h inst., the following resolution was nimously adopted:

Resolved, Whereas, in the resignation Mr. E. W. Fenn, the Independent ng America Company has lost a luable fireman and a true and faithful icer; That the thanks of his brother remen be tendered him for his punctual d impartial performance of his duty, d that while we deeply feel his loss, our shes will ever be for his success in ure.

Resolved, That the foregoing resolution be published in the Orangeburg Times and Orangeburg News,

(From the minutes.)

F. S. DIBBLE,
Secretary, pro tem,
I. Y. A. F. E. Co.

In Memoriam.

Alfred Goodwyn Legare died April 18th, 1872.

Let it go; its cherub wings are whiter,
Than all the flowers I see upon its breast,
Its other home is better far, and brighter,
Oh let it go; 'tis best.

The vacant pallet, what a tale of sadness,
Deep, whelming deep, the waves of sorrow flow,
But yonder, where the echoes murmur gladness,
'Tis safe; Oh, let it go.

In vain ye'll weep, and of time dream ye hear him,
Like do reling cooing, and tears will mock your rest,
'Twas Love that loaned, and Love is gently wooing,
Oh, let it go, 'tis best.

COMMERCIAL.

ORANGEBURG COTTON MARKET.

COTTON.—Sales for the week ending April 23, about 30 bales. Ordinary 19c; Low middling 20½c; middling 21.

Prices Current.

PREPARED FOR THE TIMES.

[CORRECTED WEEKLY.]

Cotton	lb	19 @	21
Bacon Hams	lb	16 @	00
" Sides	"	10½ @	11
Lard	"	15 @	16
Corn	bush	90 @	1 00
Peas	"	80 @	85
Oats	"	75 @	1 00
Flour	cwt	4 50 @	6 00
Fodder	"	1 25 @	1 50
Sw'et Potatoes	bush	60 @	75
Shucks	lb	50 @	75
Rough Rice	"	05 @	06
Butter	lb	25 @	30
Eggs	doz	@	15
Turkeys	pr	2 00 @	2 50
Geese	"	1 00 @	1 25
Chickens	"	25 @	40
Bees Wax	lb	15 @	20
Beef	"	10 @	12
Tallow	"	10 @	—

Sheriff's Sales.

By virtue of sundry executions to me directed, I will sell to the highest bidders, at Orangeburg Court House, on the first MONDAY in May next, for cash, the following property, viz:

One tract of land containing 480 acres more or less, bounded north by B. P. Reid and John Sogler, east by estate lands of G. W. Brodie, south by Johnson, and P Kitchens, and west by P. Kitchens. Levied on as the property of Robert Brodie, at the suit of J. W. Johnson, Administrator of Joseph Johnson.

In pursuance of an order, to me directed, by the Honorable Thad. C. Andrews, Judge of the Probate Court, I will expose to public outcry, on Saleday, in May next, at the risk of the former purchaser, the following tract of land, viz:

One tract of land containing 90 acres, more or less, bounded by lands of J. W. Fanning, Willis D. Fanning, D. W. Jeffcoat and J. J. Yon.

Sheriff's Office, Orangeburg C. H. April 12, 1872. } H. RIGGS, S. O. C.

Male Academy,

ORANGEBURG, C. H. S. C.

TERMS PER MONTH:

English - - - - - - - $4.00
Classical - - - - - - - 5.00

JAMES S. HOWARD, Teacher.

STATE OF SOUTH CAROLINA.
ORANGEBURG COUNTY.
in Probate Court, March 29, 1872.

In the matter of MARY B. TREADWELL, widow of WILLIAM R. TREADWELL, deceased.

Application for Homestead.

On the 29th day of February A. D., 1872, a petition entitled "Ex parte Mary B. Tradewell," was filed in this court, which set forth that the husband of petitioner died on the 11th of March, 1871, and that the right or estate of "homestead" of her said husband, William R. Treadwell, existed at his death, and should continue for the benefit of his widow, the petitioner, and her minor child; and prayed for the securing of her estate or right of homestead to the petitioner, &c.

On the second day of March, 1872, this court issued a warrant, directed to certain commissioners, commanding them in the usual form to "set apart and assign to Mrs. Mary B. Treadwell, the widow, and M. Treadwell, minor child of W. R. Treadwell of the *Real Estate of said W. R. Treadwell*, a homestead not exceeding in value $1000.00, and of the *personal estate of said* W. R. Treadwell, to the value of $500.00, as is or may be allowed in and by the Constitution of the State of South Carolina, and act of the Legislature, &c.

