

PALMETTO POINTERS

CAN IMPORT LIQUORS.

The Constables Will No Longer Interfere With Such Importation.

Judge Simonton entered a formal order of record in the United States Circuit Court at Charleston, S. C., on Thursday in the Donald liquor case, refusing to modify the injunction order in the Donald case and refusing to suspend it until he brings an appeal by the Supreme Court of the United States, and affirming the former position of the court that all persons in the State of South Carolina can now import into the State beers, ales, wines and spirituous liquors for their own use and will be fully protected by the court in the exercise of this adjudged legal right to bring liquors into the State for their own use.

The Assistant Attorney General of the State, speaking for the Attorney General has assured the bench and the public in open court, that no liquors hereafter imported by any citizen into the State for personal use will be seized by the State constables. The citizens of the State may now continue to exercise the right without fear of any molestation or hindrance whatever.

THE CROP REPORT.

The Prospects for a Fair Crop are Good.

The weather and crop bureau has issued its regular and detailed report for the past week. Mr. Bauer, after reviewing the week's weather, says:

Cotton has steadily improved in condition and is quite satisfactory generally, though it continues small with some exceptions in the central and eastern counties, where its condition is reported very poor and deteriorating. The plant has started to make fast growth, has a good color and fair stand. Early planting blossoming. Rice have almost disappeared. Crops generally clean.

Corn looks very promising over the entire State, it having a good color, but the stalk is generally reported to be low yet thick. Early planting being laid by. The crop clean and well cultivated.

Wheat harvest nearing completion with fairly satisfactory yields. Winter ones are about all harvested. Peas have improved greatly. Melons promise a large crop.

Tobacco is a very fine crop generally, but reports from Darlington County indicate that the dry weather injured the crop somewhat; worms numerous in portions of Florence County.

Rice is doing exceedingly well. Peaches that are ripening now are generally small and disappointing. Gardens have been seriously impaired by the dry weather.

Dargan Forbidden to Speak.

A special to the State from Edgefield thus tells of the refusal of the people of that county to let John J. Dargan, of Sumter, editor of the Sumter Freeman, who is advocating the giving of political rights to the negro, speak there.

"It was stated in the papers that Col. John J. Dargan would speak at Edgefield. There were none here who agree with Col. Dargan's political views, but most of the citizens of the town hoped, for decency's sake, that nobody would interfere with Col. Dargan, or any other citizen of South Carolina who attempted to speak. But this was not to be. The strife promoters notified the faithful in the county that Dargan must not be allowed to speak. This morning brought in a couple hundred and a committee was appointed to wait on him and tell him he could not speak and it is said another committee was selected to see that he could not speak if he attempted it. Col. Dargan did not attempt to speak and while walking along the pavement was followed by a crowd, some of them well filled with the 'chemically pure,' who hooted at, cursed and abused him. But they were careful not to lay hands on him."

Geonce Divides.

A conference of the Conservative Democracy of Geonce county, S. C., was held at the court house on Tuesday. There were about fifteen delegates in attendance. The offer made by the executive committee of the Reform Democracy of the county for a division of delegates to the Constitutional convention was accepted. The working committee of the Forty has been called to meet. There was no contention upon the question of dividing the delegates, but there was considerable discussion as to the majority plan.

Leading business men in London have signed a bi-metallist memorial.

SENATOR IRBY TALKS.

He Expresses Himself Freely on the Political Situation.

Senator Irby has given the Piedmont Headlight the following interview on the political situation:

"The mask is off and thank God for it. The Reformers have been wasting time with Williams, Gonzales, Hemphill and other Anti-leaders, thinking those Conservatives were honest in their efforts to bring about peace and unity. Their object was to get hold of the Convention in the interest of corporations by deception and treachery. Tillman saw this and left them. This tore the mask from their faces. Thereupon they went to Columbia and voluntarily deserted the Democratic party and resolved to organize one of their own; and Mr. Carson, their chairman of what was hoped a defunct organization, proceeds formally to carry out their instructions.

