

# The News and Herald.

TRI-WEEKLY EDITION.

WINNSBORO, S. C. THURSDAY, MARCH 27, 1879

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## THE ELECTION CASES.

Duty of the Public.—The Democrats Must be Protected from Persecution.

[From the News and Courier.]  
The expectation is that at the April term of the United States Court, which begins next Monday week, in Charleston, a large number of cases growing out of the elections of 1878 will be tried. There are, to begin with, the cases which were continued, or resulted in a mistrial, at the last term of the Court. There will be some new cases, and it will not be forgotten that, with many offences under the Election laws, the District Attorney can proceed "by information," it is called, and need not submit the indictments to the grand jury. Charleston, Colleton, Hampton, Sumter, Barnwell, Orangeburg, Richland, Aiken and Georgetown will be represented, it is believed, and perhaps other counties. The government, restrained by the presence of an economical Congress, is desirous of avoiding any unnecessary expense, but there is no reason to expect that there will be either a halt or a retreat. For its own justification the government is anxious to secure the conviction of some prominent persons who are accused of fraud or intimidation at the elections. It is a political necessity, and the District Attorney will be certainly instructed to follow Grant's order to Sheridan and "Push things!" The Government officers must take the law as it stands, without reference to its constitutionality.

The drawing of juries for the United States Courts is controlled by the Federal officers. As well as can be judged the grand jury is bad, but the petty jury is fairly good. The all-important thing is to secure the attendance of these jurors. Applications to be excused, it is said, have been made by the most respectable jurors on the list. It is not to be expected that equally respectable jurors will be drawn in their place. The chances are largely against it. In the hands of the better class of jurors is the fate of the accused. And we know that we express the sentiments of the Democracy in general when we say that, in the present condition of affairs, it is a crime, and nothing less, for a respectable citizen to seek to avoid serving as a juror, because it will interfere with his business or his comfort. The failure to attend, leaving his fellow-citizens without protection, will hurt him far more than temporary absence from home can do.

The accused should be represented by the ablest lawyers in the State, and by such an array of them as will bear witness that these election cases do not stand on the same level as prosecutions for illicit distilling or failure to cancel a revenue stamp. It should be made manifest that it is a question in which every Democrat is interested, and in which the whole State is concerned. The lawyers get their full share of the public offices. They pick up the fruit when the men shake the tree. It is their duty, therefore, to come forward now, in a body, to offer their services in defending the accused. The members of the Bar in the country will do it. We hope that there is no less spirit in Charleston than there is in Barnwell, Aiken, Edgefield or Sumter!

The plain truth of it is that the Democratic party will be badly beaten, in several counties, at the next election, unless the communities which enjoy the advantages of a Democratic rule uphold and defend the stalwart Democrats who "ran the machiño" last autumn. In no instance have the Republicans failed to take care of their men. Pendergrass is the latest example. In a few days over five hundred dollars were raised to pay the fine imposed upon him by Judge Mackey, upon his conviction of libel. How long would it take to procure the same sum to discharge a similar fine imposed upon a Democrat? Until the political millennium shall come, there will be a vast amount of unpleasant work to be done at every election. The Republicans know it, and their plan is to deprive the Democratic party of its most valuable agents, by demonstrating that it cannot, or will not, protect those who make themselves the targets of the Republican politicians by organizing Democratic victories. It rests with the people, at large, to say whether the Republican scheme, carrying in its train the restoration of Radical rule in several counties, shall accomplish its purpose, or not. With an ample defence fund, with the juries as drawn, and with able counsel to defend the accused before the court and the country,

there is nothing to fear for the accused, for the party, or for the State.

A POLICE COURT INCIDENT.—At the request of Judge Wilson yesterday John Sullivan stood up before the bar of justice to answer to the charge of drunkenness. Mr. Sullivan put in a plea of not guilty, and stated to the court that he was a hard working man, and had not tasted a drop of liquor for six months.

"You promised me yesterday that you would have your employer here this morning to testify that you are a working man; is he on hand?" inquired the court.

"Perhaps I ought not to mention it in public," said Sullivan, looking around with a smile on his face, "but my employer had an episode in his family this morning—weight ten pounds; mother and child doing well, as the newspapers say—which prevented him from coming out."

"Is there no other person in the city who knows you have been working?"

"Hundreds of them, your Honor, hundreds of them."

"Perhaps some of the officers present could testify in your behalf," suggested the court.

"I have no doubt many of them would be glad to do so," said Sullivan, as he wiped his nose on his coat sleeve.

"Four officers, one after the other, swore that Sullivan was out every night until a late hour, carousing around the wickel places of the city, and was drunk during the day on an average of six times a week."

