all power of resistance. As usual, "no policeman was to be seen."—*N. Y. Mirror.*

M. Humboldt, in his "Personal Narrative," states that "in the thirteenth century the habit of eating human flesh pervaded all classes of society. Extraordinary snares were spread for physicians in particular. They were called to attend persons who feigned to be sick, but were only hungry, and it was not in order to be consulted, but devoured."

Prentice, of the Louisville Journal, is the author of the following: "We see that the sprightly, though naughty authoress, who calls herself George Sand, has expressed herself very strongly in favor of being burned after her death. If there is any truth in the scriptures, we guess she will have her wish."

A little boy on his return from Sunday school recently addressed his mother as follows: "Mamma!" "Well, by dear." "Mamma, the teacher says people are all made of dust." "Yes, my dear, so the bible says." "Well, mamma, are white people made of dust?" "Yes." "Well, then, I s'pose *colored people are made of coal dust, ain't they?*"

A gentleman of our acquaintance being reproved by a worldly-minded bigot for "profanity," because he used the word "devil" without any great degree of solemnity, replied, after a moment's reflection, "Ah, I see—I have broken a commandment; I have taken the name of *thy* God in vain!"

Madame Oceana, the largest-limbed woman in the world, is in the museum at New Orleans. She weighs 515 pounds, is 9 feet two inches in circumference, measures 29 inches around her arm and 38 around the calf of her leg, and wears No. 13 shoes. She hails from Kentucky.

It is enough to make one shudder to read the printers' advertisements for a boy of a "moral character," when it is well known they intend to make a "devil" of him.

A SENTIMENT.—The ladies—May their virtues exceed even the magnitude of their skirts, and their faults be still smaller than their bonnets.

FAVORABLE PROSPECTS FOR THE NEW SUGAR CROP.—At a meeting of the Louisiana Agricultural Society, held recently, a paper was read from Judge Post, president of the society, in which he informs the society that the future prospects of the sugar interest in Louisiana have undergone an unexpected and highly favorable change. The cane has of late years been subject to a variety of diseases, including a borer worm, an insect often found in the West Indies, but until lately unknown in Louisiana. The severe cold of last winter, while it nearly destroyed the crop on hand, also destroyed that mischievous insect, and the other causes of disease, whatever they are. An unusual breadth of land has been planted this year, and, with anything like a fair season, in his opinion an average crop will surely be made.

FEARFULLY BEAUTIFUL.—M. de Morny, the reputed brother of the Emperor Napoleon, who was married in St. Petersburg last month to the Princess Sophie Troubetzkoi, is about 53 years old. His bride is 18 or 19, and is described as fearfully beautiful." She was brought up at the institution of the Imperial Maids of Honor, and the Empress Dowager wished to give her to the reigning Empress as one of her ladies, but the Empress Marie said she would have nothing to do with her, for that she was "far, far too beautiful." The new Countess de Morny is evidently likely to make a sensation in Paris.

EDUCATION IN LOUISIANA.—From the report of the Superintendent of Public Education in New Orleans for last year, we learn that the number of children in the State, between six and ten years of age, reported by the assessors of 1855, was 73,322. Of these, 35,893 were reported as males, and 31,123 as females. The sex was not mentioned in regard to the remaining number, 2,906. The increase from 1853 to 1855 was 10,671. The appropriation of four dollars for each of the children would require $293,288, showing the deficiency in the appropriation, to make out that rate of distribution for the year, to be $13,288. The number of school children in the city of New Orleans is reported at 21,550, and the appropriation at four dollars for each scholar is therefore $86,200.

PROTECTION AND SELF-DEFENCE CLUBS.—In New York, a number of clubs, consisting of young men moving in respectable circles, have been formed and are now in operation, the chief object of their existence being the protection of their own persons by the carrying of weapons—self-defence in case of attack by highwaymen—and the detection of the cowardly ruffians who steal upon the path of the unwary as they seek their homes after sundown. The Tribune says almost every peaceable citizen wears arms himself when he goes about at night.

Three hundred and twenty-one shares of Hamberg Bank Stock were sold in that town last week at $60 per share—$50 is the par value.

An honest Hibernian, recommending a cow, said she would give milk year after year, without having calves, "because," said he, "it runs in the brade, for she came out of a cow that niver had a calf."

At a late public meeting the following "dry" toast was given. The author will get "buttered" when he reaches home:

"The Press—the Pulpit—and Petticoats: the three ruling powers of the day. The first spreads knowledge, the second morals, and the last spreads—considerably."

