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City Attorney Sullivan Comes to the Front Again

TO THE PEOPLE OF ANDERSON: I have read the "interview" obtained from Ex-Alderman Elmore, published in last Sunday's Intelligencer and would have gladly given the Intelligencer's readers the benefit of my own collection of our conversation on this subject appeared if I had been informed of the interview and given the opportunity to do so by The Intelligencer.

I claim no infallibility of recollection but I do remember the text and substance of my personal discussion of the White Way proposal with Mr. Elmore because of his peculiar situation as a member of the council committee appointed to decide upon it. He was the only one of the three composing that committee who had fought the franchise throughout and for that reason was naturally somewhat concerned about his consistency if he favored the White Way after fighting the franchise. This was what we chiefly talked about and I told him that my opinion was that there would be nothing inconsistent in his favoring the white way as an advertisement and ornament for the city merely because he had opposed the franchise before. I also said that he doubtless could truthfully say that if the Southern Public Utilities Co was to have a franchise he was in favor of a white way. The "legality" of the White Way "contract" was certainly not in my thoughts, and I am sorry Mr. Elmore thinks he was misled by any statement of mine in discussing the subject with him.

I have never thought and do not now think that Mr. Elmore was inconsistent in favoring the White Way after the franchise had been "passed" over his vigorous objections. Therefore I have always defended his course against those who disapproved of it and even Mr. Elmore's failure to extend to his old comrade-in-arms the courtesy and consideration of comparing our mutual recollections of our conversations before permitting The Intelligencer to publish his own interpretation under glaring headlines (without opportunity offered or given me to reply simultaneously and with equal publicity) does not change my view that Ex-Alderman Elmore was sincere in his recent manful fight against the "franchise" and was not inconsistent in afterwards favoring the White Way.

On Thanksgiving day, according to the editor of The Intelligencer, "another headline" was fired at me through the guns (columns) of a neutral (?) port (The Intelligencer) by that trained captain of word artillery and artful inventor of new forms of word ammunition—Captain W. Watkins, a southern gentleman and soldier well known in the city where he has been in training for his present work of defending and inventing new methods of warfare for a public service corporation for many years.

If the Captain's Thanksgiving "crossade" of insinuation, innuendo and cunningly devised offensiveness, was intended to destroy the establishment of my Thanksgiving turkey by poisoning the turkey (the headline) of a neutral (?) port (The Intelligencer) to accomplish its purpose for none of the shells used by the captain struck the turkey or burst close enough to him to spoil his excellent meat with their fumes. The turkey saved, naturally, I, too, had something to be thankful for during that day of general thanksgiving in spite of the fact that gentlemen in the city and suburbs are busily engaged to make me divergent headlines in order to "keep your head" when you are talking things and hearing it on you. I, too, have tried but recklessly

doughty editor of The Intelligencer, steps out—loses his "head" by entangling it in impertinent questions and seeks to escape by blaming it on me. Next—with studied simultaneousness—a tried and experienced colonel and a skilled captain of strategy step out upon the firing line to fight to retain their official "heads" endangered by their own blundering in—blaming it on me. Then steps out—the board of strategy skillfully pushes out—my erstwhile fighting friend and comrade-in-arms, Ex-Alderman Elmore, who cautiously seeks to retrieve his lost "head" by blaming it on me. With these gentlemen constantly complaining that I wickedly caused them to "lose" their precious "heads," it is any wonder that I occasionally seek to steady my nerves and clarify my perceptions by looking at the humorous side of the spectacle of grown men (an editor, a colonel, a captain and an ex-franchise buster) one by one or by twos, passing in review before the judgment bar of public opinion and defending themselves by the childish method of—blaming it on me.

Before the last ingeniously contrived attack upon me by Captain Watkins appeared in The Intelligencer on Thanksgiving morning, members of the present city council and others, who have a right to be considered and whose views and wishes I respect, requested me to ignore the fulminations of the gentleman from the suburbs and others unless in my judgment they were such as to demand reply in defense of my professional and personal honor. For this reason and, because, I, too, recognize the futility of consuming time and thought in discussing these questions with paid officials of Southern Public Utilities Co. and other members of the general board of strategy of the company—paid and unpaid, salaried and unsalaried, regulars and volunteers—I shall decline to be drawn into additional "extended discussions" of matters and points connected with the franchise and the White Way already sufficiently presented by me for the consideration of thoughtful and fair-minded citizens. But there are certain veiled charges in Captain Watkins' Thanksgiving offering—utterly foreign to the "franchise" or the White Way, to which I shall direct attention because of their intended effect upon the confidence of my people in my rectitude of purpose, ability and accomplishment in the performance of my duties as one of the city's attorneys during the four years of Mr. Sherard's administration, the two years of that of Mr. Holleman and for about three months as sole city attorney under Mayor Godfrey and the present city council.

