

Orangeburg Times.

22 PER ANNUM.

"ON WE MOVE INDISSOLUBLY FIRM; GOD AND NATURE BID THE SAME."

Vol. 1.

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THOS. W. ALBERGOTTI, TWO DOORS EAST OF J. P. HARLEY'S

Russell Street, Orangeburg, So. Ca., Has Just Received a fresh supply of French Candies, Fine Candies, Nuts, all sorts, Toys, China Ware.

Also Fresh Bread always on hand, and supplied to regular customers every day at their doors. In my cake department you will find Fruit Cakes, Fancy Cakes, Gingers, &c., always on hand and fresh.

Fine Bridal Presents. Fresh Fies constantly on hand. Wedding supplied with all kinds of Cakes and Confectionaries at the shortest notice.

The above goods cannot be excelled in quality and price. All work warranted to give satisfaction. July 16, 1872

SHACKELFORD & KELLY FACTORS AND GENERAL COMMISSION MERCHANTS, NORTH ATLANTIC WHARF, Charleston, S. C.

AGENTS FOR Messrs. Pillsbury's Ammoniated Caribbean Sea GUANO.

W. W. SHACKELFORD, W. M. AIKEN KELLY oct 1-12

J. S. Albergotti, GROCERY HOUSE,

Corner Russell Street and Rail Road Avenue.

Has a store and constantly arriving, Groceries, which cannot be surpassed for quality or price. I make a speciality of the following goods:

- Flour,
- Sugar,
- Coffee,
- Molasses,
- Syrup,
- Bacon and Ham.

Those who want have only to call and be convinced of the low prices. Jan 1-1y

WANTED, WANTED; Everybody to know that

E. EZEKIEL Has JUST OPENED a Large and fine stock

JEWELRY of the Latest Styles and Patterns. An unusual opportunity for selection.

A complete assortment of JEWELRY, STUDS and BUTTONS. Engagement 18 k Plain, Wedding, Friendship and Seal Rings.

Watch Chains, Ladies' Watches and Chains, Lockets, Charms, Etc.

Elegant sets of BROOCHES and EARRINGS.

English, Swiss and American WATCHES. Gold and Silver—every WATCH warranted.

AMERICAN CLOCKS of every description. SPECTACLES and EYEGLASSES to suit all Ages.

Masonic, Odd Fellows and Sons of Temperance BADGES.

REPAIRING Promptly and Well DONE at E. EZEKIEL'S.

SEPT 4-1

"ENTERPRISE" SALOON. The citizens of Orangeburg are notified that J. H. WAHLERS has opened

A First class LIQUOR STORE and Drinking Saloon; where he will always be

PRESENT To dispense the finest brands of ALES, WINE, LIQUORS, SEGARS, &c., that can be had in Orangeburg. DON'T

FOR Get that the ENTERPRISE is a first-class saloon, conducted on the most improved plan, and a place where loafers are not permitted to congregate, and where no discussions and harangues are allowed. A pressing invitation is extended to

ALL To call and examine my stock, before going elsewhere.

J. HERMAN WAHLERS. Jul 16 1yr

Geo. S. Hacker Doors Sash, Blind

Factory CHARLESTON.

THIS IS AS LARGE AND COMPLETE a factory as there is in the South. All work manufactured at the Factory in this city. The only house owned and managed by a Carolinian in this city. Send for price list. Address

Geo. S. HACKER, Postoffice Box 170, Charleston, S. C.

Factory and Warerooms on King street opposite Cannon street, on line of City Railway, Nov. 13

POETRY.

Nobody's Darling

Little and pallid, and poor and shy, With a downcast look in her soft grey eye; No scornful toss of a queenly head, Dut a drooping bend of the neck instead; No ringing laugh and no dancing feet, No subtle wiles and abandon sweet, No jewels costly, no garments fine— She is Nobody's—Nobody's Darling—but mine!

No "Dolly Varden" coquetish airs; No high-heeled boots to throw her down stairs; No yachting jacket and nautical style, With a sailor's hat that she calls her "file." But "Lady" is stamped on her quiet brow; And she crept in my heart I can't tell how; Not made to dazzle—not born to shine— Nobody's—Nobody's Darling—but mine!

No saucy, ravishing, girlish grace, But a settled calm on the sweet, pale face; No sparkling chatter and repartee; Very silent and still is she; White and still is my pearl of pearls, Yet she seemeth to me the queen of girls; Why I love her, I can't define, For she's Nobody's—Nobody's Darling—but mine!

Were riches hers, or a beauty rare, She would lose her charm and become less fair; Were rings to shine on those fingers small; They could not add to their grace at all; She would learn to smile and speak by rule; In the foolish book of Dame Fashion's school; And the world to spoil her would soon combine; Now she's Nobody's Darling—but mine!

The day has come when the cooling dove croons to his mate a song of love, When nature stirs, and the copse ring, In all the joyance of dawning Spring. The day has come when I dare to speak, To watch the blush on the once pale cheek, To whisper low on Saint Valentine, "Darling! Nobody's Darling—but mine!"

MOLLY DARLING.

