

# The Cheraw Chronicle

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## MRST HAVE COTTON FOR FUTURE DEALS

OVER \$17,000 IS INVOLVED

Case of Maybank Against F. M. Rogers to be Tried in Florence on Its Merits.

Columbia, May 6.—The supreme court ruled yesterday that no cotton can be sold in South Carolina unless the bona fide delivery of the cotton is intended. It is emphasized by the court that the cotton must be delivered to make the contract effective. The decision by chief justice Jones sustained the circuit judge who overruled the demurrer in the case of Maybank & Co. against F. M. Rogers, of Florence. The amount involved is \$17,187.50. The case will now go back to the Florence county court to be tried on its merits.

The demurrer overruled by Judge Gary was upon two causes of action, involving contracts for the sale and delivery of cotton.

### Two Contracts.

In the complaint it is alleged that F. M. Rogers agreed to sell to Maybank & Co. 500 bales of cotton to be delivered at Florence between September 15 and December 30, in 1909. The price, according to the contract, was 10½ cents a pound. In the complaint it is stated that it was the bona fide intention of both parties that the cotton should be actually delivered. It is further alleged that F. M. Rogers failed to deliver the cotton, and that on December 31 the kind of cotton in question was worth 15½ cents per pound. On this case the sum of \$11,568.50 was claimed as damages by Maybank & Co.

The second cause of action was on a similar contract made July 17th, 1909, to sell 500 bales of cotton to be delivered at Florence between September 15 and December 1 of 1909 at the price of 11½ cents per pound. It is alleged that the market price of the cotton on December 2 was 13½ cents per pound. Damages in this case for \$5,625 were claimed.

### Grounds of Appeal.

F. M. Rogers sought to have the contract thrown out on the following grounds:

"Because it appears that the parties did not intend an actual delivery of the cotton, and that the transactions were mere wagers as to the rise and fall of the cotton price.

"Because it appears that plaintiff

seeks to recover profits by reason of the rise in price of cotton, and demands payment of the differences between the contract price and the market price at the time fixed for executing the contract, and there is no allegation that plaintiff was compelled to purchase or that he did purchase cotton to replace that contracted for by said agreement, or that plaintiff suffered any loss by the failure of defendant to deliver said cotton, other than that occasioned by the loss of speculative profits.

"Because the complaint does not show that there was any difference between the contract price and the market price at the time fixed for executing the contracts, the limit of

## VETERANS INVITED TO CHERAW

CAMP KERSHAW EXTENDS INVITE

Confederate Veterans Invited to be Guests of Camp Kershaw on June 7.

At the regular meeting of Camp Kershaw, U. C. V., last Monday, it was unanimously decided to extend an invitation to the Confederate veterans of the county to be the guests of the

each car has its own lighting system, consisting of axle-driven generators, necessary batteries and ten 50-watt electric lamps located through center of car, with small electric lights in lavatories and toilets, and in vestibule.

Ventilation is provided for by eight Garland ventilators applied on the roof of the cars that will change the air in same every three minutes. In addition, there is provided three electric fans, two in the main body of the coach and one in each smoker to increase the comfort of the cars in hot weather.

The trucks are of all steel construction, with 36-inch steel wheels and 5x9 journals.

### WILL BE A BIG OLD TIME

Cheraw is Going to Have the Biggest Celebration in Its History This Year.

The board of trade decided at its last meeting to "celebrate" in July. The vote to "celebrate" was unanimous. Even Col. C. F. Moore said he would "like to celebrate." The Racing Association will join in and help pull off the biggest celebration Cheraw has ever held.

All the people along the line of the new Southbound railroad from Wadesboro, N. C., to Winston-Salem will be here this year, without a doubt. All the people from Wadesboro on down will be here as usual as well as those from Rockingham, Hamlet and all along the line of the Seaboard; and then the new lines from Blenheim, Selles, Drake, Hartsville, etc., will bring in their share of people. Our own people from McBee, Angelus, Jefferson, Pageland, Guess, Mt. Croghan, Ruby, Chesterfield, Evans Mill, and Middendorf and Patrick, will be with us again, as will also those from Hooper, Cash, and even as far down as...

