

GOOD TERMS.

Between Germany And America Settled.

PROTEST TO ENGLAND.

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THE LEGISLATURE.

Daily Doings of Our General Assembly.

SENATE.

First Day.—It was promptly at 12 o'clock that the Senate was called to order and the roll was called by the clerk, Gen. R. R. Humpal.

The absentees were Messrs. Bowen, Dean, Dennis, Tidwell, Martin, Ragsdale, Walker, Wallace and Williams.

The chaplain, Rev. G. H. Waddell, opened the session with prayer, thanking God for the blessings of the year and invoking divine guidance upon the work of the body.

The two new Senators were escorted to the bar of the Senate by Sergeant-at-Arms Gaston, and they were sworn in.

Senator Appelt introduced his bill providing for the submission to the people of a vote upon the question of dispensary, prohibition or high license.

The Senate, on motion of Senator Henderson, then adjourned.

Second Day.—The Senate was called to order at noon by Lieut. Gov. Scarborough, and the evening prayer was made by Chaplain Waddell.

Senator Graydon introduced a bill to authorize an election in the city of Abbeville upon the question of issuing bonds in aid of the Black Diamond railroad and to provide for the issuance of the bonds.

Senator Livingston, to authorize the sinking fund commission to loan money to the county of Marlboro and to pledge a special tax in payment of the loan. Referred to committee on finance.

The concurrent resolution from the House providing for an investigation of the dispensary was referred to the judiciary committee. Mr. Caughman's house bill to amend the Jim Crow car law was recommitted to the committee on railroads, which had reported the bill without recommendation at the last session.

Senator Aldrich's resolution to investigate the dispensary was referred to the judiciary committee.

Third Day.—The Senate's session was short and uneventful. About an hour was devoted to the introduction of new bills, of which there were 19, and to the consideration of the calendar. A number of bills of minor importance passed second reading.

Fourth Day.—Among the bills introduced were the following: Mr. Connor—To provide for the sale or lease of the penitentiary farms.

The Senate agreed to the house resolutions providing for a special joint committee to consider the plan to drain the low lands. The committee on agriculture was relieved of further consideration of the matter. Unfavorable reports were adopted on the following bills which were thereby killed: Making stenographers' notes of trials final and conclusive evidence of what was sworn and charged and a bill amending county government law in reference to roads and highways.

Unfavorable reports were made on Senator Graydon's bill to provide a uniform system of registry, and his bill relating to service of summonses of magistrates. These two bills were placed on the calendar.

On Mr. Gordon's motion, the enacting words were stricken out of Mr. Stevenson's House resolution to make it a misdemeanor to swear falsely or commit fraud in a primary election.

The same disposition was made of Mr. Mower's bill relating to municipal elections.

The following bills passed the second reading: Mr. Blakeney's bill to give landlords and tenants liens against the shares of laborers and croppers after division of crops for advances was recommitted to the judiciary committee. Mr. Barnwell's bill to amend an act approved Feb. 11, 1897, to amend an act entitled "An act to empower the Wappoo Bridge Company to construct a bridge across Wappoo creek," approved February 11th, A. D. 1897, was passed over in his absence.

Mr. Barnwell's bill to further amend chapter XCIV, article 1, of the Revised Statutes of South Carolina, volume 1, 1892, relating to jury commissioners, as now amended by law, was passed to a third reading. The Senate, having disposed of the calendar, adjourned until noon.

On Tuesday next at 5 o'clock p. m., the judiciary committee of the Senate will consider a bill in relation to reinsurance and the transaction of business by fire insurance companies or associations otherwise than through resident agents, and a bill relating to pawnbrokers and providing a license therefor. Parties interested in these measures can appear before the committee.

Fifth Day.—The Senate convened promptly at noon. Lieut. Gov. Scarborough in the chair. The usual prayer was offered by the chaplain. Several new bills were offered as follows: Senator W. A. Brown—To require parents or guardians to compel their children to attend school for eight weeks in the year. Referred to committee on education.

Senator McDermott—To amend county government law so as to include Horry among counties wherein township assessors are appointed by the auditor.

Senator Henderson—To further protect waterworks, sewers and drains of cities and towns.

Senator Henderson—Granting to the United States the title of this State and the jurisdiction of this State over certain lands on Sullivan's island in Charleston county for military purposes.

