The Laurens Advertiser.

VOL. IX. LAURENS, S. C., TUESDAY, FEBRUARY 27, 1894. NO.

DOWN ON THE CHAIN GANG.

EFFECT OF A SUPREME COURT DECISION.

Trial Justices Cannot Sentence Prisoners to Hard Labor—Twelve Men are Not Necessary to Make a Trial Justice Jury.

The State Supreme Court has rendered a decision in the case of the State vs. Sam Williams for the county of Charleston, in which two very important matters were settled. One was the question as to the legal number of jurors required on a jury in a trial justice's court, and the other was the matter of chain gangs, the court rendering a decision which paralyzes such institutions in this State.

Chief Justice McIver rendered the opinion, which was concurred in by Associate Justice McGowan. Justice Pope filed a dissenting opinion.

In setting forth the facts of the case the Chief Justice says that the defendant was charged with carrying a deadly and concealed weapon on his person; that he did not demand a jury trial, and that the judicial justice sentenced the defendant, Sam Williams, to pay a fine of $25 or to be imprisoned in the county jail and made to perform hard labor on the public works of the city of Charleston, in the chain gang, for the period of thirty days. From this judgment the defendant appealed to the Court of Sessions upon two grounds.

First—That he cannot be punished except upon a verdict of a jury of 12 men.

Second—That the trial justice had no jurisdiction to impose a greater sentence than thirty days' imprisonment, and so much of the sentence as requires the defendant to work on the chain gang is void in law.

Both of the grounds of appeal were sustained by Judge Izlar, and from his opinion the solicitor appealed. The grounds of the appeal are substantially the same as those heard by Judge Izlar.

The Chief Justice devotes ten pages of closely written matter to the discussion of the question of the legality of a jury of less than twelve men, and goes into quite an extensive history of the trial by jury in this State and the constitutional provisions in that matter, so far as the State is concerned. He concludes by saying: "So that it seems to us that the General Assembly still has the power to provide for the trial of any person accused of an offen… hin the jurisdiction of a trial jus… a jury composed of a less nu… an twelve persons, and that th… judge erred in holding ot… It is observed that the pr… of Section 19, of Article 1, of … t Constitution do not seem to contem… e a trial by a jury, of persons accus… of the offence there provided for, but the Legislature, by Section 831 of the General Statutes, has provided that such person shall be entitled on demand to a trial by jury, and in this case it appears, from the report of the judicial trial justice as incorporated in the judgment of the circuit judge, that no jury was demanded by the defendant.

"As to the second question presented by this appeal, we agree with the circuit judge that so much of the sentence imposed by the judicial trial justice as required the defendant to perform hard labor on the public works of the city of Charleston on the chain gang was without authority of law, and is therefore null and void. As we have seen above, the jurisdiction of trial justices in criminal cases is limited by the Constitution, Section 19 of Article 1, to the trial of offences "less than felony, in which the punishment does not exceed a fine of $100 or imprisonment for thirty days." Now it is clear, as was held in the State vs. Jenkins, 26th S. C., 121, that the jurisdiction of a trial justice is limited by and dependent upon the condition: First, that the offence in question shall be less than felony, and, second, that the punishment prescribed shall not exceed a fine of $100 or imprisonment for thirty days. If, therefore, either of these conditions are wanting in a given case, the trial justice is without jurisdiction. But in this case neither of these conditions was wanting, for by the last act prescribing the punishment for the offence with which the defendant was charged, it was limited, 'to a fine not to exceed $100 or to imprisonment for a term not exceeding thirty days." See act of December, A. D., 1892, 21 Statute 93. Now as was held in the State vs. Hord, 8th S. C., 84, affirmed in ex parte Bond, 9 S. C., 80, "wherever imprisonment was a punishment in whole or in part for a common law offence, or prescribed for the violation of some statutory enactment, it took effect by commitment to and detention in the common jail or the prison of the county." This may be regarded as an authoritative interpretation of the proper signification of the term "imprisonment," as used in the Constitution.

Accordingly it was held in that case that a person convicted o fa misdemeanor—assault with intent to kill—could not be sentenced to confinement in the State penitentiary at hard labor unless such punishment had been described by some statute substituting that mode of imprisonment in place of the one which had always existed in the State. In view of that decision, doubtless, the General Assembly passed the act of 1878, now incorporated as Section 2,615 of the General Statutes, declaring that "in every case in which imprisonment is provided in whole or in part for any crime, such imprisonment shall be either in the penitentiary with or without hard labor, or in the county jail with or without hard labor, at the discretion of the circuit judge announcing the sentence. But this provision by its terms applies only to the Court of Sessions—a court of general jurisdiction—and cannot apply to a court of inferior and limited jurisdiction, for surely it cannot be contended that the Legislature can by a mere statute enlarge the meaning of the word 'imprisonment' as used in the Constitution, especially where it is there used as one of the limits to the jurisdiction of an inferior court.

"So that we think it clear that the act of 1885, as amended by the act of December 20, 1892, 21 Statute 22, under which the power is claimed to add to the sentence of imprisonment the requirement of hard labor on the public works of a city or county insofar as it purports to confer upon a trial justice the power to add a sentence of imprisonment, the requirement of such hard labor must be regarded as unconstitutional and void. It is very manifest that this additional imposition exceeds the limits prescribed by the Constitution in defining the jurisdiction of a justice of the peace, 'or other officers authorized by law,' and hence the trial justice in imposing this additional punishment upon the defendant, acted without the authority of the law, and hence so much of the sentence as exceeded the prescribed limits must be regarded as null and void.

