

Their Debate of the Homestead Exemption.

Senator Tillman, who had announced his intention of trying to make the homestead law bomb and lawyer proof, took up the argument. He started out by saying that this was a matter of such overwrought importance and deals so directly with the thousands and tens of thousands of the people of the State that he would ask the indulgence of the Convention while he went over the matter at some length. The theory of the homestead is this, that it is statesmanship and in the best interest of the State to protect the people against themselves and to provide the families of the State with homes for all time, as well as to give the head of the family sufficient land on which to make his living. It is for the protection of the mothers and children of the State against the wrongs of an irreflexible and drunken husband that such a provision ought to be sustained. He then went on to say, with all the vehemence that he has, that the report of the committee was nothing more than a delusion and a sham; that there was nothing in it, and that it did not give the protection that it pretended to give to the wives and children of the State. The presence is made in his report that you have the homestead preserved, but you have not got it.

Senator Tillman then went on to give a brief review of the homestead legislation. He read the provision that was adopted in the Constitution of 1868. In 1880, for some reason that he did not understand and never did expect to understand, the proviso, which was made a part of this report was adopted and made a part of the constitutional proviso as to the homestead. He went on to say that he was no lawyer, but that he had some common sense, and it looked to him that the decision of the Supreme Court, by which the creditor was allowed to come in and claim the homestead under mortgage was a shame and a disgrace.

The Constitution as originally written and amended never provided for such a thing, and on the other hand distinctly prohibited it. He understood the language. He insisted that such a thing was distinctly prohibited by the Constitution and he saw no warrant for the recognition of a mortgage against the homestead. He went on to say that the Supreme Court found a hole through which to sneak, and now that the Supreme Court has done this wrong, he saw no warrant for the recognition of the wrong that had been done. It was never intended that such should be the case. It was never intended that a man could throw away all that he had made and not first provide for the shelter of his wife and children. He said that if the Court was asked to come in and say that the wife and children demanded the protection of the Court against the man, and his unfitness to take care of the family he saw no reason why there should be any discrimination. He said that he would battle to guarantee a home to every head of a family, and it is no difference to him whether the head of the family had \$100,000 or only \$500 in the world, the families demanded and were entitled to the same protection and he would battle for it. If any distinction of this kind was shown it would not be by his vote, he asserted.

They say that you will destroy the basis of credit. Granted. If it is right to have a home, and let us have one that amounts to something. There is no use to have a homestead that is nothing more than a sham. They say that if you deprive the poor classes of this basis of credit that they will starve. Before the war our people were self-supporting and a great many of them now are. The people before the war did not have the seductions and enticements of the credit system. They made their own food stuff, they spun their own clothes, and they made everything at home and lived comfortably. The people of this State will not starve if they are deprived of their credit. If it is best to drive some people out of the credit system to have a good homestead law then let us do it. The thrifty man does not need credit. He manages to get along without it. It is only the shiftless and indigent. He thought that if there was less borrowing that the rate of interest for those who were borrowers would be less.

He went on to say that he did not know who were the Judges on the Bench when the homestead law was by judicial legislation made a nullity, and if they were not corrupted by the banking institutions or put into the trouble by the lawyers then they were guilty of a lack of statesmanship and far-sightedness that should damn them forever. He went on to talk of the effects of this decision, and remarked that under the seductions of easy credit it did seem as if the policy was to slope the road of credit down to hell. Lots of people, he said, had met their ruin by the credit system. The question to his mind was whether the people should be protected in reality, or whether there should be a mere pretence in the effort of protecting them.

He said that a wise statesman had said that the best way to make a good citizen was to give him a piece of land and a home, and this was the policy he advocated. He wanted to know whether it was intended because a man

had been imprudent or unfortunate to turn him and his family out in the big road and make tramps of them, especially after the State has been educating her people on this line. Such a policy as was proposed, he feared, would lead to a rise in land ownership on the part of foreign corporations than ever. One gentleman has said that there was an inequality in allowing \$1,000 real estate and \$500 in personal property. He argued that those who had \$1,000 in personal property were as rare as white crows, and that altogether there were not a thousand in this class in the State. He said that all he wanted was for those who were fortunate enough to have homes to protect them and provide a shelter for their wives and children.