Senator Stanland—To alter salaries of Dorchester county officials.

Senator Talbird—To amend the act prescribing the compensation of the clerk of court for Beaufort so as to reduce the compensation.

Senator Marshall—To prevent children under 12 years of age from working. The judiciary committee made a favorable report on Senator Stanland's bill to amend the law providing for the appointment of magistrates so far as it relates to Dorchester county.

The same committee made an unfavorable report on Senator Mower's bill relating to the granting of pardons. The report was adopted and the bill rejected. A favorable report was made on Senator Hay's bill to

amend the law as to county treasury compensation so far as it related to Kershaw county. The report was adopted with amendments. The favorable report with amendments on Senator Gruber's bill to require clerk registers to satisfy records of mortgages of real estate was added.

The same committee submitted a favorable report with amendments on Senator Graydon's resolution requiring the attorney general to investigate the Virginia-Carolina Chemical Company. The report was adopted. A favorable report was made on a bill in reference to the judgment of trustees. Messages were received from the governor transmitting the reports of the adjutant general and the state librarian. The house resolution regarding the election of officers during this session was referred to the committee on privileges and elections.

Mr. Sawyer's house bill to vacate the grand jury of Union county was added and ordered enrolled for ratification. On motion of Senator Graydon, Mr. Suber's bill to amend the school law by adding a provision paying teachers being members of the trustees was recommitted to the committee on education in order that the superintendent of education be heard thereon. Senator Howell's bill to amend the statutes relating to jury commissioners was given third reading and passed. It is local measure of interest to Charleston. The only second reading bill filed was Senator Waller's bill, entitled, title XI, chapter XXXVI, section 3, statutes of 1892, and fixing weight of a bushel of hold corn at 46 pounds. At this point a recess was taken until 12:45 in order to allow committees to hold sessions.

When the Senate received a resolution to pass inviting the house to a joint session at 1 o'clock, the invitation was accepted, and the house came to the Senate chamber at the hour stated, when bill validating the Union county jury was ratified.

The Senate then adjourned.

HOUSE.

First Day.—The House Representatives assembled at 10 o'clock. Col. T. C. Hamer, the clerk, called roll and 114 of the 124 representatives responded. Several of the absentees came in late.

The proceedings of those were opened with prayer by chaplain, Rev. J. C. Abney.

Hon. Frank B. Gary, Abbeville, the speaker, then addressed the members of the House, congratulating the body upon the conditions existing in the State.

The following new bills were introduced: Mr. Mehrens—A bill amend the act relating to jury commissioners.

Mr. Wharton—A bill extend the time for payment of tax until March 1st.

Mr. Jeremiah Smith—To amend the county government, as far as same relates to terms county supervisors.

Mr. Means—A bill regulate game and hunting.

Mr. Gadsden presented a bill to refund lost or destroyed ante-bellum coupon bonds to the corporation known as the State etc.

Mr. Bacon—A bill amend act relating to recording marriage settlements, dower, etc.

The House then adjourned.

Second Day.—A great deal of work was accomplished by House of Representatives. The calendar numbers 14 pages, each page containing the titles of eight bills on average. The House took up the calendar systematically and worked till the first 10 pages.

The following were introduced: West, to amend probate laws so as to include the main respective of age; E. B. Ragsdale, limit the number of acres of land an alien or a corporation owned by aliens may own in this State; relating to the transportation and bodies; Laban Mauldin, to amend law relating to working convicts on private farms; C. E. Robinson, to examine teachers for certificates; Bleasie, to require one disinterested witness to bills of sale and mortgages; also, to amend constitution as to place in State treasury for purposes of the State's pro rata of dispensary profits; W. J. Johnson, to make rates of railroad transport 2 1/2 and 3 cents; Richards, to exempt graduates of South Carolina Agricultural College from examination for the Rogers, to authorize building new jail in Marlboro.

Third Day.—Those of representatives worked busy. A number of bills were introduced, among them Mr. W. Johnson's to prohibit the formation of clubs in this State, and Mr. Harverson's providing for an appropriation for a Confederate monument at Chickamauga. Mr. Eugene B. Gary, unanimously elected to succeed his associate justice of the State supreme court. Mr. Bleasie's proposed amendment to the constitution to lengthen terms of representatives four years was killed. Mr. Johnson introduced a bill to prevent the sale of lands from being exempted from taxation in this State. Several bills passed third reading and went to the Senate.