"The judgment of this court is that …h of the judgment of the circuit …adjudged that the defendant …d to a trial by twelve men …t that so much of said judgment as adjudged that so much of the sentence imposed by the judicial trial justice as required the defendant to 'perform hard labor upon the public works of the city of Charleston in the chain gang,' was null and void, be affirmed, and that the case be remanded to the Court of Sessions for the county of Charleston, with instructions to confirm the sentence as herein modified."

In a separate opinion Associate Justice Pope says that he finds no difficulty in reaching the same conclusion as the other members of the court from the first grounds of the appeal, but regrets his inability to concur in the chain-gang feature, and the time to prepare an elaborate opinion. His chief ground for differing is because it seems to him that the word "imprisonment" should be construed as to include the employment of the person convicted during his imprisonment. The sentence does not provide for any longer term of imprisonment than thirty days, nor in any other place than the county jail; but it provides that he shall be employed while so imprisoned in the public works of the city.

In this he saw no incompatibility with the provisions of our Constitution. He argued by inference that supposing a general law were passed requiring that persons sent to the county jail should be employed by the Sheriff while so confined in knitting socks or platting mats, he apprehended that such a law would apply, and would be considered as included in the sentence 'or imprisoned for thirty days in the county jail.' What difference should it make if the Trial Justice actually included in his sentence 'or be imprisoned in the county jail to be employed while there in such work as prescribed by the statute of this State, under the direction of the Sheriff." If that conclusion be just what illegality can be said to attach to a sentence of imprisonment for thirty days at hard labor in a chain-gang on the streets of the city of Charleston on the public works of that city, such sentence being in conformity to an Act of the General Assembly of this State. It is difficult for me to see any difference.

A BOLD AND DARING THIEF.

A Prominent New Yorker Steals Largely—He Commits Forgery and Fraud, and Goes to the Tombs in Default of Bail.

NEW YORK, Feb. 21.—Erastus Wimans, formerly manager for R. G. Dun & Co.'s Mercantile Agency, builder of the Staten Island Rapid Transit railway, and a prominent advocate of the annexation of Canada to the United States, was arrested to-day charged with forgeries amounting to $229,000. He was arraigned before Judge Martine in chambers in the General Sessions and committed to the Tombs in default of $25,000.

Mr. Wimans expressed some surprise at his arrest and then asked if there would be any opportunity to get bail. He said he ought to have a lawyer and he would like to be represented by counsel. An effort was made by friends to get bail late in the afternoon, but without success.

As soon as it was known that Mr. Wimans had been arrested the assistant district attorney made known the complaint on which the indictments were found. There was no signature to the complaint, but its authorship is credited to ex-District Attorney Delaney Nicoll.

Summarized, the complaints are that Mr. Wimans was not a partner in the firm of R. G. Dun & Co., but that he was upon a salary and commission and that by various acts of embezzlement through misrepresentations, concealments, breaches of agreement, misuse of powers conferred to him and the use of powers with which he was not trusted, he succeeded, in 1888, 1890, 1891, 1892, and up to February, 1893, in stealing from Mr. Dun the enormous sum of $229,018. That sum he owes Mr. Dun to-day. The complainant says that while Wimans has committed numerous crimes, the selection for prosecution is very difficult. Two, however, are sure, Wimans obtained from the cashier of R. G. Dun & Co. a check for $10,000 to pay a bill of E. W. Bullinger, of New York, forged Bullinger's endorsement and deposited the amount to his (Wimans's) individual credit in bank. Dun & Co. afterwards paid Bullinger's claim.

The other transaction is that Wimans procured from Dun & Co.'s cashier a check for $5,850, to pay the Campbell Printing Press Co. It was drawn to the order of Ogden Brower, treasurer of that company. Wimans told the Printing Press Co. that Dun & Co. were short of funds, and asked them to accept two notes for the amount. This was agreed to. Wimans made the notes in his own name, forged Brower's endorsement on the check, and appropriated the proceeds to his own use.

The complaint says that Dun first learned of Wimans's felonious acts in the latter part of February, 1893, and on the 20th of that month Mr. Dun terminated his contract with Wimans, dismissed him from his employ and has never seen him since. On learning that his crimes had been detected Wimans offered to transfer to Mr. Dun certain real estate interests in Staten Island, of doubtful value, but Mr. Dun, learning that Wimans was insolvent, refused to accept them, or to receive any preference over his other creditors. Wimans therefore made a formal assignment for the benefit of his creditors, but his assets have amounted to nothing.

Mr. Dun did not submit Wimans's crimes to the authorities on first discovering them, for several reasons. In the first place he was moved by considerations of sympathy for Wimans's family, with whom he had been on terms of friendship for many years, and the piteous appeals for mercy which Wimans made to him in a letter. In the second place he had then no appreciation of the extent of Wimans's embezzlement nor of the length of duration he had systematically abused his confidence and betrayed the trust reposed in him.

The whole history of his many doings had to be unearthed from the records of business of five years. It required a vast amount of time and labor to find all the irregularities by which he succeeded in embezzling so large a sum of money. The whole account, with the history of each item, was not made up until a comparatively recent date.

