

THE COMMISSION'S WORK.

Letter of Chairman Murray Gives Information Governor Asked.

In response to Governor Blease's request for information the dispensary winding-up commission has forwarded to the Chief Executive copies of its two reports; a letter explaining "why the law has not been complied with in regard to winding-up of this matter, as provided in the act, at the earliest date practicable," as was charged by Governor Blease in his message to the General Assembly; certain exhibits, including the contract made with the Atlanta firm of attorneys, about which Governor Blease asked, and other information.

As a matter of fact, much of that which Governor Blease asked for has been printed in the reports of the commission. The contract with the Atlanta firm was referred to, showing that 50 per cent was given in the collections on overjudgments and the so-called "conscience money."

Commissioner's Letter.

Columbia, S. C., Feb. 27, 1911.
The Hon. Cole L. Blease, Governor, Columbia, S. C.: Dear Sir—The State dispensary commission, in response to your letter of February 20, 1911, met on the 24th instant and authorized the following information to be communicated to you by me:

First. I hand you herewith copy of the agreement between the said commission and the firm of Anderson, Felder, Rountree & Wilson, and will state that this agreement is the only one made with that firm, there being no agreement with the individual members thereof, and, therefore, none with Thomas B. Felder, of said firm. A copy of the agreement is herewith attached and marked Exhibit "A."

Second. As to the agreement with Mr. Stevenson. The only agreement made with him was entered into for the year 1907, under which he was to be paid for attendance upon meetings of the commission and advising them in all matters not litigated and pay his own expenses while in Columbia and to and from Columbia, for the sum of \$1,500, and when he went elsewhere under orders of the commission his expenses were to be paid by the commission. At the end of the year 1907, the business not being completed, his services were merely continued to be settled for on a satisfactory basis.

Third. As to the contract with B. L. Abney. The commission on January 24, 1908, passed the following resolution: "On motion of Mr. Patton, Dr. Murray, chairman, was authorized to employ additional counsel to assist in the Fleischmann suit against the State, after consulting with the Attorney General." In pursuance of that authority and on account of the litigation which had just been instituted in the Federal court, Mr. Abney was employed to assist in the case, and subsequently in all of the cases involving the issues in the Fleischmann case. These cases were finally successfully terminated in the United States Supreme Court, after adverse decisions had been rendered in the Circuit Court of Appeals of the United States. When the services were completed, there being no definite contract made, Mr. Abney rendered a bill on November 10, 1909, accompanied by a letter, copies of which are hereto attached and marked Exhibit "B."

Abney's Fee \$10,000.

The commission without having a

hearing from Mr. Abney fixed his fee tentatively at \$9,000 instead of \$10,000, as rendered. Subsequently on December 3, Mr. Abney wrote a letter to the commission, a copy of which is hereto attached and marked Exhibit "C," which letter states his position fully. On further consideration the commission acceded to his request, reconsidered the matter and allowed his bill for \$10,000, which was paid in full. In settling with the firms and corporations who had claims against the State, who had prosecuted and participated in that litigation, the commission, with the consent of the attorneys representing said liquor houses, assessed the sum of \$21,526.17, costs, attorneys' fees and expenses against these liquor houses, deducted it from their claims and applied it upon these fees and the other expenses of the litigation. This left only a small amount that the State was called upon to pay as expenses of the litigation.

Fourth. As to the itemized statements of moneys received and disbursed, the commission begs leave to state that pursuant to the provisions of the act creating said commission, and the various acts continuing the same, they have regularly rendered reports to the Governor of South Carolina, all of which are on file in the Governor's office, and which were printed, and they attach a printed copy of the report up to the first day of January, 1910, in which every item received and every item disbursed up to that date is set forth, the same being hereto attached and marked Exhibit "D."

Printed Copy Only.