We are going to have a big time. There will be a lot of fun for the fancy of every one. Those already assured of a fine racing, base ball and a new show, and base ball.

It has been decided that the program be arranged so as to extend through two days and that automobile races be a feature. It is further suggested that arrangements be made for flights by aeroplane.

All of these matters will be looked into by a committee to be appointed, and the program will be arranged, which will be made public at an early date.

## YOU CANT BUY A THING WITH THE MONEY YOU HAVE SPENT



PUT IT IN THE BANK

Bank ONE DOLLAR A DAY—\$6 a week—for only one year, and leave it stay for 30 years. At 3 per cent. compounded interest this will amount to \$758.16; at 4 per cent. compounded interest this will amount to \$1,000.00.

Make OUR Bank YOUR Bank.

We pay 4 per cent interest compounded quarterly.

**BANK OF CHERAW,**  
Cheraw, S. C.

delivery being December 30, 1909, on the first contract, whereas the allegation was as to the market price on December 31, 1909; and on the second contract the limit of delivery was December 1, 1909, whereas the allegation was as to the market price on December 2, 1909."

This demurrer was overruled by Judge Gary and he has been sustained court.

Camp on Wednesday, June 7th. The entire town of Cheraw will vie with Camp Kershaw in entertaining the old Vets.

A program is being arranged and will be published as soon as completed.

### SEABOARD'S MODERN CARS.

They Are Electrically Lighted Through—Steel Trucks and Underbody.

Ten new day coaches, which are now being built by the Pullman company for use on the lines of the Seaboard Air Line, are expected to be put in service about May 15. This is the first lot of ten of a number of new cars which have been ordered by the Seaboard for use on its lines. The cars are duplicates of samples which were built in the shops at Portsmouth, the cars built there having proved so satisfactory that the designs were sent to the Pullman company to be copied in the new equipment.

The Seaboard was the first of the Southern lines to adopt the electric lighting system for use on its trains. This system is a deterrent to the burning of cars, should there happen to be a wreck, and also minimizes the danger of an explosion.

The new cars are 70 feet long over their body end sills and 76 feet six inches over the platforms. Under frames and superstructure are all of steel construction, with all steel trucks and platforms, the very latest high-speed brakes, lavatories in both ends of the cars, with mirrors and dressing cabinets.

Inside finish is of Cuban mahogany, inlaid with ebony. Floors are of flexible construction, which is far superior to the wooden floors, and is the most sanitary floor yet perfected.

Rubber aisle strips extend through the aisles of the car, all seats are Hale and Kilburn all steel, reversible seats, with their latest high-backs and cushions, upholstered in best quality of green plush.

Cars are heated with most improved system of steam heating, and

## TO BE PRESIDENT OF THE SEMINARY

THORNTON C. WHALING NAMED

Departure From Long Established Rule as to Its Head—Well-known Throughout the State.

For the first time since its establishment in 1828, the Columbia Theological seminary will have a president, word having been received from Norfolk, Va., says The Columbia State, that Thornton C. Whaling, D. D., had accepted the offer made him to become head of that institution.

Several years ago the board of directors of the seminary decided to have a president to head the faculty, the system heretofore being similar to that of many of the older educational institutions, that is a faculty and board government with a chairman.

In the selection of Dr. Whaling the seminary is very fortunate. He has claims on South Carolina and Columbia, having married Miss Lucy Muller of this city. He graduated at the Columbia seminary and afterwards served at Cheraw for several years. Afterwards he was at Lexington, Va., and from there went to Texas. He is at present in charge of the Second Presbyterian church at Norfolk. Dr. Whaling will take up his new duties at the opening of the next term in September. The offer was made him by a committee of the board of directors.