Again Mr. Dun was led to believe by the gross exaggeration by Wiman of his interests in Staten Island that it was possible to realize something 'substantial for his creditors, many of whom would suffer more severely than Dun himself, although not in so large a sum. In view of the fraud practiced upon them, as well as upon himself and upon the conviction that a man of Wimans's bad character ought not longer to be allowed to masquerade as an honest man in this community and as an adviser and exhorter of youth, and out of a sense of obligation to the mercantile world with which he is so closely identified, he decided that his duty requires him to expose Wiman's conduct and to hand him over to the authorities that he may be dealt with as the law directs.

WHITE ON THE SUPREME BENCH.

THE LOUISANA SENATOR IS CONFIRMED PROMPTLY.

His Nomination Was a Great Surprise—The Democrats are Unanimously Satisfied.

WASHINGTON, Feb. 19.—President Cleveland to-day nominated Senator White, of Louisiana, to the vacant seat on the Supreme Bench of the United States, and the Senate promptly confirmed the nomination, which came in the nature of a surp…e to the Senate. All sorts of rumors were afloat during the morning relative to this appointment, in which the names of Senators Gray and Faulkner were mentioned, but not that of the Louisiana Senator.

Mr. White did not come to the Senate to-day, and the fact that he was at the White House this morning, where he doubtless received the news, constrained him to absent himself from the presence of his colleagues. He is a lawyer of marked ability, in the full vigor of life, and will bring to the Supreme Court a valuable knowledge of the intricacies of practice under the civil code, or code Napoleon, as it prevails in the Louisiana courts, which will be of great service in disposing of cases arising in the courts of that State.

Edward Douglas White was born in Parish of LaFourche, La., in November, 1845, and was educated at Mount St. Mary's, Md., at the Jesuit College in New Orleans and at Georgetown College. He served in the Confederate army, and after the close of the war, was licensed to practice law by the Supreme Court of Louisiana. In 1874 he was elected a State Senator, and was appointed four years later Associate Justice of the Supreme Court of Louisiana. He was elected to the Senate to succeed James B. Eustis, and took his seat March 4, 1891. His term does not expire until March 3, 1897.

The nomination of Senator White was a great surprise to the members of the House, but was favorably commented on by every one. The members from New York did not enter into any lengthy expression of opinion, but Messrs. Cockran, Strauss and Tracey agreed that New York had got out of it all she was entitled to. Mr. Cummings expressed his gratification over the appointment, saying that Senator White's nomination was an exceedingly good one. "There is nothing sectional about an appointment to the Supreme bench," he said. Southern members were particularly well pleased with the choice, and exchanged congratulations with one another.

Senator White knew nothing of the fact that the President was considering his name until yesterday evening when the President sent for the Louisiana Senators. Mr. White called at the White House accompanied by Mr. Caffery at 8 o'clock and remained in conference with the President for more than two hours. The President for the first time informed Mr. White of his intention. He said he believed he had all the qualifications for a member of so distinguished a court, and asked the Senator if he would accept the place. The proffer came so suddenly and carried with it such a change in Mr. White's personal plans that he asked for time to consider, agreeing to give a positive answer to-day.

Mr. White, accompanied by his colleague, again, called at the Executive Mansion this morning at 9:30, and as he crossed the threshold was still undetermined. An hour's talk with Mr. Cleveland, however, decided Mr. White and at 10:30, having said that he would accept the nomination, Mr. White left the Mansion. He did not go to the Capitol, but returned to his rooms, Mr. Caffery proceeding to the Senate.

Within an hour from the time the nomination was sent in, Mr. White had been confirmed and the President notified. As soon as the doors were closed, Mr. Pugh called up the nomination, and asked that it be immediately considered. This was agreed to. He spoke highly of the nomination, and said that it was a happy solution to the trouble. The fourth judicial circuit, consisting of the States of Maryland, Virginia, West Virginia, North Carolina and South Carolina, and the Fifth circuit, composed of the States of Georgia, Florida, Alabama, Mississippi, Louisiana and Texas, made even States of the Union, and had no justice of the Supreme Court, while the small circuit composed of the States of Ohio, Michigan, Kentucky and Tennessee had three judges, Harlan, Brown and Jackson. He believed this Southern circuit was entitled to it, and was glad the President had selected Mr. White. Mr. Pugh then moved that the nomination be confirmed.

Mr. Hoar of Massachussetts seconded the nomination, and speaking again, later on, said he was pleased to see that young blood was to be infused into the Supreme Court. He disliked the idea of nominating old men who could not give the country, by reason of old age and physical infirmity, the full benefit of their services. Of Mr. White's legal ability he had the highest regard, and was glad the President had made a selection upon which the Senate could agree.

Mr. Teller (Rep.) of Colorado concurred in what Mr. Hoar had said, and then proceeded to enunciate the principle that the Senate was charged with a duty in connection with nominations independent of the acts of the President. The fact that the President had made a nomination carried but little weight; the Senate was called upon to act as it thought best, independent of the wishes of the executive.

SENATOR HILL SPEAKS.

In view of Mr. Hill's attitude in reference to the two nominations that failed of confirmation, what he said to-day became interesting. He spoke in full, as follows: "I rise for the purpose of seconding the motion of the distinguished chairman of the judiciary committee. Representing, as I do, in part, the circuit in which the vacancy exists caused by the death of the late lamented Judge Blatchford, and to fill which the nomination just reported has been presented to this body for its consideration, a few suggestions on my part at this time may not be inappropriate. Permit me to remark at the outset that this nomination, from a personal point of view, is entirely unobjectionable. The nominee is able, experienced and satifactory. He is personally offensive to no one. He has not been involved in any factional dissensions, and he possesses the confidence of the Democratic party of his State, to which he is proud to belong. He has not antagonized any regular Democratic organization, and every Senator around this circle knows and respects him. He is not without judicial experience, having for two year creditably served upon the bench of the Supreme Court of Louisiana, and his selection will prove acceptable to the bar of the United States and to the people.