This report purports to be a correctly printed copy, but it is submitted as a printed copy only of the correct report, which was filed in the Governor's office subject to errors, if any, of the printer. It may be verified by comparison with the original report on file in the Governor's office. They also attach hereto a printed copy of a report rendered to the Governor, (marked Exhibit "E"), of their doings up to January 1, 1911, and subsequent to January 1, 1910, and ask reference thereto, making the same statement as to its correctness and the same suggestions as to its being compared with the original which was filed in the Governor's office, as is made in reference to the first mentioned printed report. They attach hereto a statement of the transactions had from the first day of January, 1911, up to this date, the same being marked Exhibit "F." This commission would state as to the matter of attorneys' fees that final settlement, in so far as the commission was concerned, was made with Messrs. Abney and Stevenson on or about January 1, 1910, and that they have had no expenses for counsel fees since such date, except such fees as accrued to the firm of Anderson, Felder, Rountree & Wilson under their contract entered into with Anderson, Felder, Rountree & Wilson did not obligate that firm to represent the State or the commission in the litigation had in the Federal courts; nevertheless, that firm assisted in the argument of the cases in the Circuit Court, the Circuit Court of Appeals and the United States Supreme Court, and bore all their expenses incident thereto, and received no compensation for their services and expenses in this particular from any source whatsoever.

Fifth. Replying to that part of your letter which asks us to state "why the law has not been complied with in regard to the winding-up of this matter, as provided in Act at the earliest date practicable," the commission submits that it is complying with the provisions of the act referred to as expeditiously as the best interests of the State will permit. That subsequently to the act from which you quote, the General Assembly passed acts in 1908 and 1909 and 1910, each of which provided other and further duties for this commission to perform. That the act of 1910 among other things directed this commission to proceed to ascertain the amount of any claim of the State against any liquor dealers growing out of transactions with the State dispensary and to make settlement thereof. This work has been pursued during the past year and large amounts of money turned into the treasury through the efforts of the commission and its attorneys. This work is necessarily slow and tedious, for the reason that it is very difficult to discover frauds connected with such transactions and then force settlement with persons who almost invariably live in other States. In this connection we would advise you that our attorneys are now at work on claims of this nature from which they hope to net the State many thousands of dollars.

In United States Court.

Further replying, we will say that in October 1907, a restraining order was granted by the Circuit Court of the United States in the Garrett case, which was the beginning of a long series of obstructions interposed by alleged creditors to the action of the commission in requiring an hon-

est accounting by the claimants, of such transactions as were fraudulently entered into between them and the former State officers. (See report of Attorney General for year 1908, page 5.) That this was followed by further restraining orders in January, 1908, and the appointment of receivers by the Circuit Court of the United States. An appeal to the Circuit Court of Appeals of the United States was necessary to protect the rights and interests of the State. This appeal was heard in May, 1908, with the Chief Justice of the United States presiding, and the judgment of the Circuit Court of the United States was affirmed by an opinion filed in September, 1908. This necessitated carrying the case to the United States Supreme Court, where it was argued in February and March, 1909, and decided in favor of the State in April, 1909, but the mandate was not sent down until the latter part of May, 1909, when the commission again became free to proceed with its business.

The commission, promptly after appointment, had the books and accounts of the dispensary audited, an inventory made of the stock of goods on hand, disposed of the goods on hand as rapidly as the county dispensaries would take them, and promptly collected from the county dispensaries therefor, and as soon as the United States Supreme Court dissolved the injunction they proceeded to adjudicate the amounts due creditors as rapidly as it could be done, having due regard to the rights of the State; that amounts of such claims as were adjudicated to be correct were paid; that hearings were had and such proceedings taken as were necessary to unravel the net work of fraud which surrounded a very large proportion of the said claims.

Directed to Continue.

The Legislature in 1908 passed an act directing them to continue their work; this was followed by further act in 1909, and followed in a further act in 1910, all of which directed further and necessary proceedings to be taken to conserve the interests of the State. Pursuant to the mandate of the said acts, this commission proceeded until it has now, with the exception of a few items, concluded all matters which were involved in winding up the affairs of said institution. These acts imposed additional duties upon this commission, the discharge of which in a proper manner has necessitated their continued activities, and they have been diligently endeavoring, and to a considerable extent successfully, thereunder to recover moneys collected from the State by various parties who had no claims against the State when this commission was appointed.