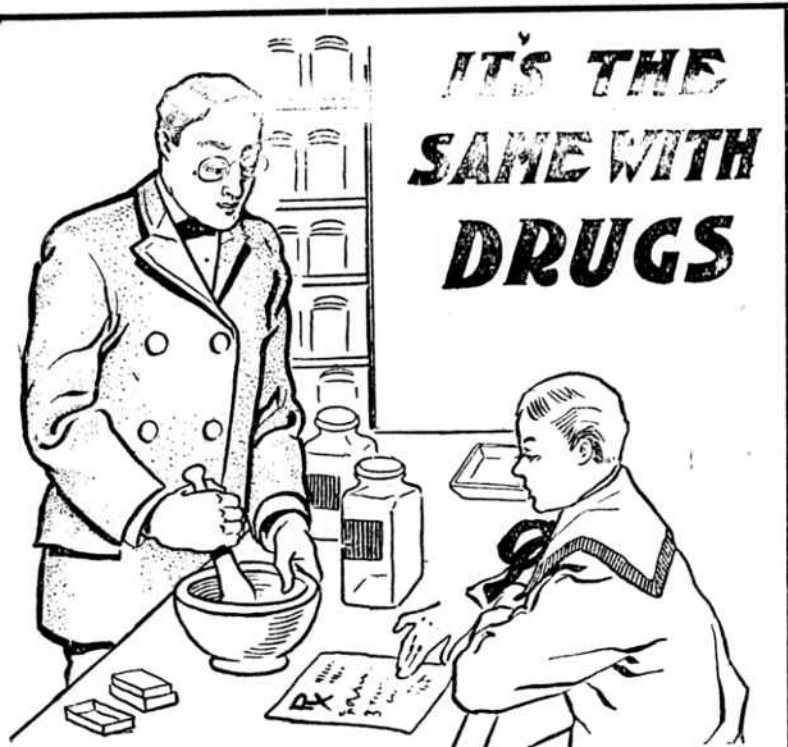
### FIGHT AT JEFFERSON.

White Man and Negro Woman Suffer Wounds.

Jefferson, Va., May 10.—A fight between a young white man and a young negro woman resulted in the death of the woman named Graham, and the wife of the latter was shot in the leg. Graham has since disappeared, it is said. Particulars of the trouble are not known.

Governor Blease has pardoned Jerry Smalls, of Colleton, a negro 79 years old, sentenced in March, 1910, to ten years imprisonment for manslaughter. Judge Aldrich recommended clemency.

J. M. Howell, a popular druggist of Greensburg, Ky., says, "We use Chamberlain's Cough Remedy in our own household and know it is excellent." For sale by all druggists.



IT'S THE SAME WITH DRUGS

The woman who begins to cook has all kinds of trouble at first. No matter how closely she follows the recipe, her biscuits are flat until she learns the knack of mixing them just so. A prescription is just as easy for a druggist to fill as it is for a housewife to measure out flour and sugar for a recipe, but it is necessary that a prescription be filled just so in order to get proper results. Ask any doctor if this isn't the truth then get your prescriptions filled here. We know how to do it "just so" and you will get the results intended.

**Ladd's Drug Store**  
The Rexall Store Cheraw, S. C.



OUR LINIMENTS DO THE WORK

The pain caused by a bruise is simply nature's way of letting you know that many little blood vessels are broken and that the congested blood needs help in moving along. In case of a sprain the circulation must be stimulated not only to prevent congestion but to furnish material for repairing the injury. It is impossible to treat such injuries from the outside, but our liniments are the ideal external applications for all such troubles and the rubbing necessary in applying them helps stimulate the circulation. You should never be without a good liniment, for the sooner they are applied after an injury the easier it is for them to do their work. Rexall Rubbing Oil should be in every home, there is nothing better for sprains and bruises. 25 and 50 cents.

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