SHEPPARD DEFENDS THE COURT. Mr. Sheppard, of Edgefield, said that he had never known the mind of his friend from Edgefield to be so radically wrong as on this matter. He would make no reference to the reflection on the Court. That opinion was rendered by McGowan, Simpson, and Melver, and those three distinguished Judges, patriotic citizens and good men who decided that a mortgage should prevail over a homestead rendered that decision on the law. Let him read Enno vs. the Building and Loan Association and he will be surprised and astounded at the facts. That judgment will convince your minds and will satisfy you that the Court has not slunk through a hole or deprived the people of any rights. He said these Judges had sprung from and represented the people who had chosen and trusted them, and had consistently been faithful to their trust.

No man could truthfully accuse them of being indifferent to the rights and interests of the people or of betraying them. In 1868 the Constitution providing for a homestead was adopted. A number of troubles arose. In 1880 to remedy the defects and to make the law sound the provision was adopted that appears in this section. Under that provision hundreds of decisions have been filed, and the law is well and thoroughly known. The troubles that now exist are now sought to be remedied. Only two changes in the present law are proposed. One is: The Supreme Court has held that where there is a judgment and a mortgage, and where there is a marshaling of assets, the judgment creditor has a right to make the mortgage creditor satisfied out of the homestead exemption and the mortgage creditor gets nothing. I sought to remedy that. I sought to provide that the mortgage creditor should not be satisfied before the party gets his homestead.

Senator Tillman interrupted Mr. Sheppard with questions, and Mr. Sheppard retorted by saying that he had noticed that when Senator Tillman was being criticised on the points his invariable habit was to seek to divert attention by asking questions and interruptions. He was glad to see this indication of conscious weakness on this occasion. The question is with reference to another change. That after the homestead is set aside he shall not be permitted to sell it except on the order of the Court. The committee seeks to reverse these two conditions. He would vote for Mr. Howell's amendment. If you desire to make tramps or tenants or drive the people to the factory let the provision, as reported, stand. When you draw these lines you put the head of the family there to perish, or work for wages or go to the factory. If he believed as the gentlemen from Newberry that the head of the family should be a minor he would rather have his tongue cleave to the roof of his mouth than vote for such proposition. If you do it there will be a rail coming from the home of every poor man in the State.

Senator Tillman: "Had you rather have these restrictions or be made a tramp and take away your wife and children's shelter?" Mr. Sheppard: "People are more often driven to claim the homestead from misfortune than from indolence and carelessness."

Mr. Sligh asked what about the sale of property of a man to his wife to shirk debt, was not that humiliating?"

Mr. Sheppard: "That is a species of rascality I hope the Convention would avoid." He knew man-to-day, especially one man, who was honest and thrifty. He broke and told his creditors he could pay 25 cents on the dollar or take all he had and divide it. Several years ago he went to him and was told to send the remaining 75 cents to every man from whom he had a receipt in full on the 25 cent settlement. He had risen from the ashes by the credit he had secured and paid the 75 cents. Three-fourths of the banks to-day will not take mortgages. He assured the Convention that he was undertaking to do what he believed to be for the best interest of the people of the State. He urged that it was ridiculous to place the small property owners in the condition of minors. This law, he urged, would be a feast for the lawyers. It would be better to strike out the whole section than adopt this section as it stands. He knew the condition of the people better than very many of the delegates. There would be no inducement to go home to perish; there was no good of a home with no means of making a living.

Mr. Sheppard was thoroughly up on the question and cut a wide swath in the arguments of the double ironclad homestead advocates. He knew what he was talking about and put it forcibly and clearly.

Ladies, call and see the new millinery at the Misses Aycock.

Irby on Suffrage.

The Patriot, Jim Parks's Paper. We have carefully read Senator Irby's interview on the suffrage plan proposed by Senator Tillman, for the Committee on suffrage, and we have tried to pass judgment upon it impartially. Personally, we do not know the Senator, and there are several things in his record as a man, that do not impress us favorably; yet we must admit that, so far as we know, his political record is straight, and always for the best interests of the masses. But here comes in the nice point. Whether Irby's concern for the poor illiterate white man, or for his own seat in the U. S. Senate, prompts this outburst of loving solicitude for the poor man—that is the question.

