says an eminent English doctor，＂will hold．＂In summer－time，more espec－ ially，disease germs fill the air，multi－ tudes are infected，fall ill，die ：multi－ tudes escape．These messengers of
mischief do not exise for millions．Why mischief do not exist for millions．Why not？Because they are healthy and strong protected as a crocodile is against gun－ thin－blooded who fall；those who have no resistive power so that a sudden couph or cold develops into graver
disease．We hear of catching disease！ Why not catch health ？We can do it by always maintaining our healthy
weight．

## Scottsemulsion．

of Cod－liver Oil，is condensed nourish－
ment；food for the building up of the system to resist the attacks of disease． It should be taken in reasonable doses
all summer long by all those whose all summer long by all those whose
weight is below the standard af health． If you are losing ground，try a bottle

## JGRICLUTLRLL HILL CASE

distusied by senator TILLMAN．

Maintains That the State Must Hold on to the Property in Order to Keep the Blue Ridge Script out of Court．

Now，it regard to the Agricul tural Hall matter．I presume to offer advice because I am solely responsible for the State＇s atti tude in the case，and felt，at the time I took action and feel still， that it was the only proper course to pursue．I have seen the full text of the decision of the Supreme Court，and speak in full knowledge of its import．The situation is this：Mr．Tindall can－ not deliver the property if he wanted to．I cannot believe that Simonton or any other judicial tyrant will undertake to take the building by force from the pres． ent State officers．If they do，then the act of disposessing the State will in the minds of fair minded persons show the falsity of the decree that it is not a suit against the State．The whole fight hinges on the possession of the building and so long as the State can hold that，it must retain the advantage． Once Wesley and his attorney get possession，with or without the consent of the Stute，the sit
uation will become very grave If the State surrenders the prop－ the ，hen it must either sue the mortgage for the payment failing to do so，confess that it has received full payment and thereby validate by its own act sues，then the questisn of the vitality of the tender of that script must be determined by the Uni ted States Supreme Court and the legality of the Blue Ridge bonds be settled by that tribunal． Judge Harlan goes into this phase of the question very fully Attorney Lyles in his testimony before the court and in his state－ ment now in the newspapers clearly sets forth the conspiracy by which the Blue Ridge bond script is to be brought before
the court for judicial derermina－ tion．The Judge declares that Wesley has a right to do this． Then，with a lot of legal jargon which only confuses the ouestion，
because it is in no sense an anal ogous case to that of General clares that it is not a suit against the State，although the whole question at issua is one affecting the legality of the repudiated bonds，and not the title to the Agricultural Hall at all．His pur－ pose is to have the State herself declare the bonds valid by not suing on the mortgage or force her into court on a suit which will almost inevitably determine their validity．He would thus ac complish by indirection what cannot be done directly，for Wes－ ley has already had one suit on these bonds thrown out on the ground that it was a suit against
the State．With bitter irony he concludes his opinion in these words：＂It is said that the judg． ment in this case may conclude the State．＂Not so，It is a juile ment to the effect only that，as between the plaintiff and de fendants，the former is entitled to possession of the property it question，the latter having shown
no valid authority to withhold the possession from the plaintiff ；that the assertion by the defendants of a right to remain in possession is without legal foundation．The
State not being a party to the State not being a party to the clude it．Not having submitted its rights to the determination of the court in this case，it will be open to the State to bring any action that way be appropriate to establish and protect whatever claim it has to the premises in
dispute．Its claim，if it means to assert one，will thus be brought to the test of the law as adminis－ tered by tribunals ordained to determine controverted rights of property；and the record in this case will not be evidence against it for any purpose touching the merits of the claim．
If this were only a suit for the possession of the Agriculture Hall， there would be no controversy for the State would never have held the property and refused to deliver it but for the conspiracy and fraud which was divulged by the tender of the bond script．I the State takes that course，then it voluntarily enters the Federal courts ultimately and asks for the validity of the bonds to be passed upon．The situation leaves the to dispossess its officers who not parties to the suit，to put Wesley in possession or hoid the property and thus protect litiga－ latins attorney I and his specu is working on a contingent fee hall be tired out．If the State is dispossessed by force，then the sophistry and falsity as to its be ing no suit against the State i
proven，and we will occupy better positionafter this judicial tyranny is practiced upon us than this dragged into the court in tus underhanded and unconsti
tutional way． Unless the court was to go to the extreme of dispossessing the present State officers，who are no way connected with Mr．Tindal and do not hold from or under him．the only thing that need give us any concern is the settle ment of Mr．Tindal＇s bond．This， of course，the State is in honor bound to pay But if it can hold possession of the property and
danger of having the highes
court in the United States pas
upon the repudiated radical bond held oy Mr．Wesley，the taxpay ers of the State may well congrat－
ulate themselves．There is an old ulate themselves．There is an old
legal maxim that possession is nine points of the law，and in this case it is ten points，because as retain everything，while the sur－ render of the property carries with it loss of everything，or a
serious risk of losing it，for I firm ly believe that these Judges，who ing Judge Simonton＇s interfer
will take pleasure in putting one
more stigma upon South Caroli．her sovereighty．Then if this
will be increased our state．debt
is the script would be sood in buying the Agricultural Hall．
In view of these facts（and anybody is at liberty to pick llaw
$\qquad$ o judge between $m y$ enemies and The I told you so＂crowd， who have＂kuown all along that the State would lose and the tax payers would suffer for Tillman＇s lesire to advertise himself，＂may explain if they can how else the
question of the validity of the Blue Ridge script by the United States Supreme Court could have

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Next November Mr．Platt will
be able to secure a clear concep
tion of just how much his machine has＂pacified＂the voters．－N．Y． Journal．


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