On the fifth of March A. D., 1872, the commissioners signed their return, which was filed in this court on the 7th March, 1872. As soon as the return came in, the court was notified by the counsel for W. A. Meroney, that the confirmation of the action of the appraisers would be opposed, and the whole matter objected to on the motion or attempt to confirm their return of homestead. No person was made party to the proceedings except the petitioner, Mrs. Mary B. Treadwell, and the court announced to the said counsel that he would advertise the said return, and that he would confirm the same should no *reasonable* cause be shown to the contrary, on the 20th day of March, 1872. This advertisement was published, and in this condition the case came up before the court, with the question "shall the return of the commissioners be confirmed, and the homestead set off to Mrs. Treadwell by this return, held good or not?" Mr. W. J. DeTreville, appearing for W. A. Meroney. The counsel, Messrs. Knowlton & Browning, raised a preliminary objection to the right of W. A. Meroney being heard, as having no such interest in the matter as would entitle him, under the act, to any voice. This objection I overruled, for reasons submitted to me, and which will appear patent as the cause is further developed in this decree. The ruling of the court was excepted to, and also the introduction of the testimony and causes against the confirmation, which are herein stated, being as was urged, covered by the first objection. The counsel for Mr. Meroney then submitted to the court, the cause was the return should not be confirmed. Taking exception to the warrant, first, that is was not executed by the parties named in the body, but by others substituted afterwards. As this change has been made by the court endorsing the name of the Warrant, the court overrules this exception. A second was taken to the fact that one of the appraisers was interested, and a third as to the valuation of the homestead being out of all reason and unfounded. These exceptions were taken and noted by me, but not pressed any further, and as I have based my decision on other and stronger reasons, I shall confine to these technical grounds no further. The counsel then submitted the ground as fatal to the homestead attempted to be set up in this court, to be, that Mrs. Treadwell ever had a right to homestead, which was denied, that the whole matter has been already adjudged in another court of *competent and concurrent* jurisdiction, whose decree and judgment this court has no power to review or to reverse. The facts submitted in support of the position were presented by documentary evidence, and the record of the Court of Common Pleas, briefly, and appear chronologically, as follows:

Complaint filed in Common Pleas, 29th August 1871, by Mary B. Treadwell, administrating *cum testamento annexo* of W. R. Treadwell, deceased, against John Fanning, creditor, W. B. Treadwell and Mary M. Treadwell, alleging forth that *personal* estate was insufficient to pay debts. That creditors were threatening suit, and praying judgment for sale of real estate, for injunction, and for a writ of partition of remainder after the debts were paid among the distributees who are plaintiff, the widow and W. B. Treadwell and Mary M. Treadwell. Each defendant answered (the minor by guardian ad litem) consenting to prayer of complaint.

On the 4th day of October, 1871, Mrs. Mary B. Treadwell, under her hand and seal, waived all claim to dower and homestead, and elected to take under her husband's will (being one-third of his estate) and filed such election in the Clerk's office.

On ——— an order was made appointing M. Glover, Esq., referee, to report on facts of the complaint, &c.

The referee made his report, certifying to the truth of the complaint, and recommending a sale of the lands of W. R. Treadewell's estate as prayed therein.

And on the 10th November this report was confirmed, and an order made directing the sheriff to sell the real estate from time to time, and in such parcels as counsel engaged in the cause should direct, and to pay over the balance after deducting expenses, to the Clerk of the Court, who should hold the same, subject to the order of the court. The court further directed that a writ of partition should issue, &c.

In obedience to this order, the sheriff sold, at public outcry, on the 1st January, 1872, the hotel lot adjoining three lots to Mrs. Mary B. Treadwell for $4,235.00, and on that day executed to her the titles therefor.

On the 16th day of January, Mrs. Mary B. Treadwell, executed her deed of conveyance, under her hand and seal, by which she conveyed to William A. Meroney, the same property for $4,500.00, and warranted the same with the usual general clause of warranty, and this is the property in which she claimed her homestead by petition filed nearly two months after her deed (February 29th, 1872,) and this is the property, or a large portion of it, including the hotel, set apart by the appraisers, whose return is submitted for confirmation now valued at $1,000.00.

This is about the whole of the documentary evidence, except a complaint shown by which Mrs. Mary B. Treadwell claims to set aside her own deed to Meroney on the ground of undue influence and over persuasion, and setting forth that on the day of the execution of said deed *she was lawfully seized in fee* of the said property.

The sales and return of commissioners were duly conferred. There have been other sales of different portions of the real estate of W. R. Treadwell, under the order of court aforesaid. There was no evidence shown of any objection, or protest, or claim on the part of Mrs. Treadwell; on the contrary, she was not only plaintiff in the complaint for partition and sale, but was purchaser for a large quantity of lands, besides the lots in dispute.

Mr. Glover, the referee, testified that the estate of Treadwell was, in his opinion, perfectly solvent. That the debts presented did not amount to more than $4,500.00, including costs, and that the amount already realized from sales of lands was from 9 to 10,000.00 dollars, and that other lands remained for sale, and that the personal property had realized from seven to eight hundred dollars.