It is generally believed and generally conceded that Governor Evans has his eye on Senator Irby's seat in the U. S. Senate. Irby knows this. He knows, furthermore, that he can gain nothing by silence and delay.

It is everywhere conceded that Irby is the best political general in South Carolina politics. He examines his grounds carefully and locates all the "boogers" before he enters the woods. He is a master of both offensive and defensive warfare. He is keen, and quick and resourceful. If an opponent abandons a good position, Irby quickly captures it—and he holds it. If an enemy lays down a good weapon, Irby quickly picks it up—and he uses it. Very often on the other follow.

He examines not only his grounds and his forces and his weapons, but he even scrutinizes the ammunition he is to use. More than this, he masters his man fighting under him and in his ranks, who does not admire him as a man—but they admire his generalship and follow him accordingly.

Irby knows that the great masses were with him in his opposition to the "equal division, reconciliation" scheme. He is using the club that Senator Tillman and Governor Evans put into his hands—and he is using it with telling effect.

We predicted that the "reconciliation pills" would prove to be loaded with the wrong stuff—that somebody would get very sick of them. So they have.

If a complete diagnosis of a case is all that is necessary, Irby's effort on the suffrage plan is called a "howling success." He holds it up before the poor, ignorant voters and makes it look mighty ugly. He picked the plan to pieces and almost annihilated it—in theory.

And right here he committed a big error, which, in our opinion, he couldn't help—it was inevitable. After making a complete diagnosis of the case and telling the patient what an awful condition he was in, he deliberately waited off without prescribing a remedy. In our opinion he had no remedy. If he had, or if he has now, let it be trotted out.

In our opinion, the Tillman plan is about the best we can get that will not bump up against the U. S. Cons' tump.

True it leaves great power in the hands of the dominant party, in the registrars, and in the managers of the election. That is the case to day under the old law.

True, it presupposes discrimination and paves the way for sharp practice. Such was the purpose and intent of the eight box law and the present registration law. Who doubts it? Who denies it?

And yet, this discrimination has not been used against white men though divided into most hostile and determined factions.

We have seen occasion to differ with Senator Tillman and to criticize him, but we have never believed that he would advocate anything to the hurt of the men who made him, politically speaking, and whose votes he will need again. The clause permitting all illiterates to register, up to January 1898, who can "un'erstand and explain it [the constitution, or any part of it] when read to him" is evidently a gap, made purposely, and wide enough for every poor illiterate man to enter.

Some fear that the Antis may again get in power and will use the law against us. Suppose they do get in power. They were in power not many years ago; and never did a faction show more reckless disregard for the wishes of the people than they did.

But when they got too bad, the masses rose up and put them out in spite of their control of elections.

Master's Sale.

STATE OF SOUTH CAROLINA, EDGEFIELD COUNTY. Court Common Pleas. C. P. Boozer—against, E. R. Steadman and M. S. Riley, partners in tract under the style of Steadman & Riley. PURSUANT to the judgment of foreclosure in this cause, I will offer for sale, at public outcry before the Court House, Town of Edgefield and State of South Carolina, on the first Monday in November 1895, being the 4th day of said month, between the legal hours of sale, the following described mortgaged realty to wit:

A certain tract or parcel of land lying and being in the County of Edgefield, and State of South Carolina, containing fifty-four (54) acres, more or less, and bounded as follows:

On the South and West by lands of West Corley, and on the east and north by lands of R. B. Watson. And also, all that parcel, tract or part of tract of land, containing sixty-five (65) acres more or less, lying in said county and bounded by lands of D. W. Snelgrove, R. L. Caughman, Dr. Kennerly and others.

Terms of Sale: One half cash, and the balance on a credit of one year, with interest on the credit portion from the day of sale. Purchaser to give bond and a mortgage of the premises to secure the payment of the credit portion or all cash at the purchaser's option. Purchaser to pay for papers. W. F. ROATH, Master E. C. Oct. 9, '95.

Master's Sale.

STATE OF SOUTH CAROLINA, EDGEFIELD COUNTY. Court of Common Pleas. J. M. Ward against Bettie Mossly et al. PURSUANT to the decree in this cause, I will offer for sale, at public outcry, before the Court House, Town of Edgefield and State of South Carolina, on the first Monday in November, 1895, being the fourth day in said month, between the legal hours of sale, the following described property, to wit:

All that tract or parcel of land situate, lying and being in the county and State aforesaid, containing twenty-one and one-half (21 1/2) acres, more or less, and bounded on the north by lands of Capt. Ward; east by lands of Mrs. Susan Stalaker; south by the lot of land assigned to Mrs. Ward; and Wesley lands belonging to Mrs. Flinn.