I quote verbatim one of the Captain's pussy-footed, slip-up-behind-my-shoulder allusions to my record as a public prosecutor to refresh the memories of those who may have read it hastily and thereby missed some of the "sharp" concealed with such exquisite artfulness within it. Really or pretentively (probably the latter) provoked by nothing more offensive or serious than my good-natured reference to his not being a resident of the city, the captain suddenly discards his cloak of dignified and moderate statement (seemingly worn by him only as a part of his strategy) and writes about me as follows, except italics:

"If I were to follow his example in this discussion, I might suggest that I regret that the public was so long deprived of the splendid work which he finally accomplished and that an earlier clean-up at the hands of so efficient a prosecutor had not saved

the city the disgrace and crime which ran riot so long."

I shall not attempt to compete with the suburban gentleman in the invention and use of subtleties of speech and accusation but shall make a plain and direct reply which he and all who read it will understand without effort or quibble as to my meaning.

It is this: Whoever says, writes, insinuates, suggests or by cunningly prepared phrases and sentences attempts to create the impression that by indifference, neglect or in any other way, I was responsible for "the disgrace and crime which ran riot so long" in the city of Anderson—whether he be a man of the professional and social standing of Captain H. H. Watkins or a man lower in the scale of human estimate of standing and responsibility—is either a falsifier, an ignoramus, a resentful partisan designedly seeking to injure or a dunce.

The Captain skillfully resorts to "I am informed" to weave into his article suggestions and accusations not within his personal knowledge, which obviously opens the door of our discussion to any number of my friends, illustrated by just a few of the many "I-am-informed" within my possession about him; just now. I am informed that the captain's recollection about the White Way contract is not only defective but that his memory is equally defective about his connection with the franchise. It has been stated to me that there is a letter or letters in the files of the Southern Public Utilities Company from President Taylor to Manager Orr, showing conclusively that the captain was consulted about the franchise and that this letter or letters are still in existence unless destroyed since the present controversy began a short while ago. I am also informed that Manager Orr, President Taylor and perhaps others—directly or indirectly interested—consulted the captain about the franchise more than once toward the close of negotiations last winter.

I am further informed that the captain actually prepared at least one if not more of the many sections of the "franchise-contract" at the request of President Taylor or Mr. Orr or changed and corrected to his own view one section or more submitted to him by one of them or another of the Company's numerous officials.

When we step into the field of "I am informed" the possibilities are limitless for both sides and profitless to either. If the captain is sincere in his belief that the action of the present city council was a "reputation" of a morally binding obligation and that "his people" agree with him in this view, I ask him to obtain the consent of his "client" to agree to submit to the qualified voters of the city the question of authorizing and ratifying his "franchise" and White Way "contract" without an obligation whatsoever. He knows it is only a sidetrack issue to say the city council alone has the power to order the election upon a petition of freeholders because his client is claiming that no election is necessary to make the instrument valid. If his client is sincere, then his evident intention is to test the right of the people to vote in the courts and thus deprive them of the right to vote in his behalf there as presented by law or to prevent it as long as possible by litigation and delay. Therefore, I say to the captain, if you are sincere in your belief that the people agree with your "reputation" view, why not advise your client to give the people the opportunity to vote now without litigation or delay and thus decide whether or not they consider the action of the present city Council a reputation of an obligation of the city.

If you decline to do so advise, you are charged with insincerity or you prefer the litigation and delay. I cannot say that I am not well trained for defense against the pussy-footed slip-up-behind-my-shoulder methods of attack being employed by the Captain

and others in their efforts to save themselves from the censure of Mr. Duke (their real employer) by blaming their blunders on me.

It is necessary of course that officials of a public service corporation, members of a city council and city attorneys, should employ a reasonable degree of secrecy in the formulation of plans and policies in order that they may not be made ineffective or weakened by premature publicity.

The greatest democrat in America—President Wilson, has recognized this and approved the principle by applying it to important affairs of our country. So I have no quarrel with the Southern Public Utilities Company, city councils or myself for refusing to divulge policies and plans until their judgments dictate that the time for divulgence is opportune and such divulgence necessary and wise.

What I am doing with now are the secretly contrived and artistically veiled attacks upon my official and personal conduct as city attorney and as a citizen of Anderson interested in the permanent prosperity and fundamental happiness of my people. It is obviously unreasonable to expect me to devote a great deal of time and thought to answering every Tom, Dick and Harry—big or little, who hobs up in an unfriendly newspaper—loudly proclaiming its neutrality, as Turkey did while German officers directed her ships) and whining through it to the public:

"Either this: 'I didn't do it.' Or this: 'If I did do it the city attorney told me to do it.' And this: 'If I did and I didn't, but anyway the city attorney didn't tell me not to do it.'"

For this and other reasons I decline to be humiliated further by the necessity of being forced (by newspaper rule of ethics requiring replies to be published in the same newspaper in which articles replied to appear) to make additional answer to the whiners through the Anderson Intelligencer I know to be unfair and unfriendly to me in this fight, because among other grounds for this belief, I know this paper has already purposefully violated a custom or rule of newspaper—the highest rank and character—its seal to place me at a disadvantage in presenting "my side" of a personal issue relating to this controversy, and I will prove it to the satisfaction of fair-minded men and readers.

On account of the newspaper rule that I must answer publications through the paper in which they appear, unless refused permission to do so, I went to the Intelligencer office about 6:30 p. m. on last Saturday a week ago, with my first reply to Capt. Watkins. Both the editor and the reporter were in and the former promptly accepted my reply for publication. As I turned to go the editor himself had a conversation in regard to the proposed citizens law and order league very pleasantly. I responded contentedly. We chatted for several minutes and I asked for permission to return later and read the "proof" of my reply to Captain Watkins. This was freely granted with instructions to return about 8 p. m. for that purpose. About 8 o'clock I returned and read the proof and was in the office 15 minutes or more. The editor was not then in but the reporters were all there and during my first visit Mr. M. M. Mattison, president of the Intelligencer Company, came in and saw me there.

I know now, but did not know upon either visit, that the Elmore interview had been obtained by The Intelligencer before either of my visits to the Intelligencer office and yet neither the president of the Company, the editor or any of the reporters asked me for a statement of "my side" of the matter or offered me the opportunity of being "interviewed" in order that the public might get both sides at the same time and with equal publicity.

With the Southern Public Utilities

Company buying and sending out hundreds of copies of The Intelligencer at its own expense and with occurrences like the above, is it strange that even strong friends of The Intelligencer—who wish it well and want to be convinced of its fairness and disinterestedness—are at last convinced that The Intelligencer is hopelessly partisan in its defense of the Utilities Company and its controversies and hopelessly unfair to those who differ from it on these questions.

After such treatment of me personally I feel compelled to hereafter ignore any further attacks through its partisan columns and I believe all fair-minded readers will agree with me—without regard to their views for or against the Southern Public Utilities Company—that my course is reasonable and proper.

I submit for the earnest consideration of thoughtful, fair-minded people, without regard to their views for or against the Southern Public Utilities Company in this controversy, that it is just as important for the general welfare, if not more so, that they be fully informed of the policy and attitude of their newspapers in the gathering and distribution of news as it is that they be informed of the official and personal policy of the public and its readers may get it all without advantage or favoritism in the distribution of any particular portion of it. In the present controversy and in the weary fight last summer and winter, I respected the obligations of friendship and regard for another by refraining from attacking his methods (except once very mildly) even in self-defense and even when I knew he was deliberately using The Intelligencer in a persistent partisan way to compass the "passage" of the "franchise."

But I can no longer permit those obligations to fetter my freedom of speech when I have patiently waited and have become convinced of the obligation of friendship or regard for me is being or will be considered sufficient to afford me even the protection of fairness in the Intelligencer's warfare upon me.

Disgusted with the superficial necessity of striking at a brilliant young reporter, who, like a good soldier, merely obeyed instructions faithfully and well, I have decided to strike the really responsible man—the president of the Anderson Intelligencer Company, Mr. M. M. Mattison, who has been permitted to direct the policy of his paper as to the franchise and has directed it with deliberate partiality from the beginning until now.

It is no justification for partisan unfairness that the financial burdens of the paper rest heavy on his shoulders.

It was no justification for deliberate suppression of the "other side" of this question last summer and winter, that the directing mind believed the passage of the franchise a splendid accomplishment for Anderson.

It is no justification for unfair warfare upon the city attorney that the man directing the policy of the paper in this fight wishes him well in other battles not interfering with his own plans and ambitions for himself and the city. It is no unforgivable offense to direct a partisan policy for a newspaper without presence of neutrality, but to persistently try to make the people believe that a partisan policy is in fact perfectly fair and

neutral is a serious offense against the community.

It is of more far-reaching importance than the record of the city attorney now being examined for partisan purposes. There are hundreds of thoughtful people in the city and outside of it who believe, as I believe, that the Anderson Intelligencer under Mr. Mattison's directing responsibility could not be more egregiously utilized for the benefit of the Southern Public Utilities Company than Z. V. Taylor himself was sole owner, editor and reporter.

The tactics now being employed are almost an exact replica of the tactics used last summer and winter to put "through" the franchise. They remind one of the tactics of the Germans in the European war.

They began the present battle with the present city council with a troop of editorials deployed and maneuvered by the Intelligencer as a sort of advance cavalry to "feel out" the enemy's positions and as a "screen" to hide the long-ranged guns brought into action later by a skilled colonel and captain of artillery. The cavalry movement, not being very successful, the guns were forced to fire without accurate "range" and did very little damage.

Now in desperation the board of strategy decides that a flanking movement may save the day and it appeals to Mr. Elmore to serve them with alleged information obtained by him while fighting for a long time under another flag.

If methods of public service warfare like this prove successful—and they may for all I now know—and as a result great material prosperity and material expansion come to our city—may God save our people who are asked to enjoy material prosperity and expansion gained by such a sacrifice of their self-respect and independence!

They demand "peace," while, like the Kaiser, they rattle their swords. They fight by the Prussian code and the cynical standard that a "good war" needs no justification but its own strength and power to conquer and destroy.

Respectfully G. CULLEN SULLIVAN, Nov 28, 1914.

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