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115, 116 & 117 E. Madison St., Chicago.

## THE HOMESTEAD LAW.

Important Decision of the State Su-  
preme Court.

John C. Cochran, executor, appellant,  
vs. Michael Darcy, respondent, vs. John  
C. Cochran, appellant. Supreme  
Court, November term, 1873.  
Opinions: Moses, C. J.  
These cases involve the judgment  
of this court in *re-remedy*—2 S. C. R.,  
219—and seek to reverse it, under the  
authority of *Gunn vs. Barry*, decided  
by the Supreme Court of the United  
States at December term, 1873—15  
Wallace, 610.

It is true, as submitted by the re-  
spondent, that in *Gunn vs. Barry* the  
question directly made was as to the  
effect of a homestead exemption on a  
judgment obtained before its allow-  
ance by the constitution and act of  
the General Assembly of the State of  
Georgia, still it is so apparent that, in  
the view of the court, the retrospec-  
tive operation of such provision  
against all previous contracts was  
void, because in violation of the tenth  
section of the first article of the Con-  
stitution of the United States, which  
declares "that no State shall pass any  
law impairing the obligation of con-  
tracts," that we feel bound to regard  
the opinion as expressive of the views  
of the court to the full extent to which  
the reason which it assigns may carry it.

A respect to the duty which we  
owe to the highest tribunal of the  
country, as well as to ourselves, re-  
quires that we should not only give to  
the decision all proper effect in the  
case as presented by the facts, but  
that we should accept the argument  
of the opinion as it affects the general  
question involved in its judgment.

We yield a ready assent to what  
Mr. Justice Grier says *Cook vs. Mol-  
fat, et al.*, 5 Howard, 398. "The Con-  
stitution of the United States is the  
supreme law of the land, and binds  
every forum, whether it derives its  
authority from a State or from the  
United States. When this court has  
declared State legislation to be in con-  
flict with the Constitution of the  
United States, and therefore void, the  
State tribunals are bound to conform  
to such decision."

The constitution of Georgia declared  
that each head of a family should be  
allowed a certain amount of realty as  
well as personalty, and that no court  
or ministerial officer should ever have  
jurisdiction or authority to enforce  
any judgment, decree or execution  
against such property except for taxes,  
and so forth. The Legislature of the  
same State, in October, 1868, passed  
"An act to provide for the setting  
apart the homestead as required by  
the constitution." In the cases before  
us, the exception was claimed under  
the constitution and acts of the Gen-  
eral Assembly of this State, which, ex-  
cept as to the amount of homestead  
allowed and the prohibition of juris-  
diction by the courts, were of the same  
character as those provided by the  
constitution and laws of Georgia. In  
the application of the principles which  
are to govern their enforcement, as  
proposed by the two States, no differ-  
ence can be found to exist. The em-  
phatic language of the opinion bears  
directly upon the general powers of the  
State to withdraw from a contract any  
substantial right which attached to it  
at its inception, and must be viewed  
and accepted as the expression of the  
court in regard to all homestead ex-  
ceptions. It is in these words:

"The legal remedies for the enforce-  
ment of the contract, which belong to it  
at the time and place where it is  
made, are a part of its obligation. A  
State may change them, provided the  
change involve no impairment of a sub-  
stantial right. If the provision of the  
constitution or the legislative act of a  
State fall within the category last men-  
tioned they are to that extent utterly  
void. They are for all the purposes  
of the contract which they impair, as  
if they had never existed. The constitu-  
tional provision and statute here  
in question are clearly within the  
category and are therefore void."

The contracts on which these ac-  
tions are founded were entered into  
before the adoption of our constitution,  
and we can perceive in them no ele-  
ment in regard to homestead law,  
which withdraws them from the prin-  
ciples announced in *Gunn vs. Barry*.

The motions are granted and the  
cases remanded to the Circuit Court.  
I certify that the foregoing and pre-  
ceding pages are a correct copy of the  
original opinion of the Supreme Court  
in the cases of *Darcy vs. Cochran* and  
*Cochran vs. Darcy*, filed 12th March,  
1874.

Witness my hand and the seal of the  
Court, at Columbia, this 13th  
March, 1874.

ALBERT M. BOOZER,  
Clerk of the Supreme Court.  
One of Josh Billings' maxims is,  
"Rise early, work hard and late, give  
nothing away, and if you don't get rich  
and go to the devil, you may sue me  
for damages."