Terms of sale: One-half cash, and the balance on a credit of one year, with interest from the day of sale. Purchaser to give bond and a mortgage of the premises to secure the payment of the credit portion. Purchaser to pay for papers. W. F. ROATH, Master E. C. Oct. 9, 1895.

Master's Sale.

STATE OF SOUTH CAROLINA, EDGEFIELD COUNTY. Court Common Pleas. W. W. Landrum and N. K. Butler, partners in trade, under the firm name of Landrum and Butler—against, J. L. Carter, et al. PURSUANT to the judgment of foreclosure in the above stated cause, I will offer for sale, at public outcry before the Court House, Town of Edgefield and State of South Carolina, on the first Monday in November, 1895 (being the 4th day of said month) between the legal hours of sale, the following described mortgaged realty to wit:

All that tract of land, lying, situate and being in Edgefield County and State of South Carolina, containing one hundred and sixty-five (165) acres more or less, bounded by lands of G. A. Wideman on the north, on the east, west and south by lands of Martha Blackwell.

Terms of Sale: One half cash, and the balance on a credit of one year with interest on the credit portion from the day of sale. Purchaser to give bond and a mortgage of the premises to secure the payment of the credit portion or all cash at the purchaser's option. Purchaser to pay for papers. W. F. ROATH, Master E. C. Oct. 9, '95.

Master's Sale.

STATE OF SOUTH CAROLINA, EDGEFIELD COUNTY. Court Common Pleas. Rebecca L. Tucker against Mollie F. Carter. PURSUANT to the judgment of foreclosure in this cause, I will offer sale, at public outcry, before the Court House, Town of Edgefield and State of South Carolina, on the first Monday in November, 1895, being the fourth day of said month, between the legal hours of sale, the following described mortgaged realty to wit:

All that tract of land situate, lying and being in the County and State aforesaid, containing one hundred and sixty-five (165) acres, more or less, adjoining lands of Martha Blackwell, Georgia A. Wideman and others.

Terms of Sale: One-half cash, balance on a credit of one year, with interest on the credit portion from the day of sale. Purchaser to give bond and a mortgage of the premises to secure the payment of the credit portion or all cash, at the purchaser's option. Purchaser to pay for papers. W. F. ROATH, Master E. C. Oct. 9, '95.

Sheriff's Sale.

STATE OF SOUTH CAROLINA, COUNTY OF EDGEFIELD. Hoopes and Townsend—against—J. L. Auld—Execution. BY virtue of an execution to me directed in the above styled cause, I will proceed to sell at Edgefield C. H., S. C., on first Monday in November, A. D., 1895, the following described property to wit:

Six Hundred (600) acres of land, more or less, bounded by lands of J. B. Brooks, Jeff. Dyson, M. P. Smith, Dr. H. N. Sheen and others, located upon the property of the defendant, Jacob L. Auld. Terms Cash. Titles extra. W. H. OUZTS, Sheriff E. C. Oct. 8—'95. Babbit Metal for sale at this office. Oct. 9, '95.

Master's Sale.

STATE OF SOUTH CAROLINA, EDGEFIELD COUNTY. Court Common Pleas. April L. Richardson against Jas. Holland et al. PURSUANT to the decree of foreclosure in this cause, I will offer for sale, at public outcry before the Court House, Town of Edgefield and State of South Carolina, on the first Monday in November, 1895, being the fourth day of said month, between the legal hours of sale, the following described mortgaged realty, to wit:

That lot or tract of land lying in the County of Edgefield and State of South Carolina, in Pitt Grove Township, and containing seven hundred and fifty (75) acres, more or less, and bounded on the north by the Sim Kinsland and Ellis land; on the south by John Sawyers land; on the east by lands of James R. Hill, and on the west by the lands of Morey's Tan Yard Place and San Stehman, said place being known as the Johnson Place.

