

ALL FOR A SORREL MARE

DISPUTE AS TO THE OWNERSHIP WILL BE CARRIED TO COURT.

Mr. Barnard Evans Says Governor Ellerbe Made an Election Bet With Him Pledging His Blooded Mare "Sally," Which the Governor Denies.

COLUMBIA, April 7.—There is a beautiful chestnut sorrel mare that is seen very often on the streets of Columbia. She is a neat and spry animal, and knows how to make a mile in quick time. There is a bit of history back of this mare that is not generally known, although it has been whispered about the city for several months.

The mare, Sally, by name, is the occasion of a lawsuit that promises to be quite interesting, both from the facts that are to be brought out, as well as the personnel of those who make up the principal parties to the suit. It is not a usual thing for the Governor of a State and the brother of a former Governor to go to law about the possession of a horse, but such is the case in this instance—it is more usual for the contests to be for offices.

By way of preface, Mr. Barnard B. Evans, now of Columbia, is driving and claiming ownership of the mare Sally. Governor Ellerbe contends most emphatically that the mare belongs to him, and that Mr. Evans has no claim whatever on the aforesaid mare.

This morning about 9 o'clock Governor Ellerbe was seen at the executive office relative to the matter, and asked for his side of the litigation. He promptly said that the matter was in the courts, and that he did not think that it was right for him to have anything to say about the matter as long as the issue was pending in the courts of the State. He said that there were others who were familiar with his side of the case. When asked the point blank question whether he had made a bet with Mr. Barnard B. Evans, on which the horse is contended to have been won, he most distinctly and unequivocally said that Mr. Evans and he had never made a bet involving this or any other horse, and that Mr. Evans had no right, title or claim whatever on the mare, and that this he expected to prove in the courts at the proper time, and that was just as soon as it was possible to do so. The contention on which Governor Ellerbe claims absolute possession of Sally is, however, given from entirely satisfactory sources.

It appears that Governor Ellerbe bought the mare "Sally," from the stock farm at Pondleton, with which Major Augustine T. Smythe, of Charleston, is connected. The mare was of fine stock, with a record of 2.23. Mr. George W. Haight, a horse trainer, who has had charge of the training of horses for people in this State, was here and Governor Ellerbe turned "Sally" over to Mr. Haight for the purpose of having her trained. Mr. Haight also had for the purpose of training a brother of "Sally," named "Ely," belonging to Major Smythe, of Charleston. It was suggested to Mr. Ellerbe, after Mr. Haight had had his mare for some time, that he might have trouble in getting his mare back from Mr. Haight, and Mr. Ellerbe understood that Major Smythe had experienced considerable trouble in getting back his horse "Ely," that Mr. Haight had put up one of his horses, and that when Mr. Smythe wanted his horse there were heavy charges for feed and the like, but Mr. Smythe finally managed to get his horse back. Mr. Ellerbe then became worried about his animal and kept a look out for her. Mr. Ellerbe found that Mr. Haight had taken his racing stable to Savannah, and among the horses taken was "Sally." About this time Gov. Ellerbe was in Columbia, and he says that he met Mr. Evans at the State House, and the two got to talking about the mare. Mr. Evans told Governor Ellerbe, so the story of this side goes, that he was going to Savannah on a free pass. Governor Ellerbe remarked that he might get "Sally" while he was down there. Mr. Evans suggested that he be given an order on Mr. Haight for the mare. They went into the Comptroller General's office, and the order was duly given for Mr. Evans to get the horse. Governor Ellerbe did not think that Mr. Evans would be able to get the mare, as he feared that Mr. Haight would have all kinds of charges for feed and the like for the mare, but to his surprise Mr. Evans got the mare, and had her brought to Columbia. Governor Ellerbe, it is said, promised Mr. Evans that he could drive the mare for a month or two, or until he wanted her, if he succeeded in getting her from Mr. Haight, and on this condition, and this alone, Governor Ellerbe is said to have given the order.

Governor Ellerbe, it is understood, contends that he never heard that the horse was to be regarded as a wager until after he came to Columbia and made claim for it. After Mr. Evans had the horse for a while he thought he might as well let him hold on to her until he came over as Governor.