Among these claims of the State still pending is a claim against the Richland Distilling Company and certain stockholders of the said company. Since the first of January, 1911, the liability of two of these stockholders was settled for the sum of \$34,700. The commission is now pressing the company and the other stockholders for a settlement of the balance of the amount claimed to be due the State and was convinced that with due diligence and sufficient time they will be able to collect largely on this claim, which is being pressed under the provisions of the act of 1910. This work, as well as the endeavor to collect other pending claims as directed by the act of 1910 is very difficult and tedious and the commission earnestly solicits your counsel and co-operation in order that this work may be facilitated and that the commission conclude its duties at the earliest possible moment.

Won in State Courts.

They would further state that while in the discharge of their duties under the act of 1910, a suit for injunction was brought against them by the Carolina Glass Company, and an appeal was also prosecuted by it from the decision rendered by the commission on its claim against the State, which proceedings had the effect of further delaying the commission in finishing their work. Both of these cases have been decided in our State Supreme Court in favor of the commission, but the commission has been notified by the attorney of said company that they propose to carry the matter to the Supreme Court of the United States. The commission are defendants, and have no means of ending these proceedings until the appeal is determined by a proper judgment, either of affirmance or dismissal.

The commission has endeavored to furnish the information asked for in your letter, but if anything has been omitted, or if you desire any other or further information in reference to the acts and doings of the commission in winding up the affairs of the dispensary, the chairman is instructed to furnish you with the same, and if you do not understand any of the items or statements in the reports and accounts heretofore filed in your office, the chairman, with the commission's accountant, upon your suggestion, will go over each item thereof in detail with you.

LAWLESSNESS NEAR SHANGHAI.

500 Famine Refugees, Searching for Food, Put to Death.

Victoria, B. C., March 2.—Five hundred famine refugees were burned to death about fifty miles from Shanghai by Chinese bandits, according to reports brought here to-day by passengers on board the Pacific liner Limba Moru. The refugees were attacking the town of Kunshan in an effort to obtain food. They came in conflict with the bandits, who drove them into an enclosure and set fire to the building. Many villagers were also slain before the outlaws were repulsed. Similar lawless conditions prevail throughout many districts.

Bread Riots Increase.

Pekin, March 2.—Bread riots in the plague zone in Manchuria are increasing in intensity. The natives are attacking foreigners and the lives of the missionaries are believed to be in danger. Property is being destroyed. The troops are powerless.

Itch relieved in 30 minutes by Woolford's Sanitary Lotion. Never fails. Sold by J. W. Bell, druggist.

College Burned; Girls Saved.

Plainsfield, N. J., March 2.—Mount Saint Mary's College was destroyed by fire early to-day and one hundred girls and Sisters of Mercy had a narrow escape. The fire started in the cellar and spread so quickly that the pupils and sisters had little time to save anything. The loss is \$250,000. The girls were asleep on the fourth floor. One of the sisters ordered the fire drill, and, preventing a panic, got them out in safety.

OTTUMWA WOMAN CURED

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Ottumwa, Iowa.—"For years I was almost a constant sufferer from female trouble in all its dreadful forms; shooting pains all over my body, sick headache, spinal weakness, dizziness, depression, and everything that was horrid. I tried many doctors in different parts of the United States, but Lydia E. Pinkham's Vegetable Compound has done more for me than all the doctors. I feel it my duty to tell you these facts. My heart is full of gratitude to you for my cure."—Mrs. HARRIET E. WAMPLER, 524 S. Ransom Street, Ottumwa, Iowa.

Consider This Advice. No woman should submit to a surgical operation, which may mean death, until she has given Lydia E. Pinkham's Vegetable Compound a fair trial.

This famous medicine, made only from roots and herbs, has for thirty years proved to be the most valuable tonic and invigorator of the female organism. Women residing in almost every city and town in the United States bear willing testimony to the wonderful virtue of Lydia E. Pinkham's Vegetable Compound.

Mrs. Pinkham, at Lynn, Mass., invites all sick women to write her for advice. Her advice is free, confidential, and always helpful.

All of which is respectfully submitted, W. J. Murray, Chairman State Dispensary Commission.

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THEY WILL FIND A HOME.

Destitute Children Will Be Sent to the Rescue Orphanage.