"It has often been hinted to me that the entire police of Cincinnati had an animosity against me, but no one could have convinced me of the truth of it. I see it all now," groaned Sullivan.

"He puts us to more trouble than any man in that part of the town," said another officer.

"I don't I don't I don't" replied the prisoner rapidly; "I've been working almost day and night for past six months."

"But where's your witnesses?" demanded the court.

"Didn't I tell you my employer had an episode in his family, and couldn't come?"

"And there will be an episode in your family, Mr. Sullivan," said the court. "It is in the shape of a sentence against you of three months in the workhouse. Pass under the rod, and make way for that gent with the black eye."—*Cincinnati Enquirer.*

A NEW THEORY REGARDING MUMMIES.—Having observed that Egyptian mummies could be divided into two classes, one embracing those bodies which had been embalmed intact, and the other including those bodies which had been eviscerated, Dr. Gauselback, a Swedish chemist of repute and Professor of the University of Upsal, has formed the opinion that the mummies of the first class are not really dead, but are only in a condition of suspended animation, the secret of bringing them again to life having been lost. In support of this theory he adduces the result of his own researches and experiments, one of which consists in submitting a snake to a process, the details of which are, of course, kept secret, which petrifies it. In this condition it has been laid aside for a year or two at a time, and it is then restored to life by some equally mysterious vivifying process. This has now been going on about fifteen years, and the snake does not seem to dislike it. Dr. Gauselback is said to have applied to the Swedish Government for leave to experiment on a condemned criminal, the understanding being that if the experiment is successful the criminal shall receive pardon, because of the service thus rendered to science and possibly to humanity.—*Journal of Chemistry.*

It is calculated that the new steel breech-loading Krupp gun, which is to be experimented with at Meppen, in Westphalia, next month, will send a projectile weighing 1,660 pounds a distance of fifteen miles, with a velocity, as it leaves the muzzle, of 1,640 feet per second; or as the London Times puts it "an energy of very nearly 31,000 foot tons." No armor, plate yet constructed could successfully resist such a force.

The Washington (Ky.) Watchman says a man in Nelson county gave his children the following names: Hebrew Fashion, Marriage Bell, Southern Soil, London Judge, China Figure, Dirt Rot and Hell-in-the-Kitchen.

## COUSIN SALLY DILLARD.

[By Hamilton C. Jones.]

This story first appeared upwards of fifty years ago. We give it now for the benefit of the junior members of the bar and the respectable class of law students who will soon be called to sift evidence in the courts of our State.

Scene—A Court of Justice in North Carolina.

A beardless disciple of Themis arises, and thus addresses the court. "May it please your worship, and you, gentlemen of the jury, since it has been my fortune (good or bad I will not say) to exercise myself in legal disquisitions, it has never before befallen me to be obliged to prosecute so direful, marked and malicious an assault—a more willful violent, dangerous battery, and finally a more diabolical breach of the peace has seldom been your duty to pass upon, one so shocking to benevolent feeling, as this which took place at Capt. Rice's in this county. But you will hear from the witness."

The witnesses being sworn, two or three were examined and deposed. One said that he had heard the noise and did not see the fight; another that he saw the row but didn't know who struck first; and a third that he was very drunk and couldn't say much about the scrimmage.

Lawyer Chops—I am very sorry, gentlemen, to have occupied your time with the stupidity of the witnesses examined. It arises, gentlemen, altogether from misapprehension on my part. Had I known, as I now do, that I had a witness in attendance who was well acquainted with all the circumstances of the case, and was able to make himself clearly understood by the court and jury, I should not so long have trespassed on your time and patience. Come forward, Mr. Harris, and be sworn.

Harris—"Exactly"—giving the lawyer a knowing wink, and at the same time clearing his throat. Capt. Biles, he gin a treat, and Cousin Sally Dillard, she came over to our house and axed me if my wife moutn't go. I told Cousin Sally my wife was poorly, being as how she had a touch of the rheumatics in the hip, and the big swamp was in the road, and the big swamp was up, for there had been a heap of rain lately, but howsomever, as it was she, Cousin Sally Dillard, my wife she mout go. Well, Cousin Sally Dillard then asked me if Mose moutn't go; I told Cousin Sally Dillard that Mose was foreman of the crop, and the crop was smartly in the grass, but howsomever, as it was she, Cousin Sally Dillard, Mose he mout go.

Chops—In the name of common sense, Mr. Harris, what do you mean by this rignarole? Do say what you know about the riot.

Witness—Capt. Rice he gin a treat, and Cousin Sally Dillard she came over to our house and axed me if my wife she mout go. I told Cousin Sally Dillard—

Chops—Stop, sir, if you please; we don't want to hear anything about Cousin Sally Dillard and your wife—tell us about the fight.