Fourth Day.—The House passed Senator Gruber's bill providing for county courts, after thirty counties had been exempted. Mr. Moss introduced a bill providing two additional judicial circuits. Mr. Winkler introduced his bill to reconstruct the dispensary bill and Mr. Stevenson's anti-circumvent children under a measure in manufacturing under 12 from the first bill discussing establishment.

Mr. Kler's, to provide for round-trip on railroads and at reduced rate. Mr. Gadsden moved to strike out enacting words. Mr. Winkler died that it would work a hardship on railroads and would benefit the people. It will encourage travel and fit both parties. The tickets are transferable and scalpers will not be benefited. Mr. M. B. Woodward made the general assembly bill with a railroad company's business. There was no law on the rate of transportation, and should that be cut

down one-half for round-trip tickets? There was then a colloquy between himself and Mr. E. B. Ragsdale as to the railroad's right and the justice of making tickets "not transferable." By a vote of 50 to 36 the House killed the bill.

Mr. Wood's bill to forbid persons making advances on liens on crops to take other collaterals was indefinitely postponed on motion of Mr. Magill.

The House passed Mr. Sanders' bill to change the scholastic year from the 1st of July to the 30th of the succeeding June, as the law now is, so that the law shall read, "The scholastic year shall begin on the first day of January of each year and end on the 31st day of December following."

This does not affect the terms of schools, but simply makes the records conform to other records.

Fifth Day.—The legislature finished its first week's work. Mr. McCullough's bill providing for an extra term of court passed. Mr. Bacon introduced a resolution looking to the conversion of Sullivan's Island into a United States government station. Mr. Montgomery introduced a resolution that January 18th at noon be set apart as a day on which the Senate and house of representatives should meet in joint session in memory of the late Gov. Wm. H. Ellerbe. The resolution provided that the governor, State supreme court and State officials be invited to attend, and that a committee of three representatives and two Senators be delegated to prepare a program.

The resolution was adopted unanimously by a rising vote. Twelve third reading bills were passed, all but one having been passed by the Senate, are now in the engrossing department being enrolled for ratification as laws. The first bill brought up was Rogers' requiring marriage licenses in the State. Mr. Rogers stated that South Carolina was the easiest State in the Union in which to get married, and the hardest to get out of it. The issuing of marriage licenses will be of benefit in many ways. Mr. Weston spoke in favor of the bill. For a fee of 25 cents a man may, under this bill, have the record of his marriage perpetuated. There is a need for such a record to aid in establishing the rights of parties to deeds, titles, dowers, etc. Mr. Williams opposed the bill. There might be marriages by officials ignorant of the license law and such marriages would be illegal and entrap great confusion. Mr. Wharton thought licenses would be of great value in preventing unhappy marriages and in preserving the peace of the home. Mr. R. B. A. Robinson—Let's give the young folks a showing. Let's give them a chance. Marriage is a fine institution. I don't see any use in this bill. Mr. Woods thought this would be but a stepping stone towards a divorcement law. Mr. Jeremiah Smith thought it reflection on the preachers and law officers to say that there would be illegal marriages by officials ignorant of the law requiring licenses. If a license is an obstruction to marriage, then there ought to be no marriages of such people. Mr. Stevenson proposed the bill. A man may know that he is married, as the law now is, but forty years hence his heirs will have a hard time proving it, for there would be no records. The house refused to strike out the enacting words and Mr. C. E. Robinson introduced an amendment making the bill become operative Jan. 1st, 1900. The amendment was rejected. Mr. Magill moved to indefinitely postpone the bill. Lost by a vote of 33 to 61. The bill passed its second reading. The measure provides:

"Section 1. That from and after the approval of this act, no marriage shall be solemnized or contracted in this State without a license therefor issued by the judge of the probate court of the county wherein the ceremony of marriage shall be performed, a record of which license shall be kept in said probate court, always open to public inspection. For such license shall be charged a fee of 25 cents, to go to the probate judge, except in counties where the probate judge should be a salaried officer, when the fee shall go to the general county funds.

