

Scraps and Facts.

President Roosevelt has approved the recommendation of the wireless telegraph board...

The weekly crop summary of the agricultural department issued last Tuesday says: Cotton has made good growth in the central and eastern portions of the cotton belt...

Philadelphia Record: It took three physicians nearly an hour and a half to remove a billiard ball from the mouth of Joseph Johnson...

J. W. Brown, of the Charlotte, N. C. police force, was killed last Tuesday afternoon as the result of a blow in the stomach administered by a boy Paul Biggers...

As the British steamship Mohican, made for the Delaware breakwater last Monday, says a Philadelphia dispatch, it encountered a strange phenomenon...

Postmaster General Payne has made public the following statement in explanation of his reasons for refusing to name a Mississippi postoffice in honor of the governor of the state...

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Just what has brought it about, we are unable to say; but it is our observation that the plane of county politics has been somewhat elevated. It has not been a great while since trickery and sharp practice among the candidates was the rule rather than the exception...

The terrific battle reported in our last issue to have been in progress between the Russians and Japanese, resulted in another defeat for the Russians...

that in reality there were two battles going on at the same time. The fighting was commenced on Sunday, July 31, at Yushulku and Yangse Pass...

The Yorkville Enquirer.



YORKVILLE, S. C. FRIDAY, AUGUST 5, 1904.

GOVERNOR Vardaman of Mississippi, denies the charge of the postmaster general that he has ever written anything reflecting on the good name of President Roosevelt's mother.

The Brice Bill. From our report of the Ogdon picnic, it appears that all of the candidates for the general assembly have declared in favor of what is known as the Brice bill.

In brief the Brice bill is a measure which seeks to give to the people of a county the right to abolish dispensaries by the same means provided for their establishment.

Upholders of the dispensary system have been making the point that the Brice bill is nothing more nor less than a siletto thrust at the whole institution.

Even if the dispensary law were what its most devoted advocates claim for it, and even if it were free from the terrible rottenness that permeates every fibre of its administration, it would not be worth what the people are being asked to pay for its sacrifice of the right of local self-government.

The County Campaign. Although in a general way one county campaign is so like another that it is difficult to point essential differences, at the same time there are about the campaign now in progress certain features that are worthy of note.

From about 1890 up to half a dozen years ago, the campaigning in the field counted for but little. Slates were fixed, not exactly in the Alliance meetings, but in conferences of leading alliamcemen, and the results of these conferences were generally ratified at the polls.

Following the decline of the political power of the Alliance, there has been a gradual return to old conditions. The candidate is thrown back in closer touch with the masses of the people, and for success he is again dependent upon his merits and his ability to create friendly impressions.

While the voters have not allowed themselves to become excited, the individual who thinks they are not interested is making a mistake. It is our deliberate judgment that there has not been a time since the war when voters gave the political situation or rather the matter of a choice of candidates more careful and thorough consideration.

There is a noticeable absence of passion and prejudice, a disinclination to credit or be influenced by campaign canards, and taken altogether, the situation is one on which the people of the county are entitled to cordial congratulation.

COUNTY CAMPAIGN.

Informally Opened at Ogdon Last Wednesday.

CANDIDATES FAVOR THE BRICE BILL.

Annual Picnic Meets With Usual Success—Dispensary, Education and Roads the Main Questions Discussed by Legislative Aspirants—Other Candidates Talk to the People.

Reported for the Yorkville Enquirer:

The annual picnic in the Percival grove near Ogdon, on Wednesday was a fine success. Some were kept at home by the threatening weather in the early forenoon; but the clouds dispersed later in the day and by noon the usual large crowd had congregated in the grove, which is the most ideal place for such gatherings in the county.

The best of order prevailed through the day and everybody seemed to thoroughly enjoy themselves. A stand had been erected for the accommodation of speakers, and about 12 o'clock the meeting was called to order by Magistrate A. L. Nunney, who acted as master of ceremonies.

Congressman D. E. Finley and State Senator J. S. Brice, who had been invited to be present and deliver speeches sent letters expressing their regret at not being able to attend. All the county candidates except two or three were present.