"Destitute, abandoned and unprotected" children, for whom no other special provision is made, will hereafter be committed to the care of the Rescue Orphanage, Columbia, wherever they may be found in the State. The act so providing has been approved by Governor Blease, and the affixing of his signature made it effective. The act provides:

"That whenever any girl under the age of 14, or boy under the age of 10 years, shall be found by any policeman, sheriff, constable or other person in any county, city or town, in circumstances of destitution or suffering, or of abandonment, exposure or neglect, or of beggary, or in any house of ill-fame, it shall be lawful for, and the duty of, such officer to make report thereof to the probate judge of said county.

"Thereupon, such probate judge, shall forthwith fix a time for the hearing and investigation of such case, as speedily as possible, and give notice of such hearing to the parent or parents, if known, or to the guardian, or to custodian of such child, if known. And such probate judge shall hear all the evidence offered before him and investigate fully the circumstances and surroundings of such child.

"And if, upon such investigation, the said officer shall find that said child is abandoned, or is being brought up in immoral or vicious surroundings, or without the adequate or proper care or custody, it shall be lawful for, and the duty of such officer to issue a warrant of commitment, committing said child to the custody, care and rearing of the Rescue Orphanage, situated at Columbia, or to any similar orphanage in the State, devoted to the relief and care of such children.

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"My baby was troubled with breaking out, something like seven-year-itch. We used all ordinary remedies, but nothing seemed to do any good until I tried HUNT'S CURE and in a few days all symptoms disappeared, and now baby is enjoying the best of health." Price 50c. per box.

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Time Table No. 11.—Effective November 27, 1910.

EASTBOUND—		12	10	18	20	8
LyWalhalla	AM	7:00	3:20	10:30	8:00	10:30
LyWest Union	AM	7:05	3:25	10:35	8:05	10:35
LySeneca	AM	7:10	3:30	10:40	8:10	10:40
LyJordan Junction	AM	7:15	3:35	10:45	8:15	10:45
LyAdams	AM	7:20	3:40	10:50	8:20	10:50
LyCherry	AM	7:25	3:45	10:55	8:25	10:55
LyPendleton	AM	7:30	3:50	11:00	8:30	11:00
LyAuton	AM	7:35	3:55	11:05	8:35	11:05
LySandy Springs	AM	7:40	4:00	11:10	8:40	11:10
LyDenver	AM	7:45	4:05	11:15	8:45	11:15
LyWest Anderson	AM	7:50	4:10	11:20	8:50	11:20
LyAnderson—Pass Dep	AM	7:55	4:15	11:25	8:55	11:25
LyAnderson—Pass Dep	AM	8:00	4:20	11:30	9:00	11:30
LyJordan Junction	AM	8:05	4:25	11:35	9:05	11:35
LySeneca	AM	8:10	4:30	11:40	9:10	11:40
LyWest Union	AM	8:15	4:35	11:45	9:15	11:45
ArBelton	AM	9:00	5:25	12:30	9:50	12:20
WESTBOUND—		11	9	17	19	7
LyBelton	PM	5:35	11:25	9:10	3:05	11:25
LyAnderson—Fr't De	PM	6:00	11:47	9:35	3:27	11:47
LyAnderson—Pass Dep	PM	6:05	11:52	9:40	3:32	11:52
LyWest Anderson	PM	6:10	11:57	9:45	3:37	11:57
LyDenver	PM	6:15	12:02	9:50	3:42	12:02
LySandy Springs	PM	6:20	12:07	9:55	3:47	12:07
LyAuton	PM	6:25	12:12	10:00	3:52	12:12
LyPendleton	PM	6:30	12:17	10:05	3:57	12:17
LyCherry	PM	6:35	12:22	10:10	4:02	12:22
LyAdams	PM	6:40	12:27	10:15	4:07	12:27
LyJordan Junction	PM	6:45	12:32	10:20	4:12	12:32
LySeneca	PM	6:50	12:37	10:25	4:17	12:37
LyWest Union	PM	6:55	12:42	10:30	4:22	12:42
ArWalhalla	PM	7:20	1:13	11:00	4:50	1:00

Will also stop at the following stations and take on and let off passengers: Phinney's, James's, Toxaway, Welch.
A. B. Andrews, President.
J. R. Anderson, Superintendent.

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