"This is barefaced Independentism with all that word means. I can't see in the face of this how honest, loyal Reform Democrats can affiliate with them. In fact the action of this committee releases every Reformer in the counties where an agreement had been made. If these agreements are carried out and this Independent executive committee succeeds in many counties as they propose, then with the help they expect to get on the plea of peace and unity from the counties in which they have agreed they will entirely control the Convention. For instance, they are going to make a clear cut open fight in many counties. They may pretend to agree in Charleston, Richland and other Anti counties; but these agreements will be repudiated on election day as sure as the sun shines and Anti Democrats will be elected.

"I could name, but it would perhaps be better not to do it at this time, enough counties that they think they will carry to aggregate seventy-two votes by the use of the negro. Then if they can pick up nine from Edgefield, Aiken, Marion, Lexington and Abbeville they will have a majority of the Convention. This has been their game all along and the corporations have been at the bottom of the whole business. As long as they pretended (and I know it was mere pretence) to stay in the party lines I couldn't attack them. Now led by Gonzales, with such lieutenants as Williams and Garlington, in open battle with the organized Democracy, it is my duty to fight them and defeat them as such.

"If our people divide with them they can make up their minds for these political beneficiaries to vote with the Independent and negro as soon as the Convention is organized. They can't be resisted. Office and control of the State is what they want, and nothing else will ever satisfy them. They want control of the Convention to do and destroy everything that has been done since 1890, and disfranchise enough poor, illiterate Democrats to give the rich man control of South Carolina for all time to come.

"This is plat talk, but I mean every word I say. The very idea of the poor men of Laurens voting for some peace-crying Independent to keep him from deserting his people, who will go to Columbia and join in with other Independent Democrats to take away their political rights forever and place them upon an equality with the nigger. Our people are not fools, and they will prove this when the proper time comes. We are for the principles. If they can beat us we will yield. If we beat them some body else will have to yield. If it is no use to disguise it any longer, the issue is simply, The organized Democrats and the white man vs Independentism and the nigger. We are ready for the fight, and I have no fears of the results."

"Senator, from what you say, the Democrats will assume that you think the Gonzales crowd have deserted the Democratic party?"

"That is just what I mean. If you will read this address, which was evidently written by E. L. Williams; you will see that they have deliberately surrendered all claims to Democrats. It is addressed to the people of South Carolina and not to the Democratic party of the State. The people include not only negroes, but Republicans, with whom I have believed that there has been an understanding for more than a year. The address does not mention the word Democrat and it purely ignores the primary ordered by the Democratic committee, while Mr. Gonzales, in their organ, the State, urges his followers to Reform counties to make terms with Reformers."

"That is the reason why the resolution to stay out of the Democratic primary was not carried. This was done to fool the Reformers in such counties as Abbeville and Edgefield. They are attempting to use a double-barreled gun on us—make an independent, straight fight in close counties and expect the Democrats to compromise with them in strong Reform counties. If this is not so, why did the members of the conference, or Anti-committee, applaud so vigorously the speech of Mr. Garlington, editor of the Spartanburg Herald, who long ago withdrew publicly from the Democratic party? They are Democrats in Reform counties where they can't elect a delegate, and Anti-Democrats in nigger and Anti counties. We are

not children and cannot be fooled in any such way. However, we must be up and doing. The Convention must be carried by a decisive majority. We would be in danger with a margin of 25, for there are always men who see new light after they are sworn in office."

THE CONSERVATIVES' CAUCUS.

They Issue an Address to the People of the State.

A conference of conservative leaders, composed of ex-State Treasurer E. R. McIver, Senator Eitamont Moses, of Sumter; Editors Gonzales, of Columbia; Williams, of Greenville; Garlington, of Spartanburg; Langston, of Anderson; Osteen, Sumter; Hollock, of Cheraw; and others, was held in Columbia Friday night. The purpose of the conference was to perfect plans for an organized fight in the constitutional convention campaign and the formation of the conservative democratic party in the state. The sentiment is against all compromises with the reformers and a complete and final division of the whites of the party in the state is advocated. Encouraging reports have been received from many counties respecting the formation of the new party.