From these facts, after hearing full argument of counsel on both sides, and from my construction of the Constitution and the acts of the General Assembly, the opinion of this court is, that, there was no right or estate of homestead in William R. Treadwell, at the time of his death, which could survive to his widow. His estate was more than solvent, and I think insolvency and homestead inseperably connected. Under the act it never is necessary to set off homestead until levy is made, or attempted. Nor can it *legally* be done until protection is needed against the coercive process. Neither the spirit or letter of the law contemplated anything more than that not should not be deprived (by any compulsory proceeding) of *all* of his property, and so made a beggar. It never was intended that when one was in competent circumstances, and able to pay everything and still have an abundance for himself and family, he should still be at liberty to transmit to his family, *whom he has provided for*, this right to claim another share of his estate from his creditors under the name of homestead. If W. R. Treadwell had no right or claim of "homestead" at the time of his death, as is provided in the first and fourth section of the act, there is nothing to continue for the benefit of his widow and children, and they are not "entitled" to an estate or right of homestead as provided under Sec. 5, which is the authority relied on.

The idea is *clearly* that one should not be sold out of house and home, and after his death the same protection is preserved for the benefit of his wife and children.

It would be a monstrous doctrine to hold that the law meant any more than that the right of homestead existing in a man at the time of his death, which was "a reasonable amount of property," Sec. 32, Art. 1, Cons., and which he could claim only when pressed by levy, should be secured to himself and to his family to save them from destruction and want, and which right was restrained to the widow to be exercised only as he could have exercised it, to wit: When pressed by levy. Nor in this case is there any reason to put such forced construction on the act. The widow and child are amply provided for, and the widow coming to take more than will have come the *proper* one is in possession of a large part of the real estate. I suppose there are no levy, no [illegible] process, [illegible] this court [illegible] with the interest in the [illegible] Treadwell here [illegible] that court for distribution. [illegible] will [illegible] under the [illegible] and I ever [illegible] in any other light than [illegible] preparing [illegible] any other purchaser [illegible] connected with the estate. She [illegible] full of the court, and [illegible] deed to Meroney [illegible] down on her [illegible] and [illegible] deed, and her own [illegible] in this case [illegible] other person executing his deed, could do the same thing. It would be to [illegible] conveyances, or certainly make every person excessively loath to purchase real estate from any one in the State. The estate which the appraisers have set apart to her I hold not to be a portion of the estate of W. R. Treadwell, but W. A. Meroney's property by purchase from Mrs. Treadwell, who purchased from the Courts, and held as her own, as she had a right to do. And I hold that the appraisers erred in setting apart any portion of the property over as homestead for Mrs. Treadwell, and therefore that W. A. Meroney was a person interested in coming before this Court to object to the return, and it is ordered and decreed that the returning not confirmed. That Mrs. B. Treadwell is not entitled to homestead in the lands conveyed by her deed to W. A. Meroney dated January 16th, 1872, and recorded in book No. 12, pages 20 and 21, 23rd January 1872, in register mesne conveyance office for Orangeburg. And it is ordered and decreed that said return be set aside and declared null and void and cancelled, and that Mrs Mary B. Treadwell do pay the costs of these proceedings. THAD. C. ANDREWS.

Judge of Probate.

Orangeburg, April 1st, 1872.

WOOL! WOOL! WOOL!

The subscriber will pay the highest prices for WOOL, washed, or burry.

Would also invite attention to the Home Shuttle Sewing Machine.

$25 to be run by hand.

$37 with table.

This Machine is of the lock-stitch pattern, and is equal in finish and performance to the $75 Machines of other patterns.

Call and examine.

apr 24 JOHN A. HAMILTON.

SPECIAL NOTICE.

Prime Rio Coffee and Sugars, at prices to please.

BACON,
FLOUR,
SALT,

All marked at selling prices.

MAPES' PHOSPHATE
AND
BROWN'S COTTON PLANTERS

Always on hand.

JOHN A. HAMILTON,
Market Street.

feb 21-1yr

Save Your Money!

GO TO.

J. P. HARLEY'S

AND BUY CHEAP

DRY GOODS, Boots, Shoes, Hats Caps &c., of which he has just received a fresh supply.

ALSO,

FLOUR of all grades
BACON, LARD, SUGAR and COFFEE of all grades.

Besides numerous other articles in my Grocery Department, all of which I am selling at prices not to be excelled for cheapness in the town. Come and see for yourselves.

☞ All persons indebted to me must pay up immediately, as I am compelled to close my books. A word to the wise is sufficient. J. P. HARLEY.

feb 21

DRUG STORE!