Governor Ellerbe will swear when the case comes to trial that he did not make any bet with Mr. Evans, and that the horse was never given to Mr. Evans for any consideration whatever, and that the distinct understanding was that he was to get the horse as soon as he wanted her. Governor Ellerbe will say that he may have jokingly made a wager with Mr. Evans that he would do this or that, but that he has never in his life made a wager with Mr. Evans or anyone else. There is even the intimation that Mr. Evans had an idea that the case would not go to court, as Governor Ellerbe did not want even the suggestion that he wagered on elections. Governor Ellerbe, however, it appears, has put the case in the hands of his counsel, Mr. J. T. Barron, of this city, and has instructed him to push the case to the end and to recover the horse at any cost, and that he will bring suit for damages to cover the use of the horse under the protest of Governor Ellerbe.

Governor Ellerbe, when he came to Columbia, asked for the horse to drive with the fall sister of "Sally," but the return was refused apparently much to his surprise. Under an arrangement, which seems to be in dispute, Governor Ellerbe obtained possession of the mare. Governor Ellerbe says that as his buggy had not arrived, and he had obtained the one to which the mare had been driven he told Mr. Evans that he would lend him the mare whenever he wanted to use her out of courtesy for the use of the buggy. Mr. Evans sent for the mare to take a five mile trip in the country, and Governor Ellerbe sent him word that he could have the sister to "Sally" as "Sally" was being treated for her legs, and that he did not like her to be driven for so long a distance. On the following Saturday Governor Ellerbe drove down to the barber shop with "Sally," and while he was in the shop Mr. Evans went up to the negro in the buggy, and it is stated, took possession of the turnout, and carried it to the stables where it was put up.

Governor Ellerbe then brought action for claim and delivery, as it is called. Mr. Evans gave bond for \$300 for the horse, and it is over this that the suit is being brought. The case has not yet come to trial, and it is not known when it will come up.

It is understood that Governor Ellerbe says that Mr. Evans has as much right to any mule on his plantation as he has to the mare "Sally," and that he is very much outraged at the turn the case has taken, and the contention of Mr. Evans, in which there is he contends absolutely no foundation in fact.

Now for the other side of the matter, and just here it is to be said that the very best sources of information were used and the facts here given as best they could be derived and without any favor whatever. Mr. Barnard B. Evans was seen at his insurance office early this morning, and asked about the case. He said that he would not have anything to say about the case, as it was in the courts, and he did not think it right for him to come out and say anything at this time, but added that he would be heard from when the case came to trial, and that he expected to hold on to the horse and that it was his property by every right and title. He, however, referred to a friend who could and would give all the information that was solicited.

It was learned that Mr. Evans's side of the matter is like this: In the campaign of 1894, when Mr. Ellerbe and Mr. John Gary Evans ran for Governor in the State primary, Mr. John Gary Evans mapped out his plan of campaign, and told his brother, Mr. Barney Evans, that he wanted him (Mr. B. B. Evans) to look after Anderson County, and see that everything possible was done to have the county go for him. On Saturday when the campaign party was at Lexington court house, the gubernatorial candidates did not attend the meeting. Mr. Barnard B. Evans was on the train going to Florence, and Governor Ellerbe was on the same train going to Marion, his home. They got to talking about the near approaching primary, and Governor Ellerbe, the contention is pulled out an envelope on which he had a list of counties which he said he would carry in the primary. Mr. Evans questioned his carrying these counties, and went on to say that he noted that Anderson was on the list, and that he was certain that his brother, Governor Evans, would carry the county. Mr. Ellerbe did not agree with his idea, and Mr. Evans will contend that before the discussion closed Governor Ellerbe said: "I will give you a fine chestnut sorrel mare, against \$5 if I don't carry Anderson County." Mr. Evans will hold that he asked Governor Ellerbe if he was in earnest, and he replied by saying, "I won't make a bet with you, but I will give you that fine mare against \$5 if I do not carry Anderson County. Mr. Evans proposed that they "shake" on that. Governor Ellerbe agreed to this, and they, it is said, shook hands. Mr. Evans contends that this was a bona fide agreement and as such he proposed to keep the horse, which was given him under the terms named. They ate breakfast together at Florence. Mr. Evans, it is said, cut his visit short so as to return to Anderson County and see that all possible work was done for the carrying of the county for his brother and the winning of the mare. The primary was held, and Anderson County went for Mr. John Gary Evans. Subsequently, Mr. Evans will contend, he met Governor Ellerbe in the city and asked him "What about that horse?" Governor Ellerbe gave him an order for "Sally" in due form, new to Savannah and got the horse that he won on Anderson County, and under this Mr. Evans says, he has a perfect right to hold and keep the mare, and will fight the case to the end.