## To Young Farmers.

Start with a small farm, with no  
more land than can be thoroughly tilled  
and managed—a few acres well  
cultivated are better than many just  
skipped over. Besides, small farms  
are better for the whole community,  
on general principles; as they make  
compact and sociable neighborhoods,  
and will secure better roads, schools  
and churches, besides encouraging  
better mechanic shops nearby—thus,  
tools can be quickly repaired.

Plough deep and fine, that the soil  
may be well pulverized to a good  
depth, in order that the roots of all  
crops and trees may be able easily and  
richly to appropriate all the plant-  
food from the ground, which they  
need for thrifty growth. Deep  
ploughing also does very much to  
prevent the bad effects of drought, by  
allowing the moisture to rise from be-  
low, when the ground becomes dry  
and warm on the surface; it is alike  
beneficial in cases of excess of rain, by  
allowing the surplus water more readi-  
ly to sink out of the way.

To effect the same ends still better,  
and to have your lands warm, dry and  
porous, drain them well with surface  
drains, where that will answer, and  
with under drains where they are  
needed; the improvement in yield, as  
well of quality as in quantity, will  
pay all of the expense in a very short  
time, besides making the farm more  
healthy for both plants and human oc-  
cupants; while often, in many locali-  
ties, these under drains furnish  
abundance of good stock water, where  
none was known before; and then it is  
more pleasant tilling the soil. Orch-  
ards, particularly, are greatly benefi-  
ted by deep, thorough drainage, both  
in the health of the trees, and the  
improved size and flavor of the fruit.

The young farmer should consider  
well and distinctly what he wants to  
do; ascertain to what his land and loca-  
tion are best adapted, seek the best in-  
formation and counsel within his  
reach. And above all, he should  
learn to observe everything connected  
with his business—with the growth of  
plants or animals—observe nature and  
results—acquire the habit of noticing  
things—events and accidents, and  
from all learn lessons of usefulness for  
yearly application. A vast number  
of useful things have been learned by  
farmers when they least expected it,  
merely from accidentally noticing  
some event, or indication, or unusual  
results of accidents could be called to  
mind, from the experience of others and  
myself. Then, great benefit will be  
found in keeping accounts carefully  
as the merchant keeps accounts—debit  
and credit with every customer; so  
the farmer should keep careful account  
with every field, crop, animal and  
other subject of value, on the farm—  
charging each with everything which  
it cost—in labor, money, feed, seed or  
manure—and credit it with all it pro-  
duces or returns, whether sold or con-  
sumed at home. No part of my own  
farming operations ever afforded so  
much pleasure, for the time it took, as  
this keeping careful and regular ac-  
counts with everything; it enabled me  
to know with certainty what was  
made or lost—whether the farms was  
paying—and what branch of the busi-  
ness paid the best, by which future  
operations were guided.

Many farmers seem to think that  
they will get rich by leaving ploughs,  
harrows, and larger implements scat-  
tered about in the fields and yards, to  
rust and rot; the waste and loss in this  
manner is greater than the expense of  
well housing them, oiling them, and  
thus keeping them in order for next  
season's work; and not lose the best  
working days in repairing or running  
after new ones. And for the same reason  
that tools should be kept in order  
and free from rust, the land should be  
kept in good condition and free from  
weeds; it is much easier to kill them  
and destroy them when they are  
young, than when they have grown  
stiff and tall; it is easier to kill a kit-  
ten than a catamount.

[Maryland Farmer.]

A man was seen coming down Mont-  
ague street, Brooklyn, on his way to  
the Wall Street Ferry. Over his shoul-  
der hung a bag containing potatoes,  
and in his hand he carried a stick.  
Being under full sail, the momentum  
acquired in coming down the steep  
gateway, when seeing a boat about ten  
feet from the lock he made an astonish-  
ing burst of speed and jumped. Just  
as he reached the boat the potato bag  
swung from his shoulder and laid out  
a Broad street clerk, who was smoking  
a cigar, through a meerschaum holder,  
while the stick hit a round South  
street merchant in the waistband, and  
Pat himself assumed an involuntary  
devotional attitude. He was the first  
to recover himself, and as he replaced  
the bag, he complacently remarked,  
"Well, I got the boat, anyhow!"  
"Got the boat," screamed he of Broad  
street, spitting the broken pieces of his  
cigar-holder out of his mouth,  
"why, you idiot, this boat is coming  
in!" And so she was.