After prayer by Rev. W. H. Arlall the legislative candidates were called to the stand. Before introducing the first speaker, the chairman read the following paper which had been prepared and stated that each of the legislative candidates would be expected to state their position in the matter:

A Question. "If elected to the position to which you aspire, will you assent and vote so amend the present dispensary law as to provide precisely the same conditions for the removal of a dispensary from any incorporated city, town or village in the state as are provided for the establishment of a dispensary in a city, town or village where none is located, viz: That it shall be the duty of any city or town council on the presentation of a petition signed by one-fourth of the resident freeholders, to order an election at which the qualified resident voters shall have the privilege of voting for or against the same. In case the majority vote, 'No Dispensary,' it shall be the duty of the state board of control to order the removal of all existing dispensaries in the town or village, and no special tax shall be levied on the property in the town."

The time of each speaker was limited to five minutes. The first speaker was Dr. J. H. Saye of Sharon. He opened his remarks by saying that he had been urged and induced to enter the race by numerous friends and that he had no special promises to make the people further than that he would do his best, in accordance with the best of his ability, to represent the best interests of all the people.

He touched on the matter of education in the town, and said that the common public schools were not settling their share of money from the state and that too many appropriations were made to the high schools and colleges. He cited as an appropriate example the case of the State of South Carolina, where the law to be so amended. A dispensary had been established in Yorkville by a majority vote, and he said he would not set the example of doing this, but he would vote for the law to be so amended.

Frank P. McCain, Esq. of Yorkville was the next speaker. He said that he had nothing to say against any of the candidates, but was running against them, but was running for himself. He spoke of the flattering vote he received at Ogdon two years ago. He had served on the jury at that time and had not set the woods on fire, he had always tried to do his duty, and felt that he was better qualified to serve the people now than two years ago.

J. E. Beauguard, the next speaker, said he was glad to meet the people of Ogdon again as they were no strangers to him. He had given him a flattering vote at the last election and he had tried to make them the best representative ever sent to Columbia from York county. He declared that he was not running against anyone, but was running for himself. He said he was at stake was evidence of a healthy condition of things. After all issues cut no ice. The people he said had the right to know where candidates stood on any question; but after all it takes a man of experience to properly represent the people on any question.

Dr. J. E. Massey, Sr. of Rock Hill, was introduced next, and said it was not his purpose to make a speech, as he had only a few minutes to go to enter the race, and only wished to announce himself as a candidate. He favored a reduction of taxes and believed they could be reduced. He was in favor of all possible aid to both the high and the public schools. He too was in favor of allowing the people to vote for the removal as well as the establishment of a dispensary.

Capt. J. W. Ardrey of Fort Mill, was the last of the legislative candidates to speak. He was glad to meet the people and complimented them on their fine country and crops. He was a farmer himself, by profession, and was brought out by the people and did not know what he could accomplish at Columbia; but would endeavor to serve the people to the best of his ability. As to the dispensary question, it had always been his policy to vote against whiskey under any circumstances, and that he favored amending the law so as to give the people the privilege of voting for the removal of a dispensary from any town or city. And, furthermore, as a dispensary is not a local institution, the people of the entire state should have a voice in establishing a dispensary at a county seat town, and that a township election should be held on the question of establishing a dispensary in any town or city.

Mr. G. A. Cowan, one of our leading cotton buyers, sprung a surprise on some of his friends this week by announcing himself as a candidate for sheriff. His friends say that he will make the race interesting for some one.

Mr. E. Mason has been appointed chief of the bureau of ordinance navy department, to succeed Rear Admiral Converse, who has assumed the duties of chief of the bureau of navigation. In an address at a public reception President Nord, of Hayti, accused the foreign population of the island of plotting against his government, and made threatening refer-

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Miss Rosa J. Lindsay—Will have a special sale of Passe Partout pictures at her studio on Thursday, August 11. J. S. Brice, County Chairman—Gives notice of the dates and places of campaign meetings, beginning at Forest Hill on August 9.

J. M. Starr & Co.—Have something to say of turnip seed, fruit jars, pocket knives, etc. J. M. Heath & Co.—Have just finished the work of stock taking and have found some bargains. Poushies Cash Store—Announces a special sale of underwears next Monday.

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A sub-committee was appointed to confer with Col. R. W. Hunt, division passenger agent of the Southern with reference to a reduction of rates from King's Creek, Catawba Junction and intervening points to Tirzah, and there is every reason to believe that the accommodating colonel will see that the rates are allowed.

