

LAW FOR TRIAL JUSTICES

There seems to have been considerable... to properly understand their duties...

The Weekly Union Times

R. M. STOKES, Editor. Friday, February 24, 1893. Subscription, \$1.50 PER ANNUM.

POST OFFICE DIRECTORY.

The P. O. will be opened for business from 8 A. M. to 6 P. M. The Money Order Department will be opened for business from 9 A. M. to 4 P. M.

The mail will be taken from the street box 15 minutes before closing each mail. Any inattention or irregularities should be reported promptly to the P. M.

New Advertisements.

Great Bankrupt Sale, C. J. Purcell. Closing Out Sale, Graham & Sparks. Stoves! Stoves! Stoves! A. H. Foster & Co.

Garlic Seed, A. paper, Racket Store. To Read Overseers, Co. Commissioners. Garden Seed, H. F. Scaife & Son.

Our Cotton Market. The receipts here this week have been unusually light, on account of the miserably bad roads and the decline in prices.

Seventeen inches of snow fell in New York City last Saturday.

Forty-nine bales of cotton were burned early Saturday morning on the Madden Station platform on the Port Royal and Western Carolina Railroads.

All persons who left watches with Mr. J. Beilenson for repairs are not freed that they can correspond with him as to charges for repairs, by addressing BELINSON & BOOS, 125 S. Main St., Marion, Ohio.

We regret to learn that Mr. R. W. Gillum, formerly of this town, is lying in a critical condition, from a relapse of a severe attack of pneumonia, at the residence of his mother, Mrs. B. E. Bailey, at Columbia.

Gen. P. G. T. Beauregard died at his residence in New Orleans last Monday night. Had he lived until the 28th of next May he would have reached his 75th birthday. In his death the last full General of the Confederacy has passed away.

We are requested to announce that Geo. E. Boggs, Esq., President of the Heyward, N. C., Alliance, will attend the meeting of the North Fayette Alliance Union, at Ellerbe, tomorrow (Saturday) and speak upon the issues now before the order.

Attorney Geo. Townsend came up from Columbia on Sunday and returned Monday. He left Columbia Tuesday for Washington to take such steps as may be decided on for an appeal to the U. S. Supreme Court in the rail road cases. We doubt much if the Attorney General of any State in the Union ever had as much important business on his hands as Attorney General Townsend.

Attorneys fees for extra counsel will make a big hole in the State's exchequer.

We omit nearly all our local news and much other reading matter this week to make room for the decision of the U. S. Circuit Court in the railroad cases. These cases have attracted so much of the attention of the people of the State, and so many opinions are entertained as to the true causes and merits of the suits, that we concluded there was no better or more satisfactory source of information than the decision of those in authority who have dispassionately listened to able and exhaustive arguments from both sides and on all points, and who, from their personal characters as citizens and high position as sworn impartial judges, are entitled to the confidence of the people, they being intelligent and disinterested parties. The decision sets the controversy between the State and the railroads plainly before the people. The State has carried the case to the U. S. Supreme Court, and employed other able counsel to assist the Attorney General.

Remember, we will have a big closing out sale of Winter Goods for the next ten days to make room for Spring stock. GRAHAM & SPARKS.

The Juries Drawn on Tuesday GRAND JURORS TO SERVE DURING THE YEAR 1893.

- 1 W. T. Mabry, 10 M. C. Dorman, 2 C. L. N. Legg, 11 E. T. Ratchford, 3 Richard Jenkins, 12 W. T. Cunningham, 4 J. W. Birmingham, 13 J. M. Lee, 5 C. S. Roberts, 14 J. E. Spillers, 6 James S. Little, 15 I. K. Paulk, 7 E. F. Vaughn, 16 George Barnett, 8 J. H. Savage, 17 W. T. Byars, 9 T. B. Long, 18 E. L. Hyams.

PETIT JURORS FOR FIRST WEEK IN MARCH TERM, 1893.