## A Wonderful Cave in Western North Carolina.

In the range of mountains in Western  
North Carolina known as the "Fork  
Range," a most singular phenomenon  
exists. It is a breathing cave. In the  
summer months a current of air comes  
from it so strongly that a person can't  
walk against it, while in the winter  
the suction is as great. The cool air  
from the mountains in the summer is  
felt for miles, in a direct line from the  
mouth of the cave. At times a most  
pleasant odor is emitted upon the  
current from the dead carcasses of ani-  
mals sucked in and killed by the violence.  
The loss of cattle stock in that  
section in winter is accounted for in  
this way: They range too near the  
mouth of the cave, and the current  
carries them in. At times when the  
change from inhaling to exhaling be-  
gins the air is filled with various hairs  
of animals, not unfrequently bones  
and whole carcasses are seen miles  
from the place. The air has been  
known to change materially in tem-  
perature during exhalation, from quite  
cool to unpleasantly hot, withering  
vegetation within reach, and accom-  
panied by a terrible roaring, gurgling  
sound, as a pot boiling. It is unac-  
counted for by scientific men who have  
examined it, though no exploration  
can take place. It is feared by many  
that a volcanic eruption may break  
forth there some time. Such things  
have occurred in places as little ex-  
pected.—*Asheville Citizen.*

## Discomfiture of a Snob.

An amusing story of an English  
nobleman, recently deceased, is told  
by the "Man About Town" in the  
*English Sporting Gazette*. We give  
it in his own words:  
"The Duke," he says, "was once in  
church, no matter where, when a col-  
lection was announced for some char-  
itable object. The plate or bag, or  
whatever it might be, began to go  
round, and the duke carefully put his  
hand into his pocket and took out a  
florin, which he laid on the pew before  
him ready for transfer to the plate.  
Beside him sat a little snob who, no-  
ticing his action, imitated it by osten-  
tationally laying a sovereign along side  
the floral florin. This was too much  
for his grace, who dipped his hand  
into his pocket again and pulled out  
another florin, which he laid by the  
side of the first. The little snob soon  
followed suit by laying another sover-  
eign beside the first. His grace quiet-  
ly added another florin, which was  
capped by a third sovereign on the part  
of the little snob. Out came a fourth  
florin to swell the duke's donation,  
then the little snob triumphantly laid  
three sovereigns at once upon the  
Board. The duke, not to be beaten,  
produced three florins. Just at this  
moment the plate arrived. The little  
snob took up his handful of sover-  
eigns and ostentatiously rattled them  
into the plate then running defiantly  
toward his rival as who would say,  
"I think that takes the shine out of  
you." Fancy his chagrin when the  
duke, with a grim smile, put one florin  
into the plate and quickly swept the  
remaining six back into his pocket.  
His grace used to chuckle when he  
told that story, and I think on the  
whole he got the best of it.

## THE PRETTIEST THING I EVER HEARD.

A good elder, whose mind  
was almost totally absorbed in mak-  
ing money, was reclining in the  
habit of sleeping in church as follows:  
The preacher had tried many ways  
to get the attention of elder A., but  
every effort seemed to be of no avail.  
He would occupy a seat very close to  
the pulpit, throw his head back on the  
bench and take a nap as long as the  
sermon. This cold indifference greatly  
annoyed the waked portion of the  
congregation, and more especially the  
preacher. Knowing the elder's great  
propensity for money, the preacher  
pinned a bright greenback dollar to  
the bottom of his notes, and before  
advancing in his discourse, he raised  
his notes in full view of his now half  
asleep hearer, and soon got his entire  
attention. During the sermon the  
preacher kept his notes in his left  
hand with the bottom or dollar side  
turned toward the elder, who was now  
all attention. The services ended,  
and as usual some asked Broth A. how  
he liked the sermon. Says he: "It  
was the prettiest thing I ever (saw)  
heard."—*Banner of Peace.*

A beggar posted himself at the door  
of an English chancery court, and kept  
saying, "A penny, please sir! Only a  
penny, sir, before you go in!" "And  
for what, my man?" inquired an old  
country gentleman. "Because, sir, the  
chances are you will not have one  
when you come out!"