"While it is true that Judge White's selection is most admirable, and one which I most cheerfully acquiese, it is perhaps equally true that the people of New York in their local pride will regret that the President did not see fit to make a satisfactory appointment from the hundreds of competent lawyers and distinguished jurists in that great State, whose nomination would have provoked no opposition, and who would have adorned the highest court in the land. It may be asserted as a fact that almost any one of the forty judges of the Supreme Court of New York State or any one of the present Federal judges there residing, would have been acceptable to the Senate, had the President in his wisdom seen fit to honor any one of them by a nomination. There was no dispute upon this point, but the President's choice, in his opinion, seemed to have been limited to a select few for reasons best known to himself. I do not propose on this occasion to add a single unpleasant remark to the unfortunate contest which has occupied our attention for the past six weeks over the two nominations which the majority of the Senate regarded as unsuitable and objectionable. I do not retract a single word which I urged in successful opposition to their confirmation. These contests have passed into history—there let them be judged. I believe that the State of New York was entitled to the judgeship, and had the Senators from that State been consulted, as they properly should have been, and as courtesy and usage required, a satisfactory selection from the numerous eminent members of the bar of my State could have easily been made. You well know that the Senators from New York had no candidates of their own. Their action was not influenced by disappointment. They pressed no favorites of theirs upon the attention of the appointing power, whatever action they took was impelled by their self-respect, and their loyalty to the people's interests which they represented, and to the regular Democratic organization to which they belonged.

"The President, in the exercise of the discretion which the constitution vests in him, has seen fit to go outside of New York and outside of the circuit where the vacancy occurred, and has honored the Senate by the appointment by one of its distinguished members from the far distant State of Louisiana, and while this action may perhaps, justly be regarded as a slight to New York and to our circuit or a reflection upon its distinguished judiciary, any member of which would have adorned the highest Federal court, yet we may congratulate ourselves that so admirable a selection has been made, and reflect that, after all, the question of locality or residence is a matter of little consequence compared with the other considerations involved in the choice for so exalted a station. I am entirely satisfied with the outcome. It is with pleasure, therefore, that I express my desire that this nomination should be confirmed at once."

Mr. Caffrey concluded the speeches with a brief tribute to the worth of his colleague, and expressed the pride his State would take in the selection made by the President.

The vote was then taken, and Mr. White was confirmed without a dissenting voice.

AFTER THE PEDDLERS.

A Law Authorizing a Tax to Be Fixed on Them in Each County.

The last session of the Legislature adopted the following interesting law regarding the licensing of peddlers, each county being authorized to fix the amount of the license:

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act no person shall, as hawker or peddler, expose for sale or sell any goods, wares or merchandise in any county in this State unless he has received and is ready to produce and exhibit a license from the Clerk of the Court of Common Pleas of such county so to sell or expose for sale goods, wares and merchandise in said county.

Sec. 2. That said clerk shall issue licenses to hawkers and peddlers, to be good in his county until the last day of December next after the date of its issue, upon receiving from the applicant such fee or fees thereof as the county commissioners shall at their first meeting in January after the passage of this Act, and thereafter at their first meeting in January of every year, establish and fix license fees for hawkers and peddlers in their County; and it shall be the duty of the county commissioners to fix and establish the said license fees in the several counties of this State. And each license shall specify the sum paid thereof and the privileges granted thereby.

Sec. 3. It shall be the duty of every trial justice and every constable and of the sheriff and of his regular deputies to, and every citizen may, demand and inspect the license of any hawker or peddler in his or their county who shall come under the notice of any of said officers, and to arrest or cause to be arrested any hawker or peddler found without a good and valid license, and to bring such hawker or peddler before the nearest trial justice to be dealt with according to this Act.

Sec. 4. That the provisions of this Act shall not extend to vendors of newspapers, magazines, vegetables, tobacco, provisions of any kind or agricultural products, or to sales by sample by persons traveling for established commercial houses, but shall extend and apply to vendors of every other class and kind of goods, wares and merchandise, and to sales by sample or otherwise by such hawkers and peddlers of stoves, ranges, clocks, lightning rods, sewing machines, pianos or organs.

Sec. 5. That any person or officer violating any of the requirements or duties imposed by this Act shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than $50 or imprisoned in the county jail not more than thirty days for each and every offense.

—Governor Tillman said the other day to a newspaper reporter that any sensible man in South Carolina ought to knowthat there is no provision in the Dispensary law for constables to enter a private residence whithout a warrant. He said that before the bill was passed the anti-Tillman papers in the State had harped on that as a feature of the law, and had kept it up ever since. They did it then and are doing it now, he said, to prejudice the people against the law. He said that no such provision was ever in the law and was never intended to be there; nobody wanted it there, and the whole thing is being given circulation for the purpose of prejudice. If the authorities, he said, believed that a man was selling whiskey from his house nothing would be done until a warrant for his arrest and a search of the premises was gotten out. Attorney General Buchanan, in his opinion of this part of the law, never said anything about the search of private residences.

THE NEW MILL IN OCONEE.

COURTENAY MANUFACTURING COMPANY.