While in Lewiston, says the Maine Evangelist, Mr. Benton, in allusion to his age, remarked that he "was walking upon the broken arches of life, and was liable to slump through at any moment." Beautiful—all but the "*slump.*"

DR. W. F. PRATT & CO.

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Physicians, Planters and Merchants are invited to examine our Stock and prices. Every article warranted to give satisfaction, and special care paid to the packing of goods. Orders addressed as above will meet with prompt attention.

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R. H. LAND.

Jan. 29 49 4t

Grounds for Divorce.

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July 2 27 1y

STATE OF SOUTH CAROLINA

SARTANBURG DISTRICT.

IN THE COURT OF ORDINARY.

Lorenzo Chapman, Ad'm. App't. vs. Dr. O. G. Chapman, et al. def'ts.

Citation to settlement.

WHEREAS it has been shown to the satisfaction of this Court that Dr. O. G. Chapman, Wilson Chapman, Samuel Chapman, Wifford Chapman, Wiley Chapman, Madison Chapman, Coleman Chapman, John Chapman, Nancy Chapman, the heirs at law of Martha Thomson, dec'd., —— Farmer and Ann his wife, Maiden Chapman, Cynthia Chapman, Wm. P. Chapman, Memory Chapman, Virgil Chapman, Cheves M. Chapman, John A. Turner, Memory H. Turner, George W. Turner, Abner B. Turner, Dr. John A. Evans and W. D. Evans, heirs and distributees at law and legatees under the will of John Chapman, sr. dec'd., reside from and without the limits of this State: It is therefore ordered and decreed, that they and each of them be and appear at the Court of Ordinary for said District, to be held at Spartanburg Court House, on the 27th day of March next, to show cause, if any exist, why the estate of the said John Chapman, sr., dec'd., should not be finally settled, and the assets of the same ordered to be paid out according to law, or their consent to the same will be taken *pro confesso.*

Given under my hand and seal of Office, the 11th Dec., 1856. R. BOWDEN, o. s. d.

Dec. 18 43 12t

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AND all who are affected with Coughs, Colds, Hoarseness, Influenza, Asthma, Irritation of the Throat, &c. An original Medicine, and one of the very best for all the complaints mentioned, is the PECTORAL GUM DROPS. For sale at the Drug and Chemical Store of FISHER & HEINITSH.

Jan. 1 45 tf

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THE subscriber takes this method to inform the citizens of the Village and surrounding country, that he is now receiving a good stock of NEW BOOKS, at his Book Store, No. 6, Main-street opposite the Court House, such as are generally used in Colleges, Academies and common Engl'h Schools. A large variety of

MISCELLANEOUS BOOKS,

embracing HISTORICAL, BIOGRAPHICAL GEOLOGICAL, MECHANICAL, Poetical and Musical works, of various sizes and prices.

Some light reading (in the way of Novels,)—RUTH HALL, Fanny Fern's writings; TOM JONES' COURTSHIP, &c. &c.

BLANK BOOKS. A number of HYMN BOOKS, used by the different denominations of Christians, together with a large assortment of

FAMILY BIBLES,

prices from $2.00 to $10.00; small BIBLES, from 50 cents to $1.50 and $2.00; TESTAMENTS from fifteen cents to $1.00. PRAYER BOOKS at various prices.

Also a variety of small religious books, toy books and Primers.

A good lot of Foolscap, Letter, Commercial and Note Paper. Envelopes from common to the finest styles.

Black, Blue and Red Ink.

NEW MUSIC FOR THE PIANO.

Between 500 and 1,000 new pieces for the Piano, from the best composers, the greatest variety ever offered in the up-country, (We hope the ladies will call and supply themselves.)

I have made permanent arrangements with several large Book Houses in Philadelphia and New York, to exchange my Music Work—the

SOUTHERN HARMONY,

at CASH PRICE, for their Books, &c., at cash prices, nett. I will, therefore, be able to sell Books and Stationery lower than they have ever been sold in Spartanburg; and as I desire to do an entire cash business, if the people will call with their money, I think they will be satisfied that they can buy Books, &c., from me, as cheap as they can (at retail) in Columbia or Charleston.

☞ *CALL AND SEE* ☜

WILLIAM WALKER, A. S. H.

☞ School teachers supplied on liberal terms

P. S. If any person should call for a Book or Books, that I have not got, I will immediately order them if they desire it.