Sec. 2. That it shall be the duty of the judges of probate to issue marriage licenses on application of any person, which license shall contain the date of the intended marriage, the names and ages, race and color, of the contracting parties, and the facts as to whether they are respectively bachelor, widower, widow or maid: Provided, No such license shall be issued for the marriage of any female whose marriage would be contrary to the laws of this State.

Sec. 3. That any person, either a civil magistrate or a clergyman, or minister of any religion, church or sect whatsoever, who shall perform the service or ceremony of marriage for any person without first having such license exhibited to him, shall be guilty of a misdemeanor, and on conviction shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, in the discretion of the court.

Senate bill to provide a uniform time for payment of municipal taxes was read in the house for the first time yesterday. Also the Senate bill relating to Marlboro's new jail.

Mr. Martin introduced a bill relating to the making of highways.

Mr. Bacon—Relating to the board of trustees of the Citadel.

Mr. Jeremiah Smith—To put Horry county under county government law.

Mr. Theus—Relating to the hunting service of deer.

Mr. Ashley to change county line of Anderson so as to include a part of Donalds' township in Abbeville.

Mr. Gant—To declare the rights of certain corporations.

Mr. Patton—To protect partridge, quail, deer and turkey.

Mr. Lockwood—To relieve certain Beaufort taxpayers from nulla bona taxes.

The several committees have been working on the new bills introduced at this session, and a number were reported upon.

Favorable with minority report on Mr. Moss' bill to increase number of judicial circuits.

Favorable with minority report on Mr. Epps' anti-cigarette bill.

The judiciary committee returned the Winkler dispensary bill without

recommendation. Unfavorable on Mr. Bleasie's bill to require chattel mortgages and bills of sale to be witnessed by at least one disinterested party.

Favorable on Mr. Patton's bill to declare in what manner city and town boundaries may be changed.

Unfavorable on Mr. C. E. Robinson's bill to regulate the bonds of county dispensers.

Favorable on Mr. Wilson's bill to erect a monument at Chickamauga.

Favorable on joint resolution to authorize sinking fund to lend funds to Marlboro with which to build jail.

Favorable on bill regulating the working of convicts on private farms.

Favorable on bill amending Charleston's harbor commission law.

Unfavorable on bills proposing to charter the Winston-Salem and Carolina and the Carolina and Southwestern railroads.

Unfavorable on bill reducing railroad fares.

LEGISLATURE IN SESSION.

Governor McSweeney's Message Read Tuesday.

The General Assembly of South Carolina assembled at noon Tuesday. Senator R. B. Scarborough becomes Lieutenant Governor, succeeding Miles B. McSweeney, who became Governor on the death of William M. Ellerbe, June 2, 1899. In his annual message Governor McSweeney congratulates the General Assembly on existing conditions. There is no bitter political feeling in the State and South Carolina has advanced wonderfully in the year just ended. There has been no mob violence and good order has prevailed.

The condition of the State finances is encouraging. There were 7,158 persons on the State's Confederate pension rolls, the total appropriation being \$100,000. In the State Hospital for the Insane are 1,002 inmates, 599 white and 403 colored. In the State prison are 1,073 convicts. This institution netted the State \$12,500.56. The phosphate mining industry shows an increase of \$15,856.64 in royalty to the State. The net income of railroads in the State for 1899 was \$2,701,430.16. The following new lines were constructed or are being constructed: Atlantic Coast Line, 34 miles; Southern, 31.2 miles; Seaboard Air Line, 91 miles; Sumter & Wateree, 15.8 miles; Lockhart & Union, 15 miles; Conway & Seashore, 10 miles; Camden & Sumner, 20 miles; total, 237 miles. This represents an outlay of about \$600 and will add at least \$2,500,000 to the taxable property in the State. In the Institute for Deaf, Dumb and Blind 186 pupils are cared for by the State.

Speaking of the cotton mill outlook the Governor says: "In cotton manufacturing South Carolina leads all of the Southern States and stands second only to Massachusetts in the number of spindles, and second to none in equipment. If the progress of the past year augurs anything for the future, we shall soon lead all others in this important industry and instead of furnishing any of our staple crop for export to other places for manufacture we will be large importers of cotton from other places to supply the local demand. During the past year eleven new mills have been organized and are in progress of construction, representing a total capital of \$2,275,000. Sixteen old mills have been enlarged, representing an increase of their capital stock of \$4,225,000."