Governor Ellerbe when he came to Columbia asked for the return of the mare. Mr. Evans refused to return her. Then, it is said by Mr. Evans's side, that Governor Ellerbe asked Mr. Evans to come up to the Mansion to see him about the matter. Mr. Evans went there with his friend, Mr. Bones. Mr. Evans refused to "lend" Governor Ellerbe the horse, as he requested, so it goes, unless he had something in writing. Governor Ellerbe refused to give anything in writing to show that he had borrowed the horse, his contention being that the horse belonged to him. "You can have her whenever you want her, on the word of the Governor of the State," was the statement of Governor Ellerbe, is the contention, and on such a plane Mr. Evans, it is stated, gave the use of the mare to Governor Ellerbe. A few days afterwards Mr. Evans wanted the mare to take a trip in the country, and sent for the mare. Governor Ellerbe sent back word that he was having "Sally" treated, and offered the use of "Sally's" sister. Mr. Evans declined, and took this as a refusal to return his horse or let him use his own property. A few days after this Mr. Evans saw the mare and took possession of her. This brought on

the proceedings for claim and delivery, the bond for the mare and the proceedings in the courts for the possession of the mare.

Mr. B. L. Abney, of this bar, has been employed to represent Mr. Evans in the litigation, and Mr. Evans also expects to see the fight through to the finish, and contends that Governor Ellerbe will never from the facts of the case get possession of the mare.

It is said by Governor Ellerbe's side that Mr. Evans has offered, since the litigation began, to buy the mare and other compromises. All of these Governor Ellerbe has declined to entertain in any way, as he wishes the matter settled once for all as a question has been raised, and on the other hand the representatives of Mr. Evans contend that they have made absolutely no overtures to purchase "Sally" or any other kind of advances, but are anxious for the case to be tried.

Mr. D. C. Ray, of the firm of Barron & Ray, said today that the papers have been filed, and the case docketed for trial.—Charleston News and Courier.

VANCE WAS ELECTED

State Liquor Commissioner by the State Board of Control.

COLUMBIA, S. C., April 9.—The State board of control was in session nearly all day yesterday, but it was not until about midnight last night that the results of the day's work could be ascertained. During the day, at noon, the members of the board visited the executive chamber by invitation of Gov. Ellerbe and a conference was held in regard to the matter of the granting of hotel and beer privileges. Gov. Ellerbe frankly told the board that he did not consider that the Constitution and the act gave the board or any one else the right to grant such special privileges. His position was that the law should apply to every citizen of the State equally. The conference was a pleasant one.

Last night the board announced that it had decided, in view of the governor's attitude, to grant no more such privileges, though several have been applying for them, until the matter can be definitely settled. A case will be arranged at once and carried before the State supreme court, the object being to have the question judicially determined forthwith. In the meantime all privileges heretofore granted will stand as they are. It is expected that the case can be heard next week.

Last night the board went into the much-talked-of elections. Practically all of them were disposed of save that for clerk of the board. In the meantime Mr. Soruggs, who has been the clerk of the board since its formation, will continue to discharge the duties of that office for a month, and his two assistants will remain in their respective positions.

One ballot was taken for the chairmanship of the board now held by Col. Willie Jones. The ballot resulted as follows: Jones 2, Williams 1, Douthitt 1, blank 1. The last vote was cast by Col. Jones. There was no election, and the board decided to let this matter go over to the next meeting.

Mr. Samuel W. Vance, of Laurens, the efficient assistant clerk of the house of representatives for several years, was elected State liquor commissioner. On the streets this selection met with general approval. Mr. Vance is a popular man and is well qualified for the duties of the office. There were numerous candidates for the position. Mr. Gaston, who has been acting commissioner, it is said, did not receive a single vote.

Mr. D. A. G. Out, who has been the shipping clerk of the dispensary since its establishment, was re-elected to that position.

Mr. R. E. Blakeley was likewise re-elected clerk to the commissioner.

The office of superintendent formerly held by Mr. Gaston under Col. Mixson's administration, was abolished and the position of foreman created in its stead. Mr. T. E. Dickson, of Oconee, was elected to fill the new position. His salary was fixed at \$75 a month.

Mr. John B. Dorn, of Edgefield, was elected as head drayman of the dispensary, succeeded Mr. Ward, who has held the position for several years.

The usual purchases of liquors were made, but no information as to the amounts purchased or from whom purchased was made public.

It was stated on the streets yesterday that Messrs. Doshier and Mantoux, two well-known wholesale liquor dealers, were ready to make a proposition to the board to have them turn the entire business over to them, guaranteeing to pay the State \$250,000 cash annually and give a bond of \$500,000 for complying with the law. This offer was not officially made to the board, and it is said it would not have been within the power of the board to consider it, such a proposition being a matter for the legislature alone.—State.

Opened by Cubans.

NEW YORK, April 7.—A special to The World from Havana says: Calabazar, in this province has been raided, the Spanish jail forced open and eighteen insurgents, who were to be shot this week, released. Most of the Spanish guard of fifty were killed or wounded. Among the prisoners was Senora Isabelle Teresa Montezza, said to be a relative of General Acosta. She is nearly fifty years of age and has been confined in the vile dungeon more than three months. She disappeared from her residence, two miles from this place and her friends had made many attempts to ascertain her whereabouts, but without success. When found she was in rags and emaciated to a shocking degree. She was very prominent in that section, had been raised in affluence and her imprisonment almost destroyed her reason.

The insurgents were so wrought up by this discovery that they fired the field where they had the fight and hacked the bodies of their fallen enemies relentlessly, so as to be sure that no spark of life remained in any of them.

THE PENSION BOARDS.

The Organization of All Work for the Veterans Boards Pointed Out.

The following rules for the guidance of township and county boards of pensioners have just been issued by the State Board:

The pension boards organized in 1895 will at once call together the soldiers and sailors resident in such township in their respective counties, fixing the time and place for each meeting in each township. Those soldiers and sailors, when assembled, elect one of their numbers chairman and another secretary. Ten days after this township organization the chairmen of these township boards meet at the county seat and elect four of their number and one physician as a county examining board of pensioners.

Pensioners now applicants for pensions cannot be elected a member of township pension boards. When old soldiers cannot be found in the townships, reputable resident citizens may be elected. If any township shall fail or refuse to organize as required by this act, then the county board should recommend three good men, not pensioners, to the State Pension Board, who will appoint such township boards.

All pensioners resident in the townships must appear in person before the township boards. Those already on the pension roll need not prepare and file new applications. All new applicants must be presented to and have the approval or disapproval of the township boards and county boards before the State Board, can approve. Township boards can drop from the roll of pensioners, as now constituted, the name or names of any party or parties which in their judgment are not entitled to a pension under the laws, and add to the roll only such names of new applicants as may file such applications, with proof of service thereon, as indicated by the blank forms prepared by the State Board.

Applications defective or not filled up correctly in each particular, although approved by township and county boards, will be disapproved by the State Board.

Applications approved or disapproved by the State Board cannot be returned to the county or township boards after money has been prorated and paid out. Township and county boards will notice that the law provides three classes, "A," "B" and "C," (with five subdivisions of class "C," as follows:

Class A.—Those who have lost both arms, or both hands, or both legs, or both eyes, or whose absolute disability arising from wounds are equivalent to the loss of either. This does not include soldiers whose disabilities arise from diseases or causes arising since the war.

Class B.—Those who have lost one arm or one leg, or whose disabilities from wounds are equivalent to the loss of an arm or leg.

Class C.—(No. 1)—Those soldiers and sailors disabled by wounds, but not sufficient to be placed in class B, whose incomes do not exceed \$250.

Class C.—(No. 2)—Those who have reached the age of sixty years and whose incomes do not exceed \$100.

Class C.—(No. 3)—Widows of those who lost their lives in the service of the State or Confederate States and whose incomes do not exceed \$250.

Class C.—(No. 4)—Widows above the age of sixty years, whose income does not exceed \$100.

Class C.—(No. 5)—Widows of pensioners. This class is not mentioned in the printed Act sent out, but by the act approved—December, 1894.

Blanks for the reports of township and county boards in accord with these classes and sub-divisions have been prepared and mailed to Auditors to distribute among these boards. Class A gets \$6 per month or \$72, and will be paid in full this amount; Class B, \$4 per month or \$48; and class C with each of its subdivisions, \$3 per month or \$36. After class A is paid, the balance will be prorated between B and C on the basis of \$4 to \$3. This money will be sent to the clerks of Courts as heretofore provided in the appropriation Acts each year, and will be sent just as soon as the roll for the State can be corrected and completed.

Township boards cannot be too careful in these matters of "income" and physical condition. It is a very poor man whose gross income from labor and other sources, does not exceed \$100, or poor lands, if any, which does not produce this amount. Property in applicant's or his wife's name debars them. Where soldiers or widows dispose of their property by giving or selling to their children, they are debarred from receiving a pension.

The question of service to the State in connection with the various classes of reserve carried into the service of the State just at the close of the war, will depend much upon the evidence submitted to the State Board. When real service was rendered, the pension should be allowed. Any citizen of the State over sixty years of age, and otherwise qualified, is as much entitled to a pension as that class of her good citizens who merely met and organized on call, without real service.

Let township and county boards act promptly and fairly, giving the State Board full information with complete reports by township for each county writing names full and clear, with particulars for approving or disapproving each case. Township boards must first approve or disapprove, in writing, each new application, and then county boards and afterwards the State Board.

When old boards (1896) have acted under laws then of force and approved or disapproved applications for pensions, let such applications be sent to township boards, then to county boards to be approved or disapproved under the Act of 1897 amending former Acts.

Respectfully,
D. H. THOMPSON,
Secretary of State.
W. A. BARBER,
Attorney General.

JAMES NORTON,
Comptroller General,
State Board of Pensioners.

Want at the Doors of Thousands.

GREENVILLE, Miss., April 8.—The condition of affairs in this section of the Mississippi river continues serious. Want is today at the door of many laborers. The Yazoo, Miss., delta embraces ten counties with a population of nearly 400,000 people, 70 per cent, of which are farm laborers. The secretary of war has kept himself in telegraphic communication with the governor of Mississippi seeking information concerning the needs of the flooded districts. Governor McLaurin in turn has kept in telegraphic communication with the representative men of the delta, and yet he has advised that assistance was not needed. Today's advices gave a more extended report of the prevailing condition, and the leading planters and business men of Washington county sent a dispatch to the governor appealing for government aid.

THE Mississippi floods continue and there is great suffering among the people of the flooded sections. The call for help has been answered by the National Government appropriating two hundred thousand dollars for the protection of the life and property of the sufferers.

The Piano for a Lifetime,
The Piano of the South,
The Piano Sold Most Reasonably.

That's the popular MATHUSHEK, sold for a Quarter of a Century past by the old reliable Ludden & Bates Southern Music House of Savannah, Ga.

It's a great Piano every way, and one of the many reasons for its popularity is the fact, conceded by all, that it is more specially adapted for our Southern Climate than any other Piano made.

Ludden & Bates are now interested in the MATHUSHEK Factory, and have largely reduced Prices on their Latest Styles. See their new advertisement in this issue, and write them.

Indigestion.

From which springs, directly or indirectly, nearly every form of headache, and sick headache never separated therefrom, is surely and speedily relieved and cured by the use of "Hilton's Life for the Liver and Kidneys." One 25c bottle will convince of its merit. Try it. Sold by dealers generally.