N. B. The New Edition of the SOUTHERN HARMONY, kept constantly on hand, wholesale and retail, at the CASH BOOK STORE.

May 17 12 tf

Carter's Spanish Mixture.

THE GREAT PURIFIER OF THE BLOOD

The Best Alterative Known!

NOT A PARTICLE OF MERCURY IN IT!

An infallible remedy for Scrofula, King's Evil, Rheumatism, Obstinate Cutaneous Eruptions, Pimples or Pustules on the Face, Blotches, Boils, Ague and Fever, Chronic Sore Eyes, Ringworm, or Tetter, Scald-head, Enlargement and pain of the Bones and Joints, Salt Rheum, Stubborn Ulcers, Syphilitic Disorders, and all diseases arising from an injudicious use of Mercury, Imprudence in Life, or Impurity of Blood.

This great alterative Medicine and Purifier of the Blood is now used by thousands of grateful patients from all parts of the United States, who testify daily to the remarkable cures performed by the greatest of all medicines, "CARTER'S SPANISH MIXTURE." Neuralgia, Rheumatism, Scrofula, Eruptions on the Skin, Liver Disease, Fevers, Ulcers, Old Sores, Affection of the Kidneys, Diseases of the Throat, Female Complaints, Pains and Aching of the Bones and Joints, are speedily put to flight by using this inestimable remedy.

For all diseases of the Blood, nothing has ye been found to compare with it. It cleanses the system of all impurities, acts gently and efficiently on the Liver and Kidneys, strengthens the Digestion, gives tone to the stomach, makes the Skin clear and healthy, and restores the Constitution, enfeebled by disease or broken down by the excesses of youth, to its pristine vigor and strength.

For the DISEASES OF FEMALES it is peculiarly applicable, and whenever it has become known is regularly prescribed with the happiest effects. It invigorates the weak and debilitated, and imparts elasticity to the worn out frame, clears the skin, and leaves the patient fresh and healthy; a single bottle of this inestimable remedy is worth all the so-called Sarsaparillas in existence.

The large number of certificates which we have received from persons from all parts of the United States is the best evidence that there is no humbug about it. The Press, hotel keepers, magistrates, physicians, and public men, well known to the community, all add their testimony to the wonderful effects of this GREAT BLOOD PURIFIER.

Call on the agent and get an Almanac, and read the details of astonishing cures performed by CARTER'S SPANISH MIXTURE, (IN MOST CASES WHERE EVERY THING ELSE HAD SIGNALLY FAILED.) The limits of an advertisement will not admit their full insertion.

WM. S. BEERS & CO., Proprietors,

No. 304, Broadway, New York

To whom all orders must be addressed.

For sale by Druggists and Country Merchants in all parts of the United States and the Canadas and by FISHER & HEINITSH, Spartanburg.

JOHN L. YOUNG, Unionville.

May 8 11

IN EQUITY—Spartanburg.

SPARTANBURG DISTRICT.

James Bennett, et al, vs. Hiram Bennett, adm'r. et al.

Bill for Partition.

IT appearing to the satisfaction of this Court that Sarah Bennett, the daughter of Rowland Bennett and her husband, if married, (whose name is unknown,) and her brothers John K. Bennett and James Bennett, William Edwards, Isaac Edwards, Hiram Edwards, Bennett Edwards, Jane Davis, (formerly Jane Edwards,) and her husband Fleming Davis, Celia Tate, (formerly Celia Edwards,) and her husband Henry Tate, Nancy Clark, (formerly Nancy Edwards,) and her husband Charles Clark, children of Elizabeth Edwards, (formerly, Elizabeth Bennett) and her husband Ripps Edwards, Jackson P. Bennett, Elizabeth Moore, (formerly Elizabeth Bennett,) and her husband James Moore, Sarah Brewer, (formerly Sarah Bennett,) and her husband Green Brewer, the children of Jorial Bennett, Williams Bennett, Isaac Wofford, Eleanor Lewis, (formerly Eleanor Wofford,) Mary Edwards, (formerly Mary Wofford,) and her husband Isaac Edwards, Elizabeth J. Reese, (formerly Elizabeth J. Wofford,) and her husband William Reese, Mark J. Wofford, Merrick H. Wofford Benjamin M. Wofford, John W. Wofford, Isaac E. Wofford, Nancy E. Wofford, and Mary Hembree, Isaac Hembree, Jane Hembree, Johnston Hembree, Merrick Hembree, James W. Hembree, Sarah Ann Hembree, the children of Eunice Hembree, (formerly Eunice Wofford,) and her husband Elihu Hembree, both dead, who are children of Isaac Wofford and Jane his wife, who was a sister of Mark Bennett, deceased, defendants in this case, reside from and without the limits of this State: It is, on motion of Dawkins & Choice, Complainants' Solicitors, *Ordered*, That they appear and plead, answer or demur, to complainants' bill of complaint, within three months from the publication of this rule, or the same will be taken *pro confesso* against them.