## Mr. Giles' Home.

"You have done the chores, haven't  
you, wife?" said Mr. Giles, coming in  
one night about sundown.  
"No, dear, I had supper to get, and  
the baby was so cross."  
"You haven't been getting supper  
all the afternoon, I hope."  
"No; I had some washing to do, and  
the windows to clean, and pies to bake  
and—"  
"Oh, stop that, please. To hear you  
talk, one would think you had more  
than your share of work. I'm sure  
there is no man tries harder than I to  
save his wife steps, and this is all the  
thanks I get for it. Don't go to con-  
tradieting me. Give me the milk  
buckets; if I ask you to milk you will  
have a dozen excuses. I want Katie  
to go with me to keep the hogs off  
while I milk."  
Katie goes, and her father keeps  
her three-quarters of an hour, and  
then tells her she can go and take care  
of the baby while her mother attends  
to the milk. In about five minutes  
Mr. Giles comes in to supper. His  
wife is down in the cellar.  
"Say, wife, ain't supper ready?"  
"In just a minute."  
"Just a minute! Everything is  
done in just a minute. Another night  
I suppose I will have to come in and  
get supper for myself, after working  
hard all day. If you tried as hard as  
I do to make home pleasant, we would  
get along a great deal better than we  
do. You are always behind with ev-  
erything, and then you grumble be-  
cause you have so much to do. Well,  
supper is ready at last, is it? It is  
about time, I think."

"They sit down to the table.  
"Oh, Lord, we thank thee for this  
and all other blessings; feed us with  
the bread of life and save us in heaven,  
Amen. Is this the best table-cloth  
you have got? It is. Why don't you  
buy another? Ain't got any money.  
What did you do with the money you  
got for those eggs?"  
"Bought a hat for Katie."  
"Bought a hat for Katie, and me  
needing I don't know how many farm  
implements! I never knew such ex-  
travagance in my life. It would please  
me exceedingly if you would consult  
me about such things after this. I  
guess I'll go to bed. I can't have any  
peace up. Wife, before you come to  
bed, just patch that rent in my coat;  
and old I wore a hole in my socks to-  
day. You must either mend it or get  
me out a clean pair. There is a chick-  
en in the barrel by the hen-house; I  
want that for my breakfast. Come,  
children; come and kiss papa. Good  
night, and don't forget your prayers."  
*Western Rural.*

## The State Grange of Tennessee, in session at Gallatin, adopted the following:

Resolved by the State Grange of  
Tennessee, That the Lecturer or Sec-  
retary of this Grange recommend to  
the Lecturers of the subordinate  
Granges to earnestly and urgently re-  
quest the members of their respective  
Granges to lessen the cotton crop  
from two-thirds (the old plan) to one  
half, and increase the corn crop to one  
half and all other crops in proportion,  
which will enable the farmer to save  
his cotton in good time and in good  
order, thereby realizing a good and  
better price for his cotton; and with  
this increase of the corn crop raise his  
own stock of every kind, and do away  
with the necessity of buying all of his  
supplies and have the pleasure and grati-  
fication of seeing his fat stock of his  
own raising, without any outlay to  
himself; and the Lecturer or Secretary  
be requested to communicate with all  
the Granges of the cotton States upon  
the subject; that the Lecturer or Sec-  
retary be instructed to urge upon the  
women and men of our Order to adopt  
and practice rigid economy in dress  
and other matters about their homes.

## How to Keep a Situation.

An observing correspondent in the *Western  
Rural* gives the following hints on the  
above subject:  
Be ready to throw in an odd half  
hour or an hour's time when it will  
be an accommodation, and don't seem  
to make a merit of it. Do it heartily.  
Though not a word be said, your em-  
ployer will make a note of it. Make  
yourself indispensable to him, and he  
will lose many of the opposite kind be-  
fore he will part with you. These  
young men who watch the clock to  
see the very second their working  
hour is up—who leave no matter what  
state the work be in, at precisely  
the instant—who calculate the extra  
amount they can slight their work,  
and yet not get reproved—who are  
lavish of their employer's goods—will  
always be first to receive notice, when  
times are dull, that their services are  
no longer required.

## What would our wives say, if they knew where we are?

"What would our wives say, if they  
knew where we are?" said the Captain  
of a schooner when they were beating  
about in a deep fog, fearful of going  
ashore. "Humph, I shouldn't mind  
that," replied the mate, "if we only  
knew where we were ourselves!"