O, wont you tell me Molly Darling, That you love none else but me, For I love you Molly Darling, You are all the world to me.

O, wont you tell me, that you love me, Put your little hand in mine. Take my heart sweet Molly Darling, Say that you will give me thine.

CHORUS. Molly, fairest, sweetest, dearest, Look up darling, tell me this. Do you love me Molly Darling, Let your answer be a kiss.

The stars are shining Molly Darling, Through the mystic veil of night. They seem laughing Molly Darling, While fair Luna bids her light.

O, no one listens bet the flowers, While they hang their heads in shame, They are modest Molly Darling, When they hear me call your name.

CHORUS. Molly, fairest, sweetest, dearest, Look up darling, tell me this. Do you love me Molly Darling? Let your answer be a kiss.

I must leave you, Molly Darling, Though this parting gives me pain, But when the stars shine Molly Darling, I will meet you here again.

Good night, Molly, good night darling, Happy may you ever be, When you are dreaming Molly Darling, Don't forget to dream of me.

OUR WASHINGTON LETTER.

FROM OUR OWN CORRESPONDENT. WASHINGTON, D. C., Dec. 27, 1872.

Dear Editor: A happy New Year to ye: The cold snap that has extended all over the country, reached us and with it came the beautiful snow, much to the delight of the children of wealth and the livery stable keepers, but greatly to the discomfort of those who have no credit at their boot-makers. Pennsylvania Avenue presents a gay and lively appearance from the number of sleighs that dashed along from the capital to the President's house. The sleighing is excellent, but the amusement is most expensive.

THE POOR OF THE DISTRICT Are having a hard time owing to the pay-

ment of over a million of dollars—due them for work—being postponed by the malicious meanness of Senator Edmunds, of Vermont, until January 6th. If the prayers of the poor avail, the Senator's Christmas dinner must have disagreed with him, for every portion of his anatomy was specially prayed for by the thousands who were deprived of a little Christmas through his efforts.

NOT SERVANT BUT MASTER. Day after day we are shown that instead of a "public functionary" in the White House, that we have one whose own convenience and that of his family is the first, I may say the sole, consideration.

The president has given notice that he will not receive visitors until after the holidays. This of itself is not much, but when taken in connection with a series of just such assumptions of personal ease and comfort, often to the neglect of public business, and in violation of all custom, it goes to show that the White House estimate of the people. One of the court journals, the Republican—this morning speaks of the intrusion of individuals, who are always ready to make the Executive Mansion their lounging place, and the President's time their convenience. Visitors to Washington generally call on the President to pay their respects. Now if Grant's political and personal friends make the White House a loafing place, that is no reason why the visiting sovereigns who desire to see Ulysses should be debarred that pleasure during the holidays. This shutting out the public is not "airs," as it is called, on the part of General Grant, for the convenience of business, the first he dearly loves and the latter he thoroughly detests.

CIVIL SERVICE RULES. The Radicals here are somewhat puzzled at the action of the President in the appointment of a postmaster at Chicago, in utter defiance of the civil service rules, and many are the surmises thereon.

Every one here is aware that the examinations are mere humbug when the board desires to appoint or defeat an applicant, but it was thought, after the decided stand in the case of the postmastership at Philadelphia, that Grant would not deviate from the rules. The Radical organs here are making all kinds of defences of the President, and the thinness of the excuses are only equalled by the frequency of them. The last is made by the chronicle, in which the startling statement is made that Mr. Squire, the assistant postmaster at Chicago, was not a candidate for promotion, and refused to accept the position of anybody to believe that there lives an America, especially an official, who is so dead to ambition and an increase of salary as not to desire a little of both? If such a Radical office holder does exist, let him be handed down to posterity in marble, as he is indeed a rare avis.

SAN DOMINGO IN A NEW SHAPE. "Never do to give it up," Mr. Brown is Grant's motto in his pet San Domingo scheme. In his recent message he never once mentioned it as he had determined that when the question came up he would play the role of indifference. A bill looking to the annexation of San Domingo has been prepared and will be presented on the re-assembly of Congress; rumor says by a prominent Democrat. It is also claimed that nearly all the opponents of the Administration will vote for it. This is more than improbable, but I give it for what it is worth. I have no doubt, however, that all the power of the administration will be used to pass the bill, but to believe that Democrats in congress will vote for it, after the expose of the foil in the Senate last winter, is to believe that the power of the administration is not confined to verbal Radicals who need persuasion, but also extends to the other side of the house.

MORE ANNEXATION. The marshal of the District of Columbia, Dr. Sharpe, bro-in-law of the President, has cast a covetous eye on the control of the jail of the District, and has canvassed the members of congress as to his chance of having that duty annexed

to his present labors. The warden of the jail; General crocker, gives general satisfaction, and says that he will not make a fight over this additional perquisite to the reigning family. Of course there is nothing in it, and that is, no doubt, the reason why the marshal wants it. The position of marshal, when Wash Layton was appointed to it by President Lincoln, was a fat position, but out of spite, was cut down by congress, and when Grant went into office it did not amount to much. After four years trial, Marshal Sharpe would like to add a little to its dimensions, and in all probability will.