A Northern Estimate of the Work Done at Newry—Solid Plans and Substantial Results.

The Boston Journal of Commerce gives the following description of the new cotton mill which is now about receiving its machinery, and recently erected by the Courtenay Manufacturing Co., at Newry, Oconee County, S. C. This is only one of the many valuable undeveloped water powers in the South, and a glance will show its great value for a cotton mill site. Work was first undertaken (clearing the site) in May last, but it was not until July that any progress was made. It was in a sparsely settled and unfrequented corner of the county; labor had to be brought there, shelters built for them, and in fact all the primitive conditions of the distant border had to be dealt with; machinery for brick-making and other purposes had to be transported from distant points, one and a-half miles of railroad must be graded and built; the time in receiving necessary machines and material took three, four, and, in some cases, five weeks after date of bill of lading.

The mill site is on Little river, water of Seneca river, on the southeast side of Oconee County. The building is of brick, and presents an attractive appearance, and is certainly in strength and finish one of the best specimens of brick masonry in the South.

Little river, from which the water power is obtained, has its sources in the foot hills of the Blue Ridge mountains, and with its numerous tributaries, though small in size, drains an extensive area of territory largely covered with forests. This insures a constant flow of water, even in seasons of protracted droughts. This feature of the river is known as such from the earliest settlement of this part of the State, and is highly valuable for mill purposes, presenting, as it does, the great advantage of a normal storage of water at all times and avoiding the expense of creating a storage system. The river at the lowest stage of water has a volume of 100 feet in width, 2½ feet average depth, and a flow of 112 feet, equal to a minimum of 25,000 cubic feet per minute, with a fall of 22 feet, giving a gross of 1100-horse power, more than sufficient to run 30,000 spindles and 800 looms. The development of this water power has been effected in solid stone work.

The dam is located at a bend in the river about 150 feet above the northeast end of the mill. It is built on convex lines, facing the flow of the river, and the ends rest on buttresses of solid masonry, with continuing retaining walls of stone, built out to high ground. This form of dam construction, on the theory of the arch, gives the most effective strength to such structures. The dimensions of the dam are: 140 feet on the outer curved line (the width of the river is here 115 feet.) The hight is 22 feet above the normal level of the river, but to secure solid foundations the dam is from two to six feet deeper than the bed of the river, in a part of its extent. The buttresses rise to a height of 30 feet, eight feet above the crest of the dam. The continuing wall, on the east side, is six feet higher than the crest of the dam. On the west side the buttresses are of like height, 30 feet, and are connected at the same height, with the masonry at the gates, beyond which is a retaining wall extending to high ground, two feet higher than that on the east side. The base is 18 feet, and the top is six feet, covered with dressed granite slabs, one foot thick, full width, laid in Portland cement. Iron gates of modern design and construction have been built in each end of the dam, with five-foot Ludlow sluice valves and iron liners of the same dimensions; these give a large control over the surplus water of the river during freshets, and keep the pond from filling with sand, near the point of the head gates. Visitors familiar with such works express themselves in strong terms of approval of its form and strength of masonry.

The head gates are four in number, 10 feet high and 5 feet wide, clear water opening; built in stone and brick faced to secure a smooth flow of water. The superstructure is 24 feet in height from base and connects with the retaining wall. The gates have wooden guides, strongly bolted to masonry, and are made of selected wood, heavily framed. Each gate is lifted by means of an iron rack and worm hoisting gear; geared so that one man can lift each gate. This construction protects the canal against floods or excessive high water, and also enables the water to be drawn from the wheels without drawing the water from the pond.

The wheel pits are two in number at the northeast end of the mill building. An extensive excavation, involving much time and considerable expense, had to be undertaken to secure a substantial result. After removing 12 feet of soil the solid rock was reached, and nearly 600 pounds of dynamite used to blast out this large area to a depth of more than 30 feet below the level of the ground. Massive walls of masonry have been built here and every seam pointed up with Portland cement; in developing this work plans and specifications, embodying the very latest thought and experience in such structures, have been used. The water is discharged through three arched openings into the tail race, which is 6 feet deep at the arches and 35 feet wide. This opening widens out to 80 feet at the river, giving the water free exit and is enclosed in stone walls. Every foundation has been carried down to bed rock and built in the most substantial manner.

In natural advantages Oconee has great possibilities in material progress, abounding in water powers, with a population desiring employment of this kind. This new enterprise on Little river is the only large industry in the county, and will have all the advantages of its isolated position, as there are no mills nearer than forty miles on the east, none nearer than twenty-five miles on the south, while on the north and west the whole section is available to draw labor from, in all the region, up to the Blue Ridge and to the Georgia line.

The location of the mill is most favorable for obtaining the fine cotton grown in this Piedmont section, which have a reputation on both sides of the Atlantic, and is a primary consideration in making the better class of goods, for which the equipment of this new mill is designed. Every bale of cotton for its supply will come to it on farm wagons from the vicinity of the mill.

The power will be supplied by two 42-inch Victor turbines, on horizontal shaft, and in one case of steel; connected to the pulley shaft direct, and driving the mill with fifteen Lambeths cotton ropes.

The product of the mill will consist of fine sheetings. The whole power has been developed, equal to over 30,000 spindles and 800 looms, thus making provision for the future in case of need, and has been more economically accomplished now than could be done hereafter; the company has, therefore, in hand the full power of its property. Of course this outlay, charged against the present plant of 10,000 spindles and 240 looms, enhances the cost per spindle. The present building has a capacity of over 15,000 spindles and 400 looms, and it is the purpose ultimately to fill up this vacant space. When this is done the cost per spindle, it is believed, will be the lowest in the State for water-power mills.