## A Green Countryman.

Years ago into a wholesale grocery  
store in Boston walked a tall, muscular  
looking raw-boned man, evidently a  
fresh comer from some back town in  
Maine or New Hampshire. Addressing  
the first person he met, who happened  
to be the merchant in self he asked:  
"You don't want to hire a man, in  
your store, do you?"  
"Well," said the merchant, "I don't  
know what you can do."  
"Do!" said the man, "I rather guess  
I can turn my hand to almost any-  
thing. What do you want done?"  
"Well, if I was to hire a man, it would  
be one that could lit well—a strong,  
wiry fellow; one for instance, that  
could shoulder a sack of coffee like  
that yonder, and carry it across the  
store and never lay it down."  
"There, now, Captain," said our  
countryman, "that's just me. What  
will you give a man that can suit  
you?"  
"I tell you," said the merchant, "if  
you will shoulder that sack of coffee,  
and carry it across the store twice and  
never lay it down, I will hire you for  
a year at \$100 per month."  
"Done," said the stranger, and by  
this time every clerk in the store had  
gathered around and were waiting to  
join in the laugh against the man, who  
walking to the sack, threw it across  
his shoulder with perfect ease, as it  
was not extremely heavy, and walking  
with it twice across the store, went  
quietly to a large hook which was  
fastened to the wall, and hanging the  
sack upon it, turned to the merchant  
and said:

"There, now; it may hang there till  
Doomsday; I shan't never lay it down.  
What shan't I go about, mister? Just  
give me plenty to do and \$100 per  
month, and it's all right."  
The clerks broke into a laugh, but  
out of the other side of their mouths;  
and the merchant, discomfited, yet  
satisfied, kept his agreement, and  
to-day the green countryman is the  
senior partner in the firm and worth  
half a million dollars.

## AN OLD LADY ASTONISHED.

Mr. B., a well-known Metropolitan printer,  
mentions that on one occasion, an old  
woman from the country came to the  
printing office with an old Bible in  
her hand.  
"I want," said she, "that you should  
print it over again. It's getting a  
little blurred, sort of and my eyes is  
got what they was. How much do  
you ax?"  
"Fifty cents."  
"Can you have it done in half an  
hour? Wish you would—want to be  
getting home. I live a good way out  
of this town."

## When the old lady went out he sent around to the office of the American Bible Society and purchased a copy for fifty cents.

"Lord, what a massa!" exclaimed the  
old lady when she came to look at it,  
"now good you have fixed it! I never  
see nothing so curious as you printers  
is."

## A Touch of the Whip.

I noticed, when once riding on the  
top of a stage-coach, that the driver,  
at certain points on the road, gave one  
of his forward horses a slight touch of  
his whip. And, as the horses were  
going at a fair pace, I asked him why  
he did it. He replied that that horse  
and been in the habit of starting and  
sheering at something seen, or imagi-  
ned, at those places on the road, and  
a touch of the whip just before arriv-  
ing there, gave him something to  
think of, so that he passed by without  
noticing what had before startled him.

And it is too much to believe that  
He, who is conducting many sons and  
daughters to glory, notices all the per-  
ilous points they pass; and when the  
case requires it, directs their thoughts  
and purposes from dangerous direc-  
tions, by giving them such things to  
think of as will break the force of  
temptation, and secure them from  
wandering? A sad bereavement, a  
bitter disappointment, a serious illness,  
a pecuniary loss, as the hour of tempta-  
tion is at hand, is the touch of the  
whip. It awakens serious thought.  
It drives the soul to prayer, and the  
false brightness of things earthly and  
gives fresh vividness and power to  
things heavenly and eternal; so that,  
under such spiritual influences, the  
points of danger are safely passed,  
and the rest of life's journey is traveled  
all the more safely, and the prospects  
of heaven are made all the brighter.  
[Congregationalist.]

## DEATH BED CONFESSION OF A RAV- ISHER.

CINCINNATI, March 25.—In  
June 1872, Belle Seacor, a young girl,  
aged 13, was outraged and murdered by  
Mercer county, Ohio, and two men,  
named McLeod and Kimmell, suspect-  
ed of the crime, were lynched by in-  
furiated citizens. A few days ago  
Thomas B. Douglass, of Fort Wayne,  
Ind., on his death bed, confessed that  
he committed the outrage and after-  
wards participated in the hanging of  
the two innocent men.