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The county canvass opens at Forest Hill academy next Tuesday with a picnic. The Bethel people never fail to properly entertain their guests on picnic occasions; but it will be just as well for those who would impose on good nature to be careful. Even the Bethel people cannot be depended upon to stand unlimited imposition. Everybody who can should contribute to the picnic dinner.

Dr. M. J. Walker has made a microscopic examination of some of the "scalded" cotton leaves, about which there is so much complaint, and finds them covered with thousands of insects invisible to the naked eye. He thinks these insects are doing the damage complained of; but of course cannot say certainly. He is sending specimens of the scalded leaves to Clemson, with a view to learning what the professors there think of the trouble.

The annual meetings of the policy holders of the Farmers' Mutual Fire Insurance Company of York county, and of the policy holders of the Farmers' Mutual Life Insurance company of York county, were held in the court house last Tuesday and were largely attended by representative farmers from all parts of the county.

Although operating under separate charters and their business affairs separate, these companies are kindred in that they are largely under the same management, and a majority of the policy holders in one are also policy holders in the other. The fire insurance company has been in existence twelve years and the life insurance company has just passed its second anniversary.

Mr. John L. Rainey is president of the fire insurance company and Mr. D. E. Boney is agent and treasurer. Mr. W. S. Wilkerson is president of the life insurance company, Mr. J. Frank Ashe, vice president, and Mr. Boney holds the same relative position in this company as in the fire insurance company.

Mr. Boney's report as to the condition of the fire insurance company showed more than half a million dollars insurance in force (\$535,000) and that last year the cost of insurance was only the insignificant sum of \$2.50 on the thousand dollars. The report on the thousand dollars showed that there lacked only a few members of the 1,000 allowed in a division and that the beneficiaries of the last three deceased members received an even \$1,000 in each case.

The business management of both companies has been highly creditable to the substantial men in charge and of no little credit to York county as a whole. The proportions to which

the business of both companies has developed will no doubt be a source of no little surprise and gratification to business people in all quarters. Following are the directors of the fire insurance company: I. B. Farles, Bethel; J. F. Ashe, Bethesda; J. P. Blair, Blairsville; J. K. Allison, Broad River; D. P. Lesslie, Catawba; W. J. Miller, Ebenezer; J. L. Kimbrell, Fort Mill; J. A. C. Love, King's Mountain; N. A. Simrill, York. These are the directors of the life insurance company: I. B. Farles, Bethel; N. A. Simrill, York; W. J. Miller, Ebenezer; W. S. Lesslie, Lesslie; W. S. Wilkerson, Hickory Grove; J. K. Allison, Hickory Grove; W. M. Caldwell, King's Creek; D. E. Boney, Yorkville; J. F. Ashe, McConnellsville; W. D. Lesslie, Clover.

Mr. Ben Johnson has been unwell for several days. Mr. Carl Hart of Columbia, is visiting in Yorkville. Mr. J. Harry Spann of Sumter, is visiting in Yorkville. Miss Lila Tu, of Camden, is visiting Miss Agalace McCaw. Miss Annice O'Leary has returned from a visit to friends in Rock Hill. Miss Grace Whisonant of Wilkinsville, is visiting her sister, Mrs. J. P. White. Miss Josie Fessel of Rock Hill, is the guest of Misses Beale and Mary Williams. Master Howard Beard is quite ill and it is feared that he is threatened with fever. Mrs. D. A. Matthews and children of Clover, are the guests of the family of Mr. J. Q. Wray. Miss Kate McConnell has returned to her home in Chester, after a visit to friends in Yorkville. Mr. J. W. Carr has typhoid fever. He has been removed from his room over Mr. Roth's store to Mr. A. Rose's boardinghouse. Miss Mayme Patrick of Bethel, returned home last Saturday, after a weeks' visit to Misses Annie and Mary Scott, in the Delphos neighborhood. Mrs. Paul T. Gordon and daughter, arrived in Yorkville last night from Eagle Lake, Texas, to spend some time with relatives and friends here. Mr. A. B. Gaines and family of Gainey have located in Yorkville, and are occupying the Dickson house on King's Mountain street. Mr. Gaines will engage in insurance. Uncle Robin Love passed through Yorkville yesterday on his way from Hickory Grove to spend a few days with his son-in-law, Mr. J. W. Love, three and a half miles east of Yorkville.