- 1 G. H. Jeter, 19 P. B. Bobo, 2 J. S. Welch, 20 W. C. Fincher, 3 Jack Farz, 21 Wm. Jones, Sr., 4 A. J. Bailey, 22 H. C. Little, 5 Junius Sparks, 23 L. B. Jeter, 6 J. S. Going, 24 L. F. G. Phillips, 7 G. B. Wright, 25 J. L. Ward, 8 J. C. Richards, 26 P. S. Webber, 9 W. E. McNeese, 27 Frank Vaughn, 10 Jeff Sinclair, 28 P. D. Lee, 11 T. S. Naylor, 29 Con Allen, 12 J. M. Bewley, 30 J. A. Wilburn, 13 E. W. Pickett, 31 W. P. Bogart, 14 Jeter Imms, 32 John W. Wicks, 15 J. S. Bobo, 33 R. T. Goo, 16 Paul H. Jeter, 34 J. W. Bates, 17 Jesse Bishop, Jr., 35 J. C. E. Bailey, 18 B. W. Whitlock, 36 C. E. Vaughan.

PETIT JURORS FOR SECOND WEEK IN MARCH TERM, 1893.

- 1 D. B. Patrick, 19 L. C. Mabry, 2 William Smith, 20 J. F. Carter, 3 A. L. Knight, 21 Samuel Barnado, 4 J. H. Randolph, 22 H. Green Bailey, 5 A. A. Bishop, 23 James Hagon, 6 Noah Fowler, 24 James Hughes, 7 W. L. Lawson, Jr., 25 W. J. Hodges, 8 Henry Morris, 26 E. M. Byrnes, 9 Joseph Vinson, 27 Ira E. Finley, 10 James Group, Sr., 28 John Service, 11 Ed Gosnell, (Col.), 29 W. D. Humphries, 12 W. R. Crocker, 30 R. T. Eaters, 13 John Millwood, 31 J. C. Crocker, 14 J. B. Jeter, 32 James Burgess, 15 N. B. Morgan, 33 J. P. McKissick, Jr., 16 John Cook, 34 L. M. Byrnes, 17 J. W. Humphries, 35 J. L. Evans, 18 Davis Gregory, 36 Henry E. Hawkins.

For the Times.

The Sanitary Condition of the Town. Mr. Knorr—At an informal meeting of some our citizens recently, the subject of the health of our town was earnestly discussed, and as a result I am requested to write an article on the subject for the Times and ask you to publish it. Believing that your repeated editorials on the subject of a factory has secured for us that enterprise, we hope through the same medium to succeed in having sanitary laws passed and enforced here, and to restore to our town its former healthy condition. For what avail are factories, fine lots and beautiful homes without health.

I know of no better way to put the matter before the people than by repeating some of the arguments used at that meeting, as far as propriety will allow.

It was unanimously agreed that Union has the best natural drainage of any town in the State, and it would require only a small force, directed by a good engineer, to drain it perfectly.

"But," said one, "how is it to be done, when our authorities are so entirely inactive? And who is willing to approach them on the subject, since they have treated with silence the advice of the Board of Health?"

We must admit that with a doctor and the owner of two hearses in the Council our hopes are well nigh "dead."

There will not be until June, 2000, the best sun beam on the accumulated filth in town will then have begun the work that will require both hearse and shovel.

It is appalling to think of the amount of sickness and death in our midst in the past two years. And all seem to feel the necessity of sanitary laws, except those in authority.

"It is reported that the Board of Health intend resigning in self respect; their patience with the Council having long since 'ceased to be a virtue.'"

"That will not do," said another. "Let us go to them and ask them to bring suit against the Council at the next Court to show cause why they do not, as all other town authorities do, pass laws for the health of the town. All their talk about not being able to do anything without a special act of the Legislature, is stuff. When a Council can, in a day, destroy personal property on which labor, taste and money have been spent for years, as was done in the breaking of our beautiful fish ponds, it is nonsense to say they cannot have the town cleaned and filth deodorized, without running to the Legislature."

"But," said another, "when you speak of the Council, I want you to except one member. There is a level-headed warden who insisted last Summer, on acting on the advice of the Board of Health. He proposed among other things to pass an ordinance requiring citizens to keep their premises clean and to deodorize their privies with dry earth. He, of course, was in the minority—progressive men always are—and he was ridiculed when absent, as 'small minded.'"

"Is it possible the level-headed majority never heard of this man before? And did they sleep and did dogs in their instinct use it? Do they not know that such a law is included and strictly enforced in the military laws of all countries?"

When Best Butler was assigned to New Orleans during the late war, he knew it was the most unhealthy city in the South, and the first law he issued was for the hauling of earth, and citizens as well as soldiers were compelled to use it.

The result of this was, the city was soon changed into a wonderfully healthy place, and the citizens thanked Providence that in all their troubles they had never had such fine health. Best Butler cared not for them, but in saving his men he made New Orleans a healthy city.

I will close by asking our progressive warden to make another effort for sanitary laws; and at the next meeting of the Council to read from the bible, Deut. XXIII: 12th and 13th verses.

Ladies, call and see our line of Lace and Embroideries, and make your selections before they are picked over. GRAHAM & SPARKS.

TRIBUTE OF RESPECT.

MRS. MARY MOORHEAD WILLIAMS.

At the regular monthly Conference of the Abingdon Baptist Church, held on Feb. 18th, 1893, the following preamble and resolutions were adopted:

Whereas, Mrs. M. M. Tolleson, widow of Elder John Tolleson, died at Gaston City, S. C., on Feb. 8, 1893.

For many years she lived at her home in our community, ever since the building and organization of the church, which owes its existence principally to the zeal and efforts of her husband, she was a regular and faithful attendant; ever ready to welcome at her home those who were working for God's cause, and ready to work and contribute for Christianity, a few months ago she moved from our community.

She was the friend of both church and Sunday school, and gave her untiring efforts for the building up and advancement of both, as long as she was in our midst. She was a kind and true mother, neighbor and Christian, and the seat she so regularly occupied both at church and Sunday school will long appear bleak and vacant to the regular attendants of the church. Therefore, be it

Resolved, 1st. That we deeply feel the loss of our sister, and will ever cherish pleasant recollections of her, as a kind and faithful member and worker for Christ, and that we will try to emulate her faithfulness to duty.

2nd. That we tender to the family of our deceased sister, our heartfelt sympathy in their bereavement and sorrow, and while we mourn the loss, we bow to the will of "Him who doeth all things well," trusting and believing that she has received the welcome she merited. "Well done, good and faithful servant."

3rd. That these resolutions be inscribed in our church book, and that a copy be sent to the family of our deceased sister, in token of our esteem for her; that the Baptist Courier and the Union Times be requested to publish this tribute of our respect.

J. C. JEFFERIES, C. Cler.

A car load each of Shingles and Brick to be sold at once for CASH cheap. T. E. BAILEY.

Go to PURCELL'S and get a pair of those \$1.25 Button Shoes for 75c.

What Factories Can Accomplish.

It is truly gratifying to read the many encouraging notes that come to us from the country upon the assurance of having a Cotton Factory here. Farmers living in the remotest part of the county send us greetings, and not a few tell us that had it been done ten years ago, it would, in a measure, have silenced the demagogical cry of "country against town," and sent the men who raised it to their proper put in the face of the world.

Factories are great harmonizers, if conducted with fairness and a just regard for the interests of all parties directly or remotely concerned in their prosperity.

But it is not only the factory in town that we wish to see built. With all parts of the county, we are anxious to see all three of the proposed factories built, and a many more as the individual means and enterprise of the county can make successful.

Let us, by all means, have the great Lockhart Mills, at the North-east of us, and make it what its grand location is capable of making it, the largest in the South, or even in the world; and let us also have the Macbeth Mill, at the West of us, with its splendid advantages for the successful operation of two good factories.

There is room and profitable work for all of them, and as many more, in the county, and we are gratified that in course of time their building principles and purposes.

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TEACHERS' COLUMN.

JAS. L. STRAIN, Editor. Feb. 24, 1893. L. W. DICK, Assistant.

There is nothing in our opinion so absolutely necessary in a teacher's work as at all times to be ready to conduct the recitations (either oral or written) so as thereby to infuse life and energy in his classes. A teacher who is unable to perform this work with ease and dignity tends to obstruct the avenues to learning he is expected to open up. Method is but orderly mechanism. Its efficiency depends upon what the teacher puts into it, and a teacher can never put into a method what he does not possess. He is the soul of his methods and measures. If he is weak, they will be weak. If he is strong, they will be strong. It follows that knowledge must be wisely selected and arranged so that the successive steps may follow each other in their natural order, and the entire mechanism may work with beautiful precision; and yet, if the whole be not vitalized by the living teacher, the system will be a failure or even worse than a failure.

The more scientific a system of teaching may be, the more essential is the teacher. A routine of mere book lessons may be constructed by a blind plodder, who can turn the recitation crank, but a system of teaching that has for its grand aim the right unfolding of the mind and heart, requires the insight, the inspiration of a master in the teacher's art.

We have been slow to learn that philosophic methods of teaching are only practicable to those who have some insight into their underlying principles and purposes.

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RAILROADS VICTORIOUS.