THO. O. P. VERNON, o. e. s. d.

Com'rs. Office, Feb. 9, 1857. Feb. 12 51 3m

BARKULOO & WADDELL.

Stock and Exchange Brokers and Cotton Factors, Columbia, S. C.

Will buy and sell State, City, Railroad and all other BONDS and STOCKS on commission.

Strict attention paid to selling COTTON, and liberal advances made on consignments of the same.

Oct. 9 38 tf.

Rogers' Liverwort,

OR THE COMPLETE CURE OF CONSUMPTION, INFLUENZA, ASTHMA, BRONCHITIS, SPITTING OF BLOOD, & ALL OTHER LUNG COMPLAINTS TENDING TO CONSUMPTION.

This preparation is getting into use all over our country. The numerous letters we receive from our various agents, informing us of cures effected in their immediate neighborhoods, warrant us in saying it is one of the best, if not the very best Cough Medicine now before the public. *It almost invariably relieves, and not unfrequently cures the very worst cases.* When all other Cough preparations have failed, this has relieved the patient. Druggists, dealers in Medicines, and Physicians, can testify. Ask the Agent in your nearest town, what has been his experience of the effects of this medicine. If he has been selling it for any length of time he will tell you

IT IS THE BEST MEDICINE EXTANT.

Below we give a few extracts from letters we have received lately regarding the virtues of this *medicine.*

Dr. S. S. Ostin, of Knoxville, Ga., says: *I have been using your Liverwort and Tar very extensively in my practice for three years past, and, it is with pleasure I state my belief in its superiority over all other articles with which I am acquainted, for which it is recommended.*"

Messrs. Fitzgerald & Benners, writing from Waynesville, N. C. say: "*The Liverwort and Tar is becoming daily more popular in this Country,* AND WE THINK JUSTLY SO. *All who have tried it speak in commendable terms of it, and say it is very beneficial in alleviating the complaints for which it is recommended.*"

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Our Agent in Pickens District, S. C., Mr. S. R. McFall, assures us "that *he uses it with great benefit* in his own family, and recommends it to his neighbors." He gives an instance of a Negro woman, in his vicinity, who had been suffering with disease of the Lungs for years, attended with severe cough, who was relieved by the Liverwort and Tar.

Such are the good reports we hear of this Medicine from all parts of the South. For a report of the surprising cures it has performed in the Western and Northern and Eastern States, we would invite the suffering patient to read the pamphlet which accompanies each bottle. To all we say, *have hope, have hope!*

TRY THE MEDICINE!!

BE WARNED IN SEASON.

Beware of Counterfeits and Base *Imitations!*

The genuine article is signed ANDREW ROGERS the engraved wrapper around each bottle.

Price $1 per bottle, or six bottles for $5. Sold wholesale and retail by SCOVIL & MEAD, on 111 Chartres St., bet. Conti and St. Louis, N. O.

SOLE AGENTS FOR THE SOUTHERN STATES, to whom all orders and applications for Agencies must be addressed.

Sold Wholesale and Retail by

Scovil & Mead, 111 Chartres Street, N. O.

General Agents for the Southern States, to whom all orders must be addressed.

SOLD ALSO BY

FISHER & HEINITSH, Spartanburg, So. Ca.	
W. H. WATSON, Greenville	"
E. KRUTCH,	"
KENNON & NORRIS, Unionville,	"
S. R. HENRY, Laurensville	"
C. L. HARRIS, & CO., Rutherfordton, N. C	

April 24 9 6m

STATE OF SOUTH CAROLINA.

SPARTANBURG DISTRICT.

IN THE COURT OF ORDINARY.

Ann B. Dacus, applicant, vs. John Glenn, et al Defendants.

Summons in Partition.

WHEREAS it has appeared in evidence to the satisfaction of the Court that Garland A. Glenn, Beverly B. Glenn, Opinley McClain, William Parks, July Ann Gauch, William Gauch, Matthew Johnson, and Amanda Johnson, defendants in the above case, reside from and without the limits of this State: