

THE PORT ROYAL STANDARD and COMMERCIAL

A. C. THOMAS, Editor.

Beaufort, S. C., December 30, 1875.

SUBSCRIPTIONS.

One Year, \$3 00; Six Months, 1 00

Advertisements will be inserted at the rate of \$1 50 per square, 10 Nonpareil lines, for the first insertion; subsequent insertions by contract.

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We have one of the most complete JOB OFFICES in the State, and do work as well and at low prices as in the cities. Our stock of STATIONERY is large and will be sold wholesale and retail, as low as in Charleston and Savannah.

Official Paper of Beaufort County.

IN view of the unconstitutionality of the election of judges in the first and third circuits, having been raised and to a certain extent recognized by the executive of the State by refusing to sign the commissions of the judges elect from those circuits, portions of a communication to the Union Herald written by a legal friend of that journal, are particularly applicable for reproduction at this time as the writer discusses the subject in a clear and forcible manner and makes some good points in favor of his construction of the meaning of the constitution. He reviews the case cited in the discussion of this subject by the press, that of Wright vs. Charles, which relates to the term of office of clerks of court, and contends that the point which the court was called upon to decide in that case has no bearing on the question as to whether judges elected to fill an unexpired term are elected for a full term of four years as provided by the constitution for circuit judges: He says:

"The constitution provides for the election by the people of each county of a clerk of court, who shall hold his office four years or until his successor is qualified. The clerk can be selected in no other way than by the people at an election. When thus elected he holds his office for four years."

"But for judges the constitution makes different provisions."

"Judges of the circuit court are elected for term of four years. (Art. 4, sec. 13.) Vacancies in the supreme court and all other inferior tribunals are to be filled by election, as provided by the constitution: 'Provided that if the unexpired term does not exceed one year such vacancy may be filled by executive appointment.' (Art. 4, sec. 11.)"

"If there can be no unexpired term in the office of a circuit judge which can be filled by an election or an appointment, why these constitutional provisions?"

"The constitution clearly contemplates the appointment, by the executive, of judges when the unexpired term of the vacant office does not exceed one year. But if the argument be sound that whenever a vacancy occurs in the office of a circuit judge, the person elected to hold the office for a full term of four years, there never could be an appointment made by the executive, because there never could be a vacancy for a shorter term than four years. This is a complete answer to the advocates of a four years term to every circuit judge."

"It is said that what is meant by this provision relative to appointments by the governor is, that the governor shall appoint a judge, who shall hold office until the legislature can hold an election, but the language of the constitution will not bear any such interpretation."

"There can be but one meaning to the expression 'unexpired term.' That meaning is the period which intervenes between the time a vacancy occurs and the time when the full term of the former incumbent would have terminated."

"When, therefore, a vacancy occurs in the office of a circuit judge, it is merely a matter of calculation to fix the length of the unexpired term. If it be for less than a year, the governor may appoint and if more than a year, the general assembly shall elect a person to fill the office for the unexpired term. The practice in this state since the adoption of the constitution has been in conformity with these views. Thus, in 1870, an election was held to fill the vacancy in the first circuit caused by the resignation of Judge Carpenter, and Judge Graham was elected in his place. So also was Judge Melton elected to fill the unexpired term and vacancy caused by the death of Judge Boozer. In 1871 Judge Montgomery Moses was elected to fill the unexpired term caused by the resignation of Judge Vernon. Again, Judge Farmer, was appointed by the governor to fill the unexpired term of less than one year caused by the death of Judge Platt. Yet judges were in 1872 elected for full terms of four years in all of the circuits where these vacancies had been filled, and no voice was heard to question the legality of such elections."

"No matter how objectionable certain portions of the citizens may consider these elected to the portions of judges may be, this question should be met squarely, and no consideration for the personal preference of any set of men should influence a construction of the constitution, for in the language of a quotation introduced by the governor in his annual message:

"we but teach Instructions which being taught, return To plague the inventors."

THE NEWS and Courier's Washington Correspondent "Cap" brings into prominence the following extract from the Washington Tribune: "The Hon. Mr. Sumner and other colored members of Congress from South Carolina declare the action of the Legislature a calamitous under, which puts in jeopardy Republican ascendancy in that State. Mr. Sumner says that the judges removed, although conservatives, were able lawyers and inexorably just men. He thinks they should by all means have been retained. He says that Whipper is no lawyer and is consequently unfit for the office while Moses is known to every

Congressman Sumner says the whole piece is a tissue of falsehoods; that he never made any such assertions, and further, that had he been a member of the Legislature, he should have cast his vote for W. J. Whipper.

The Governor has vetoed the bill making Blackville the county seat of Barnwell County. This question of the county seat has been twice put to the vote of the people, and the last time the will of the people was thwarted by the theft and destruction of the ballot boxes at Blackville. We believe even yet that if the question was fairly tested at the polls that those in favor of Blackville would be in the majority.

Blackville has the advantage of being on the line of the railroad; has a substantially built court with convenient county offices, whilst Barnwell is ten miles away from the railroad, has no court house or public offices worthy of the name, and is only tolerated as a county seat by old-fogysism, a century behind the age.

THE Charleston News, asks us to give the name of our informant as to the action of Judge Reed, and the names of Whipper's friends among the Charleston lawyers. It admits however, that the question has not yet been put to Judge Reed, therefore the demand on us for the name of our informant and the decided manner in which it declares the falsity of the statement is rather premature. As to giving the names of Whipper's friends among the Charleston lawyers, is out of the question in the present excited state of that journal, but we will assure the News and Courier that they are not classed as jack-leg attorneys in Broad St., but are prominent honorable members of the Charleston bar. When Judge Reed denies that he influenced or requested a certain member of the General Assembly to cast his vote for Whipper, it will be time enough to give the name of our informant. At present we have every confidence as to the truth of what he asserted, as we certainly would not willfully and knowingly publish false statements against even the humblest citizen of the State.

Presidential Term.

The sentiment of the House of Representatives at Washington has been tentatively by the passage of the following resolution by a vote of 232 yeas and 18 nays: "Resolved, That in the opinion of this House the precedent established by Washington and other Presidents of the United States, in retiring from the presidential office after their second term, has become by universal concurrence a part of our republican system of government and that any departure from this time-honored custom would be unwise impatience and fraught with peril to our free institutions." Hon. Robert S. Mills, voted in the negative, and Hon. E. W. Mackey did not vote.

It is also a matter of note, in referring to this subject of Presidential terms, that a joint resolution has been introduced to amend the constitution of the United States, so that no person shall be eligible to the presidency for more than a single term.

Christmas in the Churches.

The various religious denomination in our town, with few exceptions had service in their churches, on Christmas day and Christmas trees or arbors tastefully decorated, and loaded with presents.

THE EPISCOPAL CHURCH

Had a gathering of the Sunday School, on Christmas Eve in the school-room. The attraction being a beautifully constructed arbor of evergreens on which were temptingly displayed a large variety of presents, which were distributed during the evening. On Christmas Day the Rev. Dr. Walker, conducted service assisted by his brother the Rev. E. J. Walker. The communion was administered to a large number. The church was decorated with considerable taste with evergreens and moss enlivened by Christmas berries. In the east was a beautiful star above which was a crown. At the

M. E. CHURCH.

also on Christmas Eve a large number were gathered to witness the exercises of the Sunday School, and the pleasure occasioned by the Christmas tree distribution. Thos. H. Wheeler, Esq., delivered an address, and the scholars sang, and gave recitations. A beautiful feature of the services was the decoration of the cross, when the scholars marched round the church and as they passed the crosses placed thereon beautiful bouquets of natural flowers, until it was transformed into a floral cross. At the

FIRST AFRICAN BAPTIST CHURCH

services were held from three o'clock A. M., to six o'clock A. M., on Christmas morning. Presents were distributed by the superintendents of the Sunday School to the scholars. There was also at the

TABERNACLE BAPTIST CHURCH

a Christmas tree, which attracted a large number of happy children. On the evening of Christmas Day, there was a large assembly in the Charles St.

BAPTIST CHURCH

at which the Rev. Frederick Jones, officiated. This church carried off the palm for its decorations. Just over the pulpit was a beautifully wrought motto, the work of Mr. J. A. Whitman, "Jesus Christ the same yesterday, today, and forever." The other mottoes were, "Holiness unto the Lord," "God is love," and "Welcome to all." The pillars were entwined with wreaths, and the walls elaborately festooned. The distribution of presents from the tree was an interesting sight, yielding pleasure and pres-

Transfers of Real Estate.

The following transfers of real estate have been recorded in this county during the present month:

R. H. Gleaves to Ann Campfield, one lot in Beaufort, for \$1.00.

Henry Brant to Wm. M. Harvey, 149 acres in Coosawatchie for \$150.

Priscilla Pulaski to John F. Pulaski, 94 acres in Peoples, for \$5.00.

Wm. Wilson to Mrs. E. J. Davant, 376 acres in Coosawatchie, for \$750.

George Stafford to Amelia Frazier, 831 acres in Goethe, for \$28.

Geo. & Robt. L. Stafford, to L. Brantley, 831 acres in Goethe, for \$134.

F. E. Wilder, to Adaline A. Ferrebee, 49 acres in Yemassee, for \$50.

Jos. L. Young and wife, to Joseph A. Hoyt, 200 acres in Yemassee, for a consideration.

H. R. Williams, trustee, to Charles Creech, lot in Hardeeville, for \$25.

Henretta S. Cunningham, to Mary Miller, lot in Beaufort, for \$100.

W. G. Roberts, to Martha A. Smith, 600 acres in Lawton, for \$1650.

Wm. E. Brunson, to Mary R. Causey, one acre in Brunson, for \$1000.

Wm. E. Brunson, to Mary R. Causey, 295 acres in Peoples, for \$5.00.

D. F. Appleton and wife, to Wm. G. Roberts, 2 lots in Port Royal, for \$1500.

Anna J. Bostick, to Archy Brown, 24 acres for \$60.

Wm. G. Roberts, to M. A. Smith, 2 lots in Port Royal, for \$1500.

Wm. Wilson, to John J. Cresswell 489 acres on Port Royal Island, for \$100.

Bosin Bird, to P. L. Wiggin, 10 acres for \$25.

Elias Butler, to Cyrus Butler, 10 acres in Yemassee, for \$20.

H. G. Judt, to E. J. Davant, 43 acres in Coosawatchie, for \$2.45.

E. B. Richardson, to S. O. Martin, 50 acres in Pocatoligo, for \$130.

Adaline Ulmer, to George Harvey, 65 acres for \$40.

J. P. Southern, et al., to Wm. Keeney, 61 twentys of Spring Island, for \$32,500.

Marine News.

CLEARED.

Dec. 14.—From St. Helena Sound, Br. Bgt. Laura, May master, for Dublin, Ire land, with 341 tons phosphate rock from Coosaw mines.

ARRIVED.—Dec. 23rd at St. Helena Sound Br. Bgt. Blanche, Clark, master, 47 days from Funchal, in ballast to Campbell, Wyllie and Co.

Dec.—23rd Br. Bgt. Maggie, Davis, master, 59 days from Santa Cruz, Tenerife, in ballast to Campbell, Wyllie and Co.

Dec.—23rd Br. Bgt. Contest, La. Galle, master, 19 days from Port of Spain, Trinidad, in ballast to Campbell, Wyllie and Co.

Dec.—23rd Br. Bgt. Arethura, Robinson, master, 72 days from Belfast Ireland, in ballast to Campbell, Wyllie and Co.

Dec.—23 Russian, Bk. Hoppot, Fredrickson master, 58 ys from Barcelona Spain, in ballast to Campbell, Wyllie and Co.

Dec 23 Schr. Flora Condon, French, master, 2 days from Charleston S. C. in ballast to Pacific Mining Co.

CLEARED—Dec 20th from St. Helena Sound Russian Bk. Ruthinas, Weeksell, master for Savannah Ga. in ballast for repairs.

Dec 24th Br. Bgt. L. E. Cann, Cosman, master, for London, England, with 900 tons of phosphate rock from Oak Point Mines.

STATE SOUTH CAROLINA.

County of Beaufort Trial Justice Court

John Sny, Plaintiff, against Geo. F. Lincoln, Def't

Summons Money demand—Complaint not served

To Geo. F. Lincoln, defendant above named.

You are hereby summoned and required to answer the complaint in this action, which is filed in the office of R. K. Carleton, Esq. Trial Justice, in and for said county, and to serve a copy of your answer on the subscriber at his office in Beaufort, within twenty days after the service of this summons on you exclusive of the day of service.

If you fail to answer this complaint within the time aforesaid, the Plaintiff will apply to the Court for judgment against you for the sum of ninety five dollars and thirty cents (\$95.30) with interst from the 7th day of January 1875 and costs.

P. L. WIGGIN, Plaintiff's Atty

To George F. Lincoln, Defendant.

Take notice: That the complaint in this action was filed in this office of R. K. Carleton Esq Trial Justice in and for the County of Beaufort in the State of South Carolina on the 28th day of December 1875.

P. L. WIGGIN, Plaintiff's Atty

Y. M. C. A.

THE EXECUTIVE BOARD OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION

will hold its regular monthly meeting on Sunday next, January 2nd, at half past four o'clock P. M., at the African M. E. Church. The attention of the standing committees is called to Sec. 14, Article IV of the constitution.

J. B. MIDDLETON, Pres't. Y. M. C. A.

Sheriff's Sales.

SHERIFF'S SALE

George Holmes, vs. S. D. Gilbert.

By virtue of a writ of fieri facias to me directed, and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort on the first Tuesday in Jan. next, 1876, being the fifth day of said month between the legal hours of sale the following personal property to wit:

All the right title and interest of S. D. Gilbert in and to 101 lots of books, 29 pictures, one bureau, 1 desk, 1 lounge, 1 centre table, 1 card table, 1 stand, 9 chairs, 1 clock, 1 lamp, 1 stove, 3 spittoons, 1 chamber set complete, one hour glass stand, levied upon as the property of S. D. Gilbert at the suit of George Holmes.

Terms cash. WM. WILSON, S. R. C.

Dec. 21, 1875.

SHERIFF'S SALE.

Crawley & Dehon, vs. Andrew Stokes.

By virtue of a warrant issued under the 11th law of this State, and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property to wit:

All the right title and interest of Andrew Stokes in and to 75 bushels of corn, and two stacks of fodder levied upon as the property of Andrew Stokes, at the suit of Crawley & Dehon.

SHERIFF'S SALE.

C. J. Irvell, Trustee vs. R. Deansuree Baco.

By virtue of a writ of fieri facias to me directed and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property to wit:

All the right title and interest of R. Deansuree Baco in and to a tract of land in the County of Beaufort and State of South Carolina, known as "Rose Hill" bounded north and north east by lands now or late of J. E. McPherson, west by lands of John H. Seaven, south 7 lands now or formerly of Mrs. Estia, east and east by lands now or late of estate of Middleton and Jenkins, containing four hundred and seventy-five acres more or less, levied upon as the property of R. Deansuree Baco at the suit of C. J. Irvell, Trustee.

Terms cash. WM. WILSON, S. R. C.

Dec. 14, 1875.

SHERIFF'S SALE.

Elizabeth Tuten, vs. Chas. Scott.

By virtue of a writ of fieri facias to me directed and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property to wit:

All the right title and interest of Charles Scott, in and to all that tract of land situate lying and being in the county and State aforesaid, adjoining lands of Wm. H. Stark & Co., E. J. Morrison, Jas. Graham et al., containing acres more or less, levied upon as the property of Charles Scott at the suit of Elizabeth Tuten.

Terms cash. WM. WILSON, S. R. C.

Dec. 14, 1875.

SHERIFF'S SALE.

Thomas A. Ask-n-cor, of Phillip H. Behn vs. Ida McBride, Burrell McBride, Sarah McBride Wm L. McBride et al.

By virtue of a judgment of foreclosure to me directed in the above stated case I will sell at public outcry in front of my office in the town of Beaufort, on the first Tuesday in January next, 1876 being the fourth day of said month between the legal hours of sale.

All the right title and interest of Mrs. A. H. Robertson deceased (the same being one undivided third) in and to the following property to wit:

All that tract of land situate lying and being in the County of Beaufort and State of South Carolina known as the "Hammock plantation" and bounded north by lands of J. C. Richardson, east by lands belonging to estate of McWells, known as "Lewis Land" south by lands belonging to estate of Wm D. Pitts, and west by lands of Benjamin H. Bostick Jr. containing acres more or less.

Terms—One half cash, balance payable in one year secured by bond of the purchaser and a mortgage of the premises.

Terms cash. WM. WILSON, S. R. C.

Dec. 14, 1875.

SHERIFF'S SALE.

N. W. Ellis, vs. Julia DeLoach

By virtue of a writ of fieri facias to me directed and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort, on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property, to wit:

All the right title and interest of Julia DeLoach in and to all that tract of land situate lying and being in the County of Beaufort and State of South Carolina bounded south and west by lands of E. L. Lee & Co. formerly belonging to The Wm. H. Brant and by lands of Nathaniel W. Ellis containing one hundred and twenty five acres more or less, levied upon as the property of Julia DeLoach at the suit of N. W. Ellis.

Terms cash. WM. WILSON, S. R. C.

Dec. 15, 1875.

SHERIFF'S SALE.

N. W. Ellis, vs. Julia DeLoach

By virtue of a writ of fieri facias to me directed and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort, on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property, to wit:

All the right title and interest of Julia DeLoach in and to all that tract of land situate lying and being in the County of Beaufort and State of South Carolina bounded south and west by lands of E. L. Lee & Co. formerly belonging to The Wm. H. Brant and by lands of Nathaniel W. Ellis containing one hundred and twenty five acres more or less, levied upon as the property of Julia DeLoach at the suit of N. W. Ellis.

Terms cash. WM. WILSON, S. R. C.

Dec. 15, 1875.

Government Land Sale.

SALE OF Unredeemed Lands.

HELD BY THE UNITED STATES, IN Beaufort County, S. C., Under the several Acts

Levying Direct Taxes.

PURSUANT to Section IV of an act entitled "An Act to provide for the redemption and sale of lands sold by the United States, under the several Acts levying direct taxes, and for other purposes," approved June 8 1872, and also to Section 26, of the act entitled "An Act to amend existing customs and internal revenue laws, and for other purposes," approved February 8, 1875, the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, has ordered the sale at public auction, to the highest bidder, on Thursday, the 29th day of December, 1875, at 12 o'clock, at the Court House, in the town of Beaufort, County seat of Beaufort County, S. C., of all the

UNREDEEMED LANDS.

held by the United States, in said County, under the several acts for levying direct taxes, except such lands as have been reserved by the United States as School Farms and for military, naval, or other purposes.

These lands consist of town lots with the improvements thereon situated on what are known as the Sea Islands, in St. Luke's and St. Helena Parishes.

The town lots will be sold separately, and the farm lands in lots of five or fractional parts thereof according to the survey made by the United States Direct Tax Commissioners for South Carolina.

The right to make one bid on each parcel put up is reserved by the United States—Terms: Cash in full at the time of sale.

Detailed lists more particularly describing the land to be sold will be furnished on or before the day of sale. Plans of the lands will also be exhibited on the day of sale.

Schedule of Un-redeemed Lots and Blocks in the Town of Beaufort—South Carolina to be sold by the United States December 30th 875.

Lot, B block 41, Lot A, block 53, Lot C, block 55, Lot B, block 54, Except 23 feet south side, Lot E, block 58, Lot B, block 58, Lot D, block 59, Block 62, Block 65, west half, Lot A, block 68, Lot C, block 72, Block 73, Block 74, Block 75, west half, Block 86, Lot A, block 87, Lot B, block 87, Block 88, Except n. w. 1/4, Block 94, Block 96, Lot B, block 98, Block 101, Block 104, Block 106, Block 108, Except s. w. 1/4, Block 109, Block 110, Block 111.

By virtue of a warrant issued under the 11th law of this State, and lodged in my office, I will sell at public outcry in front of my office in the town of Beaufort, on the first Tuesday in Jan. next, 1876, being the fourth day of said month, between the legal hours of sale the following property to wit:

All the right title and interest of Andrew Stokes in and to 75 bushels of corn, and two stacks of fodder levied upon as the property of Andrew Stokes, at the suit of Crawley & Dehon.

Terms cash. WM. WILSON, S. R. C.

Dec. 21, 1875.

SHERIFF'S SALE.

Crawley & Dehon, vs. Andrew Stokes.

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Terms cash. WM. WILSON, S. R. C.

Dec. 21, 1875.

SHERIFF'S SALE.

Crawley & Dehon, vs. Andrew Stokes.

For Sale.

ONE-THIRD INTEREST IN THE Port Royal STANDARD & COMMERCIAL.

APPLY TO J. W. Collins.

Administrator's Notice.

The administrator of the estate of Samba Chaplin, deceased, late of Beaufort, will apply to the Judge of Probate for the County of Beaufort on Wednesday the 29th of December at 12 o'clock m. for a final discharge as administrator.

HENRY G. JUDT, Administrator.

Beaufort Business Directory.

Publications.

COMMERCIAL, A STANDARD PORT ROYAL. Published weekly, \$2.00 per year.

Groceries.

BOYCE, J. P.—Groceries, Wines, Liquors, and Sausages, South side Bay St., Beaufort.

BOYCE, JAS. E.—