Terms of Sale: One-fourth cash, balance on a credit of one, two and three years, with interest on the credit portion from the day of sale. Purchaser to give bond and a mortgage of the premises to secure the payment of the credit portion or all cash, at the option of the purchaser. Purchaser to pay for papers. W. F. ROATH, Master E. C. Oct. 9, '95.

Cotton Wanted.

The Langley Manufacturing Company will pay Augusta market price for Cotton delivered at their Factory at Langley S. C., until further notice. THOS. BARRETT, Jr. Sept. 24—tf.

TRESPASS NOTICE.

All persons are warned not to hunt birds or game of any kind or pass through or over the lands of the undersigned upon penalty of prosecution. The law will be rigidly enforced against all trespassers. S. W. MAYS, SUSAN E. GARNER. Oct. 7, 1895.

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NO. 952

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552 BROADWAY, - - - AUGUSTA, GA. GO TO THE NEW YORK AUCTION HOUSE FOR DRY GOODS, CLOTHING, SHOES, HATS, NOTIONS, HOSIERY, &c. Ladies' and Gents' Furnishing Goods a Specialty. You will save from 25 to 50 per cent. by calling on us before you buy Goods elsewhere.

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Sept. 10—6m. CANE MILLS, Pratt and Augusta Cotton Gins and Presses. Large Stock of Engines, Cheap and Good.

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IRON WORKS AND SUPPLY COMPANY. AUGUSTA, GA. Machinery and Supplies. Repairs, etc., Quickly Made. Get our prices before you buy.

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Notice to Debtors and Creditors.

All persons indebted to the estate of Mrs. Frances Rebecca Coleman, deceased, will make payment, and those having claims will present the same duly attested to the undersigned, T. W. MORTON, Administrator Oct. 2—3t

PHOTOGRAPHIC!

FIRST CLASS PHOTOGRAPHS In the latest and most fashionable style; also OIL AND CRAYON PORTRAITS made at the lowest prices for first-class work. Bring the children before winter sets in. R. H. MIMS. Oct. 1-4t

ANNUAL MEETING BOARD

County Commissioners. NOTICE is hereby given that the board of commissioners for Edgefield county will hold their annual meeting in the office of the Supervisor at Edgefield on Thursday, November 15, next. All persons holding claims against the county not previously presented to the board are required to file same, properly attested, so that said claims may be examined in order to be paid. M. A. WHITTLE, Co. Sup. Oct. 15—3s.

NOTICE.

Again call upon all delinquents in the late Farmers Insurance Association of Edgefield County S. C., to come forward and settle the same at the Farmers Bank, whether it be for either or all of Assessments, No. 4, 5, 6 or 7. W. H. TIMMERMAN, Oct. 15—3t.

At Private Sale.

HOUSE AND LOT on Columbia Street between residences of Messrs. Taylor and Sinkins, and opposite the Evans place. The house is of modern style, with handsome and striking exterior, and contains nine rooms. Well on back verandah. Barn, stable, and other out buildings. One acre lot. Improved garden. Possession given 1st of January, or at once, if preferred. Apply to G. D. Mims, Edgefield, or to J. Wm. Thurmond, Esq., Atty. at Law. Oct. 22—3s.

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We offer to the Farming and Country People a special line of goods honest, strictly solid leather Shoes, which cannot be excelled for style and durability, at the lowest possible prices. SILVER SHOE CO. brand Shoes, are acknowledged the best in the city. Our Goods are especially made for us, and we sell nothing but we can guarantee, and at Rock Bottom Prices. A trial will make you our friends and customers Remember,

Silver Shoe & Hat Co. Leaders in Good Honest Goods,

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* DISTILLERS and DISTRIBUTORS, * Cincinnati, Ohio. Appreciating the difficulty for gentlemen to secure Pure Straight Whiskies for Private and Medicinal Use We invite your correspondence and will cheerfully quote you prices, and furnish all other information upon receipt of your address. Oct.—15, '95

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WILLISTON, S. C., Next Session Begins Sept. 26, 1895. One of the most complete Commercial Colleges in the South. Tuition rates reasonable. First class board \$8.00 per month. We have large and comfortable Dormitories that will accommodate one hundred and fifty boarding students. Military regulations. Perfect satisfaction guaranteed. For further particulars, address. J. R. A. Whitlock, PRESIDENT. July 16—tf.

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