Governor McSweeney suggests a complete change in the management of the State liquor dispensary, delegating the powers of the board of control to State officers and a commissioner to be elected by the General Assembly. He also calls attention to the impending danger from trusts.

The following is the conclusion of the message, which consists of a general resume of the State's progress and her present condition:

There has been no mob violence during the past year and general good order has prevailed throughout the State. The county of Darlington is to be congratulated on giving a legal trial and execution for a crime that usually results in summary justice. This spirit is to be encouraged and commended, and will result in great respect for the proper and legal channels of administering the laws.

I have thus endeavored to obey the mandate of the Constitution laid upon the Governor to "give to the General Assembly information of the condition of the State, and recommend for its consideration such measures as he shall deem necessary or expedient." I have not presumed to lecture you on economy for I feel sure that you realize as fully as I do the needs of our people, and will be as economical in the expenditure of public money as is consistent with efficient service. The burdens of taxation always fall heavily, but where there is wise and necessary expenditure of the public fund for the general good, no reasonable taxpayer will complain. You should deal with the affairs of State in a business like manner and as a prudent business man would manage his private affairs. If you find that in any department the expenditures can be cut down without hurt to efficient service, it is your duty to cut them down. Useless and extravagant appropriations should be cut under no circumstances even be considered. Prudent and careful economy should guide you in all matters touching the State's finances.

I invoke upon all your deliberations the guidance of an all-wise and overruling Providence, and trust that whatever you do may be done with an eye single to the good of all the people of the State.

M. B. MCSWEENEY, Governor.

The Shamrock cost between four and five hundred thousand dollars to build and the London Yachtsman now suggests, on the score of economy that the next challenger be shortened twenty feet and the cost reduced to \$50,000.

MATHUEN IS CRAZY.

Army Led To Destruction By a Madman.

THERE ARE SOME EVIDENCES GIVEN.

It is Stated That He Has Been Recalled—The London Press Repeating the Facts.

Chicago, Ill., Special.—A special cable to the Chicago Tribune from London says:

Lieutenant General Lord Methuen, commanding the column advancing to the relief of Kimberley, is to be relieved of his command within two weeks. Later he will be sent to Cape Town and eventually ordered home. When he reaches England he will be retired. These facts have been confirmed by an official of the War Office.

Lord Methuen's case is a sad one. His constitution began to show signs of breaking down almost immediately after he took command of his division. Three days after the battle of Belmont, General Wolsley suggested to the War Office that Methuen be relieved. His advice was not heeded. The wisdom of the aged but keen commander-in-chief of the British army is now realized to the fullest extent by the War Office, who scoffed at his suggestion.

Those who know the circumstances and the situation on Modder River equally well and who are willing to state facts plainly, say that Methuen's mind is unbalanced.

Constant proof of this has been coming to the notice of the officials of the War Office for two weeks past.

The London press is considerably suppressing the true state of affairs so far as Methuen's ailment is concerned, but the papers do not hesitate to print the hard facts about the battle of Magersfontein, which are just reaching London through the mails, all of which go to show, in the language of an officer, that "the attack was that of a madman."

The death of Lord Wauchope, commander of the Black Watch, was one of the many sad results of that engagement. Lord Wauchope, it is now well known, realized the futility of the assault as planned by Methuen. He argued strongly and expostulated bitterly against it. Methuen, however, persisted and the two quarrelled over the matter the night before the battle which proved so disastrous to the British forces. A member of the Black Watch in a letter just received, gives the details of the charge which led Wauchope to his death. He quotes the general's dying words—words showing how fully he realized the situation even in the hour of his death.

The letter reads: "It was one of the darkest nights we ever saw. The rain fell in torrents and we went on and forward, falling, stumbling and slipping over necks and ankhills.

"It was impossible to see where we were going. After we had been taken by surprise our right half battalion charged, but the men were mown down like grain before a reaper. General Wauchope was shot at the beginning of the charge. When he saw the mistake that had happened he shouted: "Rally 'round me, Black Watch, it's not my fault."

"Then he fell, literally riddled with bullets."

Letters from men serving in the Modder River column tell of the demoralization of the troops since the commander's incapacitation.

A Highland Brigade man says: "There is not the slightest doubt that Methuen has lost the confidence of every man in the Highland Brigade. I am not going too far in saying that they are afraid to trust their lives with him."