For the liberal patronage which I have thus far received from the citizens of Orangeburg and the confidence shown in me by very numerous friends, I take the opportunity of expressing my sincere gratitude in the "Orangeburg Times." The encouragement of past patronage and kindness induces a strong faith in future success, and, while thanking my friends for favors, I can assure them that nothing shall be wanting on my part to deserve their continuing confidence. I have stored it essentially a Drug Store where will be kept such Drugs and Medicines as I will warrant genuine and Pure. I am determined to supply my customers with the very best quality afforded in the market, and all chemicals, patent medicines, &c., shall be as reasonable for cash as anybody's.

I solicit the Physicians of the District to call and test me themselves. They are judges of their own Prescriptions. Send your orders and they will be filled to your satisfaction.

I have just received a stock of pure, medicines consisting of Laudanum, Paregoric, Castor Oil, Epsom Salts, Cream Tartar, Carb. Soda, Dye Stuffs, Paints and Brushes, Concentrated Dye Patent Medicines of all kinds.

Just call at the Southern Drug Store on Russell street, and you will be sure to get what you want.

A. C. DUKES.

THE SINGER STILL TRIUMPHANT!

THE

NEW FAMILY SINGER SEWING MACHINE,

WITH ATTACHMENTS FOR ALL KINDS OF WORK

is fast winning favor in the household, as shown by the rapidly increasing sales.

This NEW FAMILY SEWING MACHINE is capable of a range and variety of work such as was once thought impossible to perform by machinery. We claim and can show that it is the cheapest, most beautiful, delicately arranged, nicely adjusted, easily operated, and smoothly running of all the Family Sewing Machines. It is remarkable not only for the range and variety of its sewing, but also for the variety and different kinds of texture which it will sew with equal facility and perfection, using silk twist, linen or cotton thread, fine or coarse, making the *interlocked elastic stitch*, alike on both sides of the fabric sewn. Thus, beaver cloth, or leather, may be sewn with great strength and uniformity of stitch; and, in a moment, this willing and never-wearying instrument may be adjusted for fine work on gauze or gossamer tissue, or the tucking of turlatan, or ruffling, or almost any other work which delicate fingers have been known to perform.

At the *World's* Fair, it received the grea award of the highest sales!

J. K. WHITE,
Agent.

Sales-room at Engine House, Orangeburg, S. C.

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Kirk Robinson,

DEALER IN

Books, Music and Stationary, and Fancy Articles,

AT THE ENGINE HOUSE,

ORANGEBURG, C. H., S. C.

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PROFESSIONAL CARDS.

W. J. DeTreville.
ATTORNEY AT LAW.
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ATTORNEYS AT LAW,
ORANGEBURG, C. H. S. C.
MALCOLM I. BROWNING. A. P. BROWNING.
mch 6-1yr

FERSNER & DARTZLER,
DENTISTS,
Orangeburg, S. C.
Office over store of W. H. Hutchinson, next door to Express Office.
F. FERSNER. D. M. DARTZLER.
mch 12-3mos

DR. T. BERWICK LEGARE,
DENTAL SURGEON,
Graduate, Baltimore College Dental Surgery,
Office, Market street, Orangeburg, S. C.
feb

Houston's Chromo Ferrotype Gallery
No. 339 King street, Charleston, S. C.
Superior work, low prices that defy competition. Don't fail to visit this Establishment.
mch 20-3mo

George E. Shiver,
COMMISSION MERCHANT,
Wholesale Dealer in and Importer of
FINE WINES, LIQUORS, CIGARS AND HEAVY GROCERIES, &c.
feb 14-3mos

NEW STORE.

I am happy to inform the citizens of Orangeburg, that I have opened in the stand formerly occupied by Mr. W. A. Meroney, one of the finest Stocks of ALES,
Liquors,
Tobacco,
That has been brought to this market.

☞ The patronage of the people of Orangeburg is respectfully solicited.

☞ Give me a trial, both as respects the prices and quality of my goods, and I assure you, you will be satisfied.

☞ Don't forget, my store is two doors from Meroney's Hotel.

H. Funderberg.
apr 3

SPRING CLOTHING.

Wm. Matthiesson,
FINE CLOTHING & TAILORING HOUSE,
No. 291 King St. Corner Wentworth
Charleston, S. C.

Offers an elegant assortment of CLOTHING, for men youths and boys, of New Styles, at moderate prices.

Furnishing Goods in great variety.

Agent for the Chs. Hart Shirts.

Tailoring Department supplied with a full line of desirable and seasonable Cloths, Cassimeres and Vestings, which will be made up to order in fine style.

apr 10-3mos.

MERONEY'S HOTEL
ORANGEBURG, S. C.

I am pleased to inform my numerous friends throughout the State that I have purchased the "Treadwell Hotel," and am now refitting and fixing it up in the most modern style. The tables are well furnished from the Charleston markets. I guarantee full satisfaction.

W. A. MERONEY, Proprietor.
apr 20