Witness—Well, I will, sir, if you will let me.

Chops—Well, sir, go on.

Witness—Well, Capt. Rice, he gin a treat and Cousin Sally Dillard she came over to my house and axed me if my wife she moutn't go—

Chops—There it is a gain; witness, witness, please to stop.

Witness—Well, sir, what do you want?

Chops—We want to know about the fight, and you must not proceed in this impertinent story. Do you know anything about the matter before the court?

Witness—To be sure I do.

Chops—Well, you go on and tell it; and nothing else.

Witness—Well, Capt. Rice, he gin a treat—

Chops—This is intolerable. May it please the Court, I move that this witness be committed for contempt. He seems to be trifling with the Court.

Court—Witness, you are now before a court of justice; unless you behave yourself in a more becoming manner you will be sent to jail; so begin and tell what you know of the fight at Capt. Rice's.

Witness (alarmed)—Well, gentlemen, Capt. Rice, he gin a treat, and Cousin Sally Dillard—

Chops—I hope this witness may be ordered into custody.

Court (after deliberating)—Mr. Attorney, the Court is of opinion that we may save time by telling the witness to go on in his own way.

Proceed, Mr. Harris, with your story, but stick to the point.

Witness—Yes, gentlemen; well, Capt. Rice he gin a treat, and Cousin Sally Dillard she came over to our house and axed me if my wife she moutn't go. I told Cousin Sally Dillard that my wife she was poorly, being as how she had the rheumatics in the hip, and the big swamp was up; but howsomever, as it was she, Cousin Sally Dillard, my wife she mout go. Cousin Sally Dillard then asked me if Mose he moutn't go. I told Cousin Sally Dillard as how Mose, he was the foreman of the crop, and the crop was smartly in the grass, but howsomever, as it was she, Cousin Sally Dillard, Mose he mout go. So they go on together, Mose, my wife, and Cousin Sally Dillard, and they come to the big swamp, and it is up, as I was telling you; but being as how there was a log across the big swamp Cousin Sally Dillard and Mose, like gentle folks, they walked the log, but my wife like a dratted fool hiosted up her petticoat and waded through, and that's all I know about the fight.

A POSER FOR THE "HAWKEYE" MAN.

—A young man, who evidently represents some St. Louis house, asks me where I am from. I tell him. His eye brightens. He says:

"Do you know Gust. Hirsch, there?"

No, I tell him, I do not.

"Know Marx Oppenheimer?"

I don't know Marx Oppenheimer.

"Do you know Joe Helminghaus?"

I fail to remember Mr. H.

"Then do you know Chris. Erlingschafflicher?"

I don't believe I do.

"But you must know Ernest Gundlachentreibichdukirschsenlieb-alstenheiminghaus?"

I think possibly that I may have known some of him, and possibly a great deal of him, at different times, but I am quite positive that I never knew him all at once.

The young man from the St. Louis house looks amazed.

"Well," he says at last, "you ain't got much acquaintance in Burlington."

And I sadly remarked that my acquaintance there is rather limited, and he goes away. Presently he returns.

"Oh," he says, "them fellus I said to you about lives in Davenport."

And I feel greatly relieved, for I had begun to think that I didn't know anybody in Burlington.—*R. J. Burdette.*

INDIAN REMAINS.—In the French Broad is an island containing about three hundred acres. During the first flood of 1875, the soil from about ten acres from its upper end was entirely washed away. In cultivating the sub-soil afterwards, the plow went through beds of earthenware so that now the surface is literally covered with these fragments of ancient pottery. On a fair estimate, enough of these remain on every square rod to make a pot of ordinary size.

In nearly every instance where ditches have been dug along the banks, or where the high water has taken away the soil, human bones have been exhumed, and in many places entire graveyards have been uncovered. In a certain locality on Pigeon River, a branch of the Tennessee, it is impossible to dig a post hole without coming upon human remains.

It is true that the banks of Tennessee River, from its source to its mouth, are a continuous sepulchre, in many places literally packed with human bones. Surely "those that walk the earth are but a handful to the tribes that slumber in its bosom."

MUNICIPAL ELECTION.

NOTICE is hereby given that an election for intendant and four wardens for the town of Winnsboro, S. C., will be held in the Town Hall on Monday, the seventh day of April, 1879, between the hours of seven o'clock, a. m., and five o'clock, p. m. The following persons are hereby appointed managers of said election, viz: A. H. Fleming, E. S. Chandler and Willis Good. The books will be open for registration on Thursday, Friday and Saturday next preceding the day of election, commencing at six o'clock, a. m., and closing at six o'clock, p. m. By order of Council:

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