Just opposite the mill is a hill 100 feet high. The top is level and sufficiently extensive for the location of a reservoir of large size, for fire and sewerage purposes. This great natural advantage will be utilized, and serve as well for the protection of the mill property and village, as for the health of the residents.

It is the purpose to conduct the water from the springs to the village for all domestic uses, which will be a great convenience to the operatives and their families. The cottages erected for the operatives are built of wood, with plastered walls and ceilings of wood, and they are comfortable homes.

The mill will be in operation during the coming spring. In the opinion of a New York dry-goods merchant handling such goods as will be made here, the entire product can be marketed at remunerative prices as soon as the mill is in operation, and every effort will be made to accomplish this.

AN ATROCIOUS MURDER.

Lexington County White Caps—Negroes Appeal to the Governor and He Orders an Investigation.

An atrocious murder was committed in Lexington County on Thursday night, 15th inst., and the facts are just beginning to come to light. It was the brutal slaughter of a colored man by by a number of white men.

The man who was killed was Gage Robertson. He lived about three miles from Gaston, the place where three negroes were lynched some time ago, and from all that can be learned was a peaceable and quiet negro who stood well with the better class of white people.

On Thursday night, according to the story told by his wife, seven men, who had their faces and hands blacked, went to Robertson's house and asked him to come to the door. One of his little daughters started to go to the door, but being slow Robertson himself went. He was confronted by the men, who were armed with guns and pistols. When he reached the door he was ordered to throw up his hands. He did not comply, but smilingly said to the men that he didn't like a joke of that kind, and started to turn away. As he turned, the weapons were discharged at his head and face. Part of his mouth and face were torn away, and he was shot in the neck. He fell dead in the doorway of his own home. The men cursed his wife, who had begun to scream. They then went away.

The only reason alleged for the murder is that last year Robertson was burning off some new ground. The fire got beyond his control, and burned some of the fencing of a white man. It is said that those interested in the burned property swore to have revenge. The deed of Thursday night was the bloody revenge.

The killing was investigated by the coroner, but the testimony has not been made public. It is understood that warrants have been sworn out for a white man in the neighborhood and for three of his sons. Whether the men have been arrested is not known.

A delegation of Lexington colored men called on Governor Tillman and asked him to investigate the murder. The Governor has ordered the trial justice in the vicinity to make an investigation. The Governor will also offer a reward for the arrest of the murderers.

The Governor has received the following letter from a responsible man in the neighborhood:

"I suppose you have heard before this of the murder of the negro man, Gage Robertson, a few miles above here, 'in the Sand Hills.' I take the liberty of writing you about the matter as far as I know, as I have doubts your ever getting the truth about it for several reasons. I will tell you in as plain way as I know how. I have known the negro since he was a boy, and he with his father and brothers are considered among the best behaved and most 'shifty' negroes in this county. Gage bought a small tract of land from A. H. Wolfe several years ago and unfortunately for Gage it joined West Hawsey's place, who is a one-legged white man. Last year about this time fire got out from some one and burned a little of Hawsey's fence. It seems that he had a grudge against Gage because he got the little piece of land near him and accused Gage of burning his fence. I will say here now that Gage has always been a respectable boy (to those who deserved respect) and ever since from what I can learn he has been persecuting the boy. A few days before the murder a son of Hawsey's rode across Gage's wheat. Gage told him not to ride across his wheat and the young Hawsey told him damn him he would get him before long.

"The day of the night of the murder Hawsey had a log rolling and had several bad fellows, so I hear, helping him, and that night the negro was brutally murdered in his own home. I never heard of a worse case, I do not think. If you will hire a detective and send him down in the nighborhood of Huckabee's mill you will find out who it is in less than a week. Huckabee I think knows all about it, if he did not help commit the deed. The people in that back country are hardly civilized yet and don't mind killing a negro any more than they do a chicken. Something ought to be certainly done, and if the decent white people do not see to it it will soon die out. I felt that it was my duty to write you this knowing that you did not approve of such."

Solicitor Nelson was attending court last week in Lexington. He has made a report to the Governor about the Gaston assassination and urged him to take some steps to ferret out the other murderers. Four white men are already in jail, but there are others implicated and it will take some detective work to find them. The Solicitor says it was a most cold-blooded outrage and that it is necessary that the perpetrators be caught and punished.

The four men who have been arrested charged with the murder are David and Preston Harsey and Ben and Bolivar Neese. Governor Tillman has offered a reward of $150 for the conviction of the party or parties who murdered Robinson.

—The election for a successor to Judge Brawley, in the House of Representatives, will take place on Tuesday, March 13th. The candidates are ex-Judge Izlar, Dr. J. Wm. Stokes, of Oranbeburg, Mr. D. A. J. Sullivan, of Charleston, and J. Walter Mitchell, Esq., of L… ton.

THE DISPENSARY PROFITS.

Quarterly Report of the State Liquor Commissioner—One Hundred Thousand Dollars Cleared in Six Months.