SHERIFFS FIGHT FOR CONTEST OF COURT. Charleston, Feb. 16.—The United States Court has decided the railroad tax cases against the State. The United States Marshal has been ordered to place the property in the possession of the receivers and the county sheriffs have been fined \$500 each for contempt, and will be imprisoned until the fine is paid.

FULL TEXT OF THE DECISION. THE UNITED STATES OF AMERICA, District of South Carolina, Court Circuit—In Equity.—Ex Parte D. H. Chamberlain, Receiver of Aiken County, and M. V. Tyler, Sheriff of Aiken County—In Re Frederick W. Bond vs. The South Carolina Railway Company.

Under an order of this Court, filed on the 5th day of December, 1889, in a cause within its jurisdiction, the receiver of the South Carolina Railway Company, et al., D. H. Chamberlain, the petitioner, was appointed receiver of the South Carolina Railway Company. By this order all the property of the railway company came, and remained in the custody of the Court, protected by injunction, and was placed in the care and management of the receiver as the organ and agent of the Court.

The petition sets forth that the possession thus conferred in him has been disturbed, and that M. V. Tyler, sheriff of Aiken County, has disturbed and taken possession of the property of the receiver, and of the control of such receiver. That of these ten cars five belong to the receiver, and five belong to roads outside of this State, but for the purpose of interstate commerce were in the care of the receiver at such time that they were in the hands of the receiver.

The receiver has been assessed for taxation, and the assessment is equal and void because of excessive valuation and omission; and that the receiver had tendered and paid the full sum undebated due on lawful assessment, and that there remained unpaid in the county of Aiken the sum of \$1,215.04, being the excess which is illegal and void; that for this sum of \$1,215.04 and costs, the said Tyler, under a distraint execution issued by MacIntosh, county treasurer, had seized and detained the personal property aforesaid, worth in the aggregate \$10,000, a large part of it being the property of third persons in the care of the receiver as in his custody as common carrier.

The petition prays the protect n of the Court.

Upon hearing the petition, a rule to show cause was issued and served on the said M. V. Tyler, with the usual restraining order. No objection or objections whatever were made to the restraining order. He has not returned, and the receiver has not been released or offered to release any part of the property detained, although the copy of the petition served on him stated the facts as set forth above.

The bare statement that property of the value of \$10,000 has been distrained to pay \$1,215.04, and that the receiver belongs to third parties in no sense responsible for the tax, even if it be valid, would imperatively require the interference by injunction on the part of the Court having this property in its custody.

Section 2101 of the General Statutes of South Carolina authorizes the Sheriff to distrain for non-payment of taxes and personal property of the party charged with the tax, to pay the same. This is the limit of his authority. Of course he should not be confined to just enough property to pay the tax, but he cannot, under cover of this, distrain upon \$10,000 for \$1,215.04. Nor can he distrain upon the personal property of persons other than the taxpayer. We cannot escape the conclusion that the purpose of the sheriff was not to follow the pretermination of the receiver, but to receive the tax and to use the proceeds of the excess value notwithstanding and in spite of the claim that it was illegal and void.

But the case will not be rested on this ground. There can be no doubt that property in the hands of a receiver of any court, either of a State or of the United States, as much bound for the payment of taxes, as State, county and municipal, as any other property. Persons cannot by coming into this Court, and for the promotion of their interests, applying for and obtaining the appointment of a receiver, obtain an exemption from the paramount duty of a citizen to pay his taxes without asking or needing the sanction of the Court, and in their own acts such payments are passed without question. But on the other hand, a receiver is not bound to pay a tax in their own name, and when they consider this a question of the law, they are bound to apply to the Court either for instruction or protection. Especially is this the case when the question arises between the State and a receiver of any county and municipal government, and the proper construction to be given to the law upon which individuals may well differ, and it is his right and manifest duty to go to the Court whose creature he is, for instruction. He therefore pursued the proper course when he applied for this protection.

The research of counsel on both sides of this case has succeeded in finding five cases in which the receiver was driven to seek the protection of the Court in the matter of taxation. All of them of persuasive authority. None of them of conclusive authority. A precedent of this kind, however, even by Judge Brewer in Central Railroad Company vs. Washburn, 25 Fed. Rep. 117, is not to be regarded as the only reason for the application was that it was inconvenient to the receiver to pay the tax, and that it is his duty to go to the Court for instruction. He therefore pursued the proper course when he applied for this protection.

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