"Wauchope, no doubt, went out to find death," writes Sergeant Grey, "when such a disastrous fire was opened. He had previously shouted to the Argyll Highlanders: 'Don't blame me for this. I received my orders and had to obey them.' With proper handling we could have cleared the Boers out in two hours. As it was we were taken into a butcher shop and left there."

Buller Changes Base.

London, By Cable.—The War Office has received the following dispatch from General Buller, dated Springfield, Thursday, Jan. 11, at 9:29 p. m.: "I occupied the south bank of the Tugela river at Potgieter's drift this morning and seized port. The river is in flood. The enemy is strongly entrenched about four and a half miles to the north."

In Honor of Mrs. Vance

Washington, D. C., Special.—A large company, representative of the entire South, attended the ball given by the North Carolina Society of the District in aid of the General Robert E. Lee memorial monument fund. The occasion also was intended as a compliment to Mrs. Z. B. Vance, one of the society's members, who has been elected president of the Lee funds. It was a brilliant success. The proposed monument is to be erected near Fort Myer, on the heights overlooking Washington.

Filipinos Stubborn Stand.

Manila, By Cable.—Colonel Bullard with the Thirty-ninth infantry, moving in three columns from Calamba, with two guns, attacked ten companies of insurgents strongly entrenched on the Santa Tomas road. They resisted stubbornly, making three stands. Twenty-four of the rebels were killed and sixty prisoners were taken. The Filipinos retreated, carrying their wounded toward Lake Taal. One American was killed and two officers were severely wounded.

WEDDED ON WHEELS.

Novel Experience of a South Carolina Couple.

Greenville, Special.—The passengers and crew on the Southern train between Columbia and Greenville Wednesday were treated to an unusual attraction, being witnesses to the marriage of Miss Riggs of Orangeburg to Mr. Holloway of Chappells, which was solemnized while the train was speeding along between Helena and Silver Street at the rate of 45 miles an hour. Miss Riggs was en route to Abbeville to visit the family of her uncle there. Mr. Holloway and a couple of friends boarded the train at Prosperity, having arranged that the minister should get on at Newberry. As soon after leaving Newberry as possible the marriage took place and the happy folks left the train at Chappells, where they will reside.

End of Smallpox.

Florence, Special.—The smallpox situation has ended very satisfactorily. Lizzie Merricks, the negro woman who was afflicted, has been released and the quarantine raised. The woman is perfectly well. The disease was confined to this one case, although there were five people living in the house with her. These were vaccinated within two hours after the case was reported and 172 other negroes were given the same dose in very short order. The board of health is to be congratulated upon the admirable manner in which they handled the first case it had to contend with.

Depew Invited.

Senator Chauncey M. Depew has been invited to visit Due West at the commencement in June next and make the anniversary address in Erskine college; and a similar invitation has been extended to ex-Governor Robt. L. Taylor of Tennessee, to make the annual address in the Due West Female college. In Erskine college the two literary societies, the Euphemia and the Philomathean, alternate, year by year, in the selection of the anniversary orator, and Senator Depew is chosen by the same society which two years ago extended the invitation on which William J. Bryan made his first speech in South Carolina.

Through Trains by Feb. 1st.

Baltimore, Special.—Vice President St. John, of the Seaboard Air Line, referring to the progress of the work on the links that will connect the different properties that compose the greater Seaboard Air Line system, said that if the bridge-erecting companies were equal to the task, trains could be running through from New York to Florida February 1. The grading is about completed, and track-laying is going on between Cheraw and Camden. About 50 miles of track is to be laid and this is progressing at the rate of four and one-half miles per day.

Cleveland in Georgetown.

A special from Georgetown says that ex-President Cleveland, Commodore E. C. Benedict, Captain Robley D. Evans, U. S. N., and a party of friends arrived there in their private car and went down to the Santee Gun Club preserves Friday morning for a week's sport shooting ducks and other game. General Wade Hampton, Columbia, is to join the party.

Sixty Die in Wreck.

St. Johns, N. F., Special.—The wrecking and burning in St. Mary's bay of the two-masted steamer, with its crew of probably 60, and possibly some passengers, all perishing, is one of the worst marine disasters in this section for a considerable period. There is not the slightest prospect that any soul aboard escaped death, as the