The second quarterly report of the State Dispensary was made public last week. We append herewith the leading features of the report, showing the figures as compiled by the State Liquor Commissioner. In commenting upon the quarterly exhibit, the Columbia State says:

"The only thing lacking from the figures given is the table showing how each of the dispensaries stand with the State. A good many of the dispensers have not sent in their quarterly reports as required by law, and the State board is very angry about this failure to comply with the requirements of the law. Peremptory orders have been issued to every dispenser who has not sent in this report, to do so forthwith upon penalty of immediate dismissal.

"It will be noted that the statement not only gives a summary of the business for the last quarter, but for the entire six months since the system has been in operation. It will be noted that the profits for the quarter just closed are more than double what they were for the preceding quarter. This is due to the fact that the number of dispensaries was greatly increased, and that the holiday season came in. As it is, the statement shows that the profits for the first six months of the operation of the system have amounted to nearly $100,000, which the commissioner states is over and above the $50,000 State appropriation originally made to start the State in the business. It will be noticed, too, that the expense account has been very considerably cut down. This is due to the fact that no machinery, furniture, building repairs, insurance, etc., which came in the first expense account, had to be provided for. The expense account for the first quarter was $72,566.36, as against $58,103.33 for the quarter just ended. The constabulary force cost about $800 less for the quarter just closed than it did for the preceding quarter."

The Columbia Register introduces the quarterly report with this statement:

"The figures speak for themselves, and need no comment. They show that the profits for the quarter ending January 31, 1894, were $67,139. The profits since the Dispensary was established are $99,337.16, or nearly $100,000. This money has been used in buying stock for the institution, and in getting on solid financial basis. The Dispensary is able to pay back to the State the original appropriation of $50,000, and to turn into the State treasury $50,000 besides. It is believed that the profits for a year, with no interruption, will not be less than $250,000. In the course of a few years the profits would reach $500,000. The profits of the County Dispensaries are not included in these figures. It is not impossible that the profits on whiskies in a few years would furnish to the State, counties and cities nearly a million dollars."

The following table shows the number and location of the Dispensaries, with the sales and remittances from Oct. 31 to Jan. 31:

Dispensaries.	Purchases.	Remittances.
Abbeville	$10,782 74	$8,427 24
Newberry	6,427 10	5,732 85
Florence	4,914 93	349 27
Darlington	6,323 46	3,244 58
Lewiedale	944 30	......
Aiken	6,357 67	2,453 07
Edgefield	6,002 14	3,675 57
Lexington	1,279 54	364 91
Camden	1,454 76	1,055 46
Georgetown	5,946 66	3,964 91
Greenville	11,434 38	8,948 77
Orangeburg	8,087 21	6,581 37
Walterboro	3,154 70	1,534 04
Beaufort	2,586 90	1,573 95
Barnwell	4,825 80	2,012 03
Sumter	13,541 02	7,015 38
St. Stephens	1,329 54	543 37
Mt. Pleasant	1,621 40	......
Eutawville	1,982 34	1,201 62
Monck's Corner	1,302 30	402 72
Blackville	3,404 29	2,569 98
Bamberg	3,656 88	2,081 03
Columbia:		
J. M. Roach	5,495 02	2,975 29
J. Cartledge	5,436 30	2,564 21
T. A. Scott	4,882 34	1,781 88
Winnsboro	3,630 44	1,956 88
St. Matthews	3,238 00	1,642 00
Manning	5,625 59	3,927 53
Blacksburg	1,092 80	588 63
Chester	6,669 12	3,604 49
Allendale	3,259 70	1,933 62
Fort Motte	1,568 16	406 86
Charleston:		
H. A. Moyer	4,910 18	2,493 38
F. Von Santen	8,193 00	3,662 74
M. W. Powers	4,582 49	3,012 05
C. S. Stanmoyer	4,454 43	2,079 79
Branchville	1,823 40	763 87
Pleasant Hill	472 80	114 57
Williston	1,098 90	......
Kershaw	2,259 80	1,909 77
Ridgeway	1,473 60	563 36
Summerville	3,632 84	2,296 83
Cheraw	2,143 74	847 29
Anderson	6,877 82	5,971 39
Laurens	10,843 64	5,695 14
Scotia	400 50	152 99
Hampton	1,624 79	878 58
Lancaster	2,970 43	1,503 69
Jacksonboro	2,265 30	1,808 26
Spartanburg	4,215 78	1,056 00
Luray	748 58	161 86
Denmark	1,429 19	741 00
Wagner	1,793 34	487 65
Chapin's	906 44	111 77
Union	2,078 36	......
Greeleyville	1,311 68	......
Kingstree	1,021 04	......

Totals: Purchases, $224,901.65; remittances, $120,945.70; breakage, $1,407.75.

THE EXPENSE ACCOUNT.

The expense account for the quarter, exclusive of the liquors purchased, was as follows:

Constabulary, $12,089.53; gas, $136.57; hauling, $664.08; printing, stationery and books, $589.47; freight, $18,760.00; labor, $3,329.87; coal, $119.75; ice, $17.32; stamps and express, $145.50; telegraphing, $54.37; nails, etc., $64.35; wrappers, $699.89; glass bottles, flasks, corks, etc., $18,791.72; packing boxes, $459.98; sealing wax, $1,119.68; constables' badges, $38.00; commissioner's salary, $550.00; bookkeeper's salary, $300.00; heating pipes, $75.25. Total, $58,103.33.

ASSETS.

Stock on hand as per inventory, $55,758.03; stock on hand Nov. 1 deducted, $39,831.43	$ 15,926 60
Amount due by dispensers	99,778 56
Amount due by others	1,703 31
Cash in State Treasury	19,713 11
Total	$137,121 58

LIABILITIES.