THE NEW REVENUE BILL. On Thursday evening the President signed the internal revenue bill, that was passed by congress before it adjourned for the holidays. The commissioner of internal revenue, after a long and patient investigation into the claims of the assessors in his Bureau, decided upon whose heads should tumble, and is now engaged in sending them "Yaller Kivers," notifying them that they are officially defunct.

AN EXTRA SESSION. It is generally agreed that only a portion of the necessary legislation can be got through by March 4th, and an extra session, it is thought, will be called.

THE SMALL-POX Is on the increase here. Congress and the small-pox here at the same time is too much, especially as they don't take to each other.

Important Decision.

We publish below the opinion of the Supreme Court in case heard at the present term, deciding that the exclusive jurisdiction conferred on the Inferior Court of Charleston in criminal cases does not vest, because unconstitutional and void.

The opinion was pronounced by the Chief Justice, and concurred in by the other members of the court, viz: State vs. Cain Simons, Solomon Lyons, Jack Drayton—Supreme Court, November Term, 1872. Opinion by Moses, C. J.

The three cases are separate and distinct, but the points to be settled by the appeals are identically the same. By the 1st section of the 4th article of the constitution, the judicial power of the State is "vested in a Supreme Court, in two circuit courts, to wit: A Court of Common Pleas, having civil jurisdiction, and a Court of General Sessions, with criminal jurisdiction only, in Probate Courts and in Justices of the Peace. The General Assembly may also establish such municipal and other inferior courts as may be deemed necessary."

While such other courts might be established with like jurisdiction as the courts of General Sessions possessed, this would not affect the powers of these last, except as to their exclusive character, conferred by the constitution. The word "which" must refer to "criminal cases," which last words immediately precede it, and his against such as might be otherwise provided by law, the exclusive jurisdiction of the General Sessions could not prevail.

By the 18th article of the same section it is ordained that "the Court of General Sessions shall have exclusive jurisdiction over all criminal cases, which shall not be otherwise provided for by law." The act of March 13th, 1872, (No. 845), Statutes at large 187, establishes "in the County of Charleston an inferior court for the trial of Criminal cases, to be called the Criminal Court of Charleston County, which shall be organized by the judge thereof immediately after his election." The fourth section provides that "the criminal court shall have exclusive appellate jurisdiction of all criminal cases, from the courts of trial justices for Charleston County, and exclusive original jurisdiction of all criminal causes less than capital, and not at present conferred by law upon the courts of trial justices."

At the November term, 1872, of the county of Charleston, the three defendants were separately indicted for the crime of murder; and in each case the jury returned a verdict of "guilty of manslaughter." They moved the judge in arrest of judgment, "That the General Assembly having declared by act that the Criminal Court for Charleston County shall have exclusive original jurisdiction of all offences less than capital, this court has no more right to administer punishment upon a conviction therein had for manslaughter, than it has to hear, try and determine an indictment for this offense." The motion was overruled, and a reversal of the judgment is asked here,

on the ground taken in the court below.

The question involves the constitutionality of the act of 1872, as it provides for the exclusive jurisdiction by the Inferior court "of all criminal causes less than capital," and must be determined by the constitution, which may be given to the words, "which shall not be otherwise provided for by law." Do they so qualify the power conferred on the court of General Sessions as to reserve to the Legislature the right to deprive it of all jurisdiction over criminal offences less than capital, or are they to be held in subordination to its right to vest some other court with concurrent jurisdiction in the cases referred to?

The courts of General Sessions as they have existed in this State, at least from 1784; Sec. 751, Stat. at large 184, have exercised all the powers of the kings bench in England. By the constitution it is recognized as a superior tribunal, and unless restricted by that instrument may still claim all the common law jurisdiction which pertains to the king's bench. In State vs. Walker, 14 Rich. L. 37, it is said: "Within its jurisdiction is given to another tribunal by words not plainly exclusive."

In Peacock vs. Bell and Kendall, 1 Sand., 746, the court said: "And the rule of jurisdiction is that nothing shall be intended to be out of the jurisdiction of a Superior Court, but that which especially appears to be so, and on the contrary nothing shall be intended to be within the jurisdiction of an inferior court, but that which is so expressly alleged." To deprive the court of General Sessions of jurisdiction in a criminal case, it must be clearly apparent, by the constitution from which it derives its power, that it is not of the class of offenses intended to be committed to it.

The act of 1872 proposes to take from it the trial of every criminal case, except that for murder, which is the only offense now held capital by the laws of the State, by conferring exclusive authority over all of them on an inferior court. The clause of the constitution over all criminal cases, did not propose to restrain the Legislature from organizing other courts, with concurrent jurisdiction over such case. The first section of the fourth article, after enumerating the courts in which the judicial power of the State shall be vested, provides: "The General Assembly may also establish such municipal and other inferior courts as may be deemed necessary."

While such other courts might be established with like jurisdiction as the courts of General Sessions possessed, this would not affect the powers of these last, except as to their exclusive character, conferred by the constitution. The word "which" must refer to "criminal cases," which last words immediately precede it, and his against such as might be otherwise provided by law, the exclusive jurisdiction of the General Sessions could not prevail.

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