In the magistrate's court last Tuesday a jury found a verdict for \$25 damages against Mr. A. Rose in favor of Dr. J. B. Bowen, on account of the seizure of a quantity of Pabst malt from the latter by the former on July 18 last, and directed the return of the goods seized, or the value thereof, to wit, \$25. This case grew out of the raid of Constables J. F. Drake and A. Rose on Dr. Bowen's drug store the facts as to which were published at the time. Constable Drake went into the store and induced a fourteen year old clerk to sell him two glasses of malt one for himself and the other for a companion, as a beverage. Having drunk the malt the constable went out and returning with Mr. Rose, seized and carried away all the malt in stock, shipping the same to Columbia. Dr. Bowen retained counsel, Messrs. F. P. McCain and John R. Hart, and brought an action for claim and delivery for the recovery of the property seized and for damages. Constable Drake having left town in the meantime, Constable Rose only was served, the complaint being as follows: That you, Alonzo Rose and J. F. Drake, are in unlawful possession of certain good and chattels, the personal property of the plaintiff, to wit: 33 bottles of Pabst malt extract of the value of \$3.25, and said plaintiff is entitled to the possession thereof, by reason of having a perfect title therein; that the plaintiff has made a demand upon the defendants for the possession of the said personal property; but the same has been refused. That by reason of the unlawful, oppressive and malicious act of the defendants in seizing and taking into their possession the said personal property, the value of the same has been reduced to the sum of \$3.25, and the plaintiff in consequence thereof, has been damaged in his business and reputation to the sum of ninety dollars. Wherefore, the plaintiff demands judgment against the defendants for the sum of ninety dollars damages, and for the possession of the said personal property, or the value thereof, \$3.25, in case possession cannot be had, together with the costs and disbursements of this action. Mr. Rose retained W. B. McCaw, Esq., as his representative, and filed an answer as follows: First: That he denies each and every allegation of the complaint. Second: He specifically denies that in taking possession of the 33 bottles of Pabst malt described in the complaint of the plaintiff, not as an individual, but as a constable, acting under the order of the chief state constable of the state of South Carolina, and of his division Chief J. R. Fant, his act was unlawful, oppressive or malicious; but on the contrary his said act was in the strict line of his duty as a state constable sworn into and bonded to enforce the dispensary law of the state of South Carolina, which plaintiff after being warned and admonished, had violated by selling Pabst malt as a beverage. Wherefore this defendant prays that the complaint of the plaintiff be dismissed with costs. The case came up for trial on the issues outlined in these pleadings, before a jury composed as follows: M. L. Thomasson, foreman; J. L. Williams, Wm. Dickson, J. M. Brian, John F. Youngblood. Mr. McCaw moved to dismiss the proceedings on three grounds as follows: 1. That claim and delivery, a strictly statutory proceeding is necessarily based on a proper summons, affidavit and undertaking, the undertaking to be signed by one or more sureties. The undertaking in this case being signed by the plaintiff alone, was factually defective. 2. The pleadings do not state an action for damages because no actual damages as such, are alleged in the complaint. 3. Where there is no allegation of actual damages, there can be no recovery of vindictive or exemplary damages. Messrs. McCain and Hart argued that inasmuch as the plaintiff was

enches to the massacre of 1864, when 2,500 white men, women and children were slain by the natives. Capt. Henry Savage, collector of the port of Wilmington, N. C., and depository for the Confederate States treasury under Jefferson Davis, died in Wilmington, N. C., Monday, aged seventy years. Mrs. Nelson A. Miles died at West Point, N. Y., Tuesday, of heart failure, aged 62 years. A passenger train on the Illinois Central railroad was held up by five masked men about 25 miles from Chicago Monday. Several of the passengers were robbed and one was severely wounded. The Missouri, Kansas and Texas Order of Railroad Telegraphers went on a strike Monday. The one hundredth anniversary of the first treaty made by the United States government with Indians west of the Missouri river was celebrated at Fort Calhoun, Neb., August 3. A monument was unveiled on the spot where Lewis and Clark held their council with the Indians. An epidemic of cholera is raging in Persia, thirty or forty deaths having occurred in Teheran in one day. The state of Texas is said to be making efforts to chase the site of the siege of Alamo. The Democratic convention of Texas has renominated Governor Lanham for governor. The Democrats of Indiana have nominated John W. Kearn for governor. Yellow fever has broken out at Tehuantepec, Mexico.

It has been arranged that the formal notification of Judge