The following address was issued by the Conference:

To the people of South Carolina: On the third Tuesday of August a convention will be elected which will meet at Columbia in September to make a new Constitution for this State. This election will be as important to you as that of 1876. The men who will represent you in this Convention will have more power than any officials provided for by our laws. They will create law. By their action all the Legislatures, the State and county offices and Judges will be governed hereafter. All your personal and property rights and those of your children, your liberty and your children's liberty, the honor and prosperity and peace of the State will be in the keeping of that Convention.

If the day of election for delegates find you disorganized, undecided, divided by factional differences, personal preferences and local interests, the politicians who control the party organization and the State election machinery, the patronage and all the official influence will easily secure absolute control of the Convention which will have such enormous power over you and yours.

We believe you have too much love for your State, too much respect for your own liberties and rights to surrender such power to men whose only interest and apparent purpose to secure for themselves permanent place and rule regardless of the results to the people and of the will of the people.

The Conservative Democracy is the only political organization in South Carolina not controlled by the politicians who are now in office. For that reason it will offer its active aid and co-operation to all citizens who sincerely desire that the new Constitution be made by freemen who will represent, respect and guard the interests and feelings of the people regardless of the ambitions and needs of politicians, such men to be chosen by amicable agreement and common consent, if possible, by a straight out-right fight if necessary.

The executive committee of the Conservative party, therefore, in accordance with resolutions unanimously adopted, respectfully urges all members of that party to proceed immediately to organize clubs in each township of the State, and on or before July 6 to meet in county conventions and elect county executive committees, one member for each county of the State executive committee.

The present county chairmen, or persons to be appointed for the purpose by the present chairman of this committee, are requested to begin the work of organization without delay.

The chairman of this committee is instructed to call a meeting of the new executive committee to be held in Columbia not later than July 16th.

J. L. Carson, Chairman.

A. B. Williams, Acting Secretary.

He is Not Disturbed

When asked what he was going to do about Judge Simonton's sending the three constables to jail, Governor Evans said: "Take the constables out of jail under a writ of habeas corpus before a justice of the United States supreme court."

The governor said that the justice before whom the application had been made had been decided upon, but that he would not give his name yet. He said it was not Chief Justice Fuller. The governor said that he was sure the constables would be released under bond until the appeal from Judge Simonton's decision could be heard next fall.

"We will reverse Judge Simonton, just as we reversed God," the governor added. "The principles in the two cases are identical and the decision of the higher court will be the same."

It is announced that even if the constables have to spend their days in jail there will be no trouble to get others to fill their places and continue the seizures for the \$2 a day they are paid while at work or while confined in jail.

South Carolina at Atlanta.

Those at the head of the movement to have South Carolina represented at the International and Cotton States Exposition to be held at Atlanta are still hard at work pushing the matter along. In response to a call issued by Governor Evans, who is the chairman, a special meeting of the State executive committee in charge of the exposition work, was held in the executive chamber. Among those present at the meeting were State Commissioner Roche, and Messrs. J. C. Hemphill, of Charleston; W. A. Clark, of Richland, and LeRoy Springs, of Lancaster. After the meeting Governor Evans repeated his announcement: "You can say that South Carolina will have an exhibit that will be most creditable in every way."

The deadly cyclone is getting in its annual work in Kansas, Nebraska, Iowa and Northwestern States, and many casualties are reported.

A SECOND TRIAL.

Results in an Acquittal for J. Mims Sullivan.

At Anderson, S. C., the jury in the case of J. Mims Sullivan, charged with the murder of Herman G. Gilreath in Greenville on June 14, 1892, after being out from 2 p. m. Friday till 12:10 p. m. Saturday, returned a verdict of "not guilty."

This case was first called for trial at the July, 1892, term for Greenville and continued on affidavits of the absence of material witnesses for the defense. At the October term of the same year, the defendant moved to quash the panel of jurors on the ground that the sheriff of the county was a half brother of the slain man. Judge James Aldrich granted the motion and as the sheriff had just been re-elected for four years, ordered a change of venue to Anderson. At the Anderson spring term of 1893 the defendant demurred to the jurisdiction of the Anderson court. The demurrer was overruled and notice of appeal was given. Circuit Judge Izlar decided to try the case, but was enjoined from doing so by Justice Pope of the Supreme Court.

It was at this term that the stir about alleged attempts to bribe jurors occurred.

The Supreme Court sustained the lower court and remanded the case for trial. In October, 1893, the case was tried before Judge Wallace and a verdict of guilty was rendered. The defendant was sentenced to be hanged December 22nd, 1893. Execution was stayed pending an appeal to the Supreme Court for a new trial.

In 1894 the defendant moved for and secured suspension of his appeal to allow a motion on circuit for a new trial on the ground of after discovered evidence. Judge Ernest Gary head the motion and refused it.

The Supreme Court sustained the appeal on the grounds, chiefly, that the judge erred in excluding evidence showing that the State's witness, Finlay, had made statements regarding the shooting different from those he made on the witness stand, and had erred in his charge regarding the taking of life; and ordered a new trial and the evidence was practically the same as that given on at the former trial when a verdict of guilty was rendered and a death sentence passed.

The Contempt Cases.

Judge Simonton has only two of the contempt cases now under consideration as will be seen from the disposition that was made of all the cases submitted to him. In each case the name of the consignee is given and the disposition of the case. The following is the result:

- 1 C. F. Klenke, rule discharged.
- 1 John McSmyrl, of Camden, rule discharged.
- 3 S. Simpson, Wainsboro, rule discharged.
- 4 R. B. Hawes, Charleston, rule discharged.
- 5 W. C. Riddlehuber, Greenwood, rule discharged.
- 6 George Meitzler, Charleston, rule discharged, whiskey returned.
- 7 David De Varko, Charleston, rule discharged, beer to be returned.
- 8 David De Varko, Charleston, rule discharged, whiskey to be returned.
- 9 W. S. Prince, Charleston, rule discharged, whiskey to be returned and costs paid.
- 10 C. H. Hopkins, Charleston, rule discharged, whiskey to be returned and costs paid.
- 11 C. H. Otten, Charleston, rule discharged, whiskey to be returned and costs paid.
- 12 Julius H. Walker, Columbia, constable guilty of contempt and two months imprisonment.
- 13 E. M. Keith, Charleston, constable guilty, two months imprisonment.
- 14 B. Adams, Charleston, constable guilty, one month in jail.
- 15 Pape and Andel, reserved for further investigation.
- 16 Givens and others, reserved for further investigation.

The First of Its Kind.

The State against Mack McEivoy (colored) and M. C. Deaver, (white) for criminal negligence and manslaughter, was the most important case at the recent session of the court for Chester county. The prosecution was brought by friends of Rev. Mr. Graham, who lost his wife and son on Broad river last January, while crossing on the flat owned and operated by Mr. Deaver. This case was a strange one and nothing like it has ever been known in the courts of South Carolina before. The trial of this case lasted through most of Tuesday and all of Wednesday and the jury, after remaining out but about three minutes, returned a verdict of not guilty.

They Can Fight.

The Corbett-Fitzsimmons fight is an assured fact now inasmuch as an occupation tax was issued Saturday for the fight by the State Comptroller of Texas. He became mixed up in this manner. The tax collector at Dallas was offered \$500 by the management of the Dallas Athletic Club to let the fight come off there, that being the amount prescribed by law for glove contests. The collector referred the matter to the Comptroller and that gentleman Saturday issued the receipt for the \$500 and the fight can now come off without fear or hindrance, as the State has in this receipt put its official stamp on a permission to conduct the fight.

NEW COMPLICATION.

A North Carolinian Sues the Dispensary Board for Damages.

The fight on the dispensary law has broken out in a new form that has more than ordinary interest because of the complications likely to follow. This time it is a suit for damages against the State board of control. It is brought in the United States District Court under an Act of Congress entitled, "An Act to protect trade and commerce against unlawful restraint and monopoly." The Plaintiff is Julius Loweinstein, of Statesville, N. C., doing business as Lowenstein & Co. He is represented by Messrs. Murphy, Farrow & Legare. The defendants are John Gary Evans, D. H. Tompkins, Jas. Norton and Frank M. Mixson, who style themselves "as a board of control," "under the pretended authority of a certain Act of the Legislature of the State of South Carolina." The complaint charges that the defendants are "combined to monopolize trade in wines, liquors, beer and all other alcoholic drinks used as a beverage in South Carolina." That on the 27th day of May the plaintiff delivered to the Southern Railway at Statesville one barrel of liquor, worth \$57.38, and consigned to Thomas Hartigan, Charleston, S. C. That on the 29th the said liquor was seized by parties, to the plaintiff unknown, but who are agents of the "State board of control," and that the plaintiff is damaged to the amount of \$57.38, and he asks for judgment for \$171.84, attorney's fee and cost of the action.

The most interesting feature of the case is that the barrel of liquor in question has been seized by the United States revenue officials, who claim that the stamp found upon it has been used once before, and Mr. Lowenstein will be called upon to prove that it has not been used before, or to suffer the consequences for using a cancelled stamp.

Instructive Meeting of Tobacco Growers.

The regular monthly meeting of the Darlington, S. C., Tobacco Growers' Association was held in the court house, Gen. W. E. James presiding. The subjects for discussion were pruning, topping and curing. Able and instructive addresses were delivered by B. F. Williamson, B. F. Smoot and others, after which the president, H. E. Harmon, the wide awake editor and proprietor of the Southern Tobacco Journal, gave them a talk. He was very unwell, but made a few remarks, which were exceedingly complimentary and encouraging. He spoke of the fine attendance, and mode of discussion. He also said it would be a short time when this section would grow in abundance the finest tobacco in this country, and that the yield per acre was much larger than in Virginia and North Carolina.

The committee appointed to look after the interest of members in the matters of royalties claimed by certain patentees of barns, sticks, etc., made its report behind closed doors. Resolutions of thanks were then voted the committee for its good report, and also to Mr. Harmon for his words of good cheer.

The president read a few statistics which were very interesting. The number of acres planted last year were 770; barns constructed 130. This year there is an increase of 3,000 acres, and 240 new barns. These figures show that tobacco culture has become a serious business with these people.

A letter was read from Commissioner E. L. Roach, in which he stated that they would allow a special space for tobacco exhibits from that county in Atlanta, and that all other exhibits would be placed in the State collection and would be plainly marked with the exhibitor's name and postoffice address. The subjects at the next meeting are grading, packing and selling. These subjects will also be discussed at the meeting of the Agricultural and Mechanical Association, which will be held at the fair grounds the first week in August.

Ordered to Surrender and Shot.

Thursday night about four miles from Spartanburg, there was a deadly battle between State whiskey constables and whiskey men. The fight raged for several minutes and when it had ceased Bill Durham and Jack Fisher, whiskey men, were found dead and two State constables, Toland and Pettigrew, were mortally wounded.

Last night Constables Toland, Stevens and Pettigrew went up on what is known as the Howard Gap Road, a bad section of country, to intercept a whiskey wagon which they learned was being brought to town. The wagon was in charge of Fisher and Durham, two North Carolina distillers. The constables ordered Durham and Fisher to surrender and at the same time opened fire on them with the results mentioned above. It was a pitiful sight. Fisher was killed instantly, but Durham lived for several hours and died from loss of blood.

PROF. HUXLEY DEAD.

After a Long Illness He Succumbed to Exhaustion.

Prof. Huxley, who has been ill for some time, died at London, England, on Saturday. After a slight rally Friday night Prof. Huxley's condition rapidly grew worse and he fell into a state of complete exhaustion. His mind was clear to the last and his death was painless.