The trustworthy cure for the Whiskey, Opium, Morphine and Tobacco Habits. For further information address The Keeley Institute, or Drawer 27, Columbia, S. C.

WE WANT A PARTNER IN EVERY TOWN.

Postmasters, Railroad Agents, General Store Keepers, Clerks, Ministers, or any other person, lady or gentleman, who can devote a little or all of their time to our business. We do not want any money in advance, and pay large commissions to those who work for us. We have the best Family Medicines on earth, and can produce lots of testimonials from our household.

Send for blank application and circular.

Address
BRAZILIAN MEDICINE CO.,
844 Broadway, New York, N. Y.

NOT MISLEADING.

NO DANGER, IN CURING ONE HABIT, OF FORMING ANOTHER.

OPIUM (Morphine, Laudanum) Etc., CURED IN FROM FOUR TO SIX WEEKS.

LIQUOR DISEASE

Cured Usually in Four Weeks. Also Tobacco Habit and Nervous Diseases.

The Cure has been endorsed by the Legislature of six States and one Territory; by the National Government in the Soldiers' Homes and in the regular army; by many local authorities in the cure of indigent drunkards (morphine and liquor); by Miss Wallard, the W. C. T. U.; Francis Murphy, Neal Dow and the I. O. G. T.; by prominent men all over the land; by 300,000 cured patients, more than 20,000 of these being physicians.

The Leslie E. Keeley Company and the Keeley Institute of S. C. are responsible corporations which could not afford to put forth any claim that they are unable to prove.

For printed matter and terms, address,
THE KEELEY INSTITUTE,
or Drawer 27, Columbia, S. C.
Mention this paper.

SEE
HERE.

IS YOUR LIVER ALL RIGHT?

Are your Kidneys in a healthy condition? If so, Hilton's Life for the Liver and Kidneys will keep them so. If not, Hilton's Life for the Liver and Kidneys will make them so. A 25c bottle will convince you of this fact.

Taken regularly after meals it is an aid to digestion, cures habitual constipation, and thus refreshes and clears both body and mind.

SOLD WHOLESALERS BY

The Murray Drug Co.

COLUMBIA, S. C.

AND
Dr. H. BAER, Charleston, S. C.

Advice to Mothers.

We take pleasure in calling your attention to a remedy so long needed in carrying children safely through the critical stage of teething. It is an incalculable blessing to mother and child. If you are disturbed at night with a sick, fretful, teething child, use Pitts' Carminative. It will give instant relief, and regulate the bowels, and make teething safe and easy. It will cure Dysentery and Diarrhoea. Pitts' Carminative is an instant relief for colic of infants. It will promote digestion, give tone and energy to the stomach and bowels. The sick, puny, suffering child will soon become the fat and frolicking joy of the household. It is very pleasant to the taste and only cost 25 cents per bottle. Sold by druggists and by

THE MURRAY DRUG CO.,
Columbia, S. C.

Machinery

AND

Supplies

Engines, Boilers, Saw Mills, Corn Mills, Wheat Mills, Planers, Brick Machines, Moulders, Gang Edgers. And all kinds of Wood Working Machinery. No one in the South can offer you higher grade goods, or at lower prices. Talbot, Liddell and Watertown Engines. We are only a few hours ride from you. Write for prices. Light, Variable Feed Plantation Saw Mills a Specialty.

V. C. Badham,
General Agent,
COLUMBIA, S. C.

"MATHUSHEK"

The Piano for a Lifetime,
The Piano of the South,
The Piano Sold Most Reasonably.



The old, original Mathushek, sold by us for over a quarter of a century and the delight of thousands of Southern homes. More Mathusheks used South than of any other piano make. Lovely New Styles at Reduced Prices, cheaper than ever before known. Style once \$435, now \$325. \$100 saved every buyer.

How, because we are now interested in the great Mathushek factory, supply purchasers direct, and save them all intermediate profits. WRITE US.
LUDDEN & BATES,
Savannah, Ga., and New York City.

ENGINES,
BOILERS,
SAW MILLS,
GRIST MILLS,
AT
FACTORY PRICES.
E. W. SCREVEN,
COLUMBIA, S. C.