Bills payable	$ 69,982 58
Amount to balance	67,139 00
Total	$137,121 68

PROFITS.

Profits last quarter	$32,198 16
Profits this quarter	67,139 00
Total profits up to date	$99,337 16

P. S.—This over and above the amoun… of the State appropriation of $50,000…

APRIL IS THE T…

The Alliance-Reform Co… Certainty—Governor Till… Have Something To Do … Call.

The State, Feb. 23.

There has been a row goin… the Reform ranks for some ti… tween the two factions known… Irby faction and the Alliance-… faction. A good many have bee… ing for it to be settled and n… come of it, but it doesn't look … if any such settlement is ever to… At any rate, the latter faction, head… by Mr. Bowden, came out strong… demanding a March or April conven… tion. Irby and his men, after a co… ference in Washington, declared j… as strongly against the holding of su… a convention, and Governor Tillm… did the same. But he soon saw … error, glanced around, noticed w… way the wind was blowing and … bered up on the fence. Well, … can be stated as a fact that th… vention, which the Alliance fact… manded, is going to be held duri… first or second week of Apr… later, and the call is going … issued in a few days. And … surprise the public to know th… ernor Tillman has at last … which faction he will affiliat… for he will either directly or indirectly issue this call. It will appear that some kind of a compromise has been made up. So it has, but the Alliance-Reform people are the undoubted masters of the situation. Just why this statement is made, the public cannot yet know through the columns of this paper. The public is simply asked to wait and see.

Although the fact that the Governor was to issue the call has been known for some days here, the representatives of The State were so situated that they would not make it public, and yesterday a correspondent sent out the fact from Washington. When Governor Tillman was asked about it, he characterized it as "that lie … Washington," and said he "knew nothing about the calling of a convention" by himself. This appears as a denial on the part of the Governor that he will call the convention, but The State regards this as merely a ruse on the part of the Governor, and if he does not call the convention directly he will indirectly do so, and his name will appear affixed to the call.

It can be further stated, as a pretty well settled fact, that the convention when it assembles will make nominations for a State ticket, which will be directly against the expressed desire of the Irby faction. Just now it appears that Ellerbe is the man who will head the ticket. He certainly seems to have the strongest showing of any of those mentioned. John Gary Evans will hardly be in it, if the situation is understood correctly. What effect that will have remains to be seen. The situation is interesting to say the least, and there will doubtless be further developments of a still more interesting nature in the next few days.

And as to Irby and his men. Irby came from Washington a few days ago. He must have received information of the way affairs were going. It is stated that he has been in Columbia, but such is not thought to be the case by those who are in a position to know. He is doubtless at home watching things with a jealous eye. But if the writing on the wall is read aright he might as well have stayed in Washington for the good he will do to his side.

—Esther Cleveland was christened at the White House on the 19th inst. There was no company invited to witness the ceremony and everything was done to rob it of display of any kind. Only the members of the President's houshold witnessed the baptism. The family party stood in the blue room exactly where the President and Mrs. Cleveland were married. Dr. Sunderland, pastor of the First Presbyterian Church, officated and immediately after the close of the ceremony left the house.

—A monument to Gen. Robert H. Anderson was unveiled on Washington's Birthday in Bonaventure Cemetery Savannah. It consists of a large granite base, surmounted by a copper bust of Gen. Anderson of heroic size, the inscription on the base giving his name, date of his birth and death, and the principle events of his life. He took a prominent part in the war as a brigadier general and after its close was chief of police in Savannah for twenty-two years, serving as such until his death in 1888.

—Suit has been brought in Sioux City contesting the will of Ex-Governor Rice, of Minnesota. He left an estate of $100,000 to a woman who for many years was known as his wife, and to their daughter. It is now claimed that early in the '60's he married a Winnebago squaw, who is still living with two children. When the tribe was moved West by Congress she followed them with her children, but he remained behind and became a political power and a wealthy man.

—James H. Garrison, car inspector on the G., C. and N. railroad at Charleston, S. C., dropped dead very suddenly on the 21st inst. He was sitting in front of a barbor shop, and without a second's warning, fell out of his chair. He never uttered a word, only groaning very hard several times. Heart disease is thought to have been the cause of his death. Garrison was a Mason and belonged to Marietta, Ga.

—San Francisco has made a great success of its Mid-Winter Fair. The attendance is large and comes from all parts of the country. The exhibits are many and various, and the general arrangements are said to be admirable. The total outlay for this fair was only $500,000 and yet results have been accomplished which are the admiration of all who behold them.

☞—The wife of the new Japanese Minister, Madame Fateno, has a hard time trying to accustom herself to corsets. She finds special difficulty in sitting upon the floor in native style when she has them on; but she is struggling to become accustomed to stays, as she likes the American dress and wishes to adopt it.

—There are twelve scholarships for South Carolica this year in the Peabody Normal at Nashville, Tenn., and the examination for them will be held on the 20th of July next in Columbia. These scholarships are good for two years and are worth $100 a year and railroad fare to and from Nashville.

—The friends of Gen. Del Kemper will be pleased to learn that President Cleveland has appointed him Consul at Amoy, China, and that the Senate has confirmed the appointment. Gen. Kemper was a splendid soldier in the late war and is an accomplished gentleman.

—Rev. Lansing Burrows, D. D., Augusta, will deliver the ann… dress at the commencemen… verse College, and W. M… dent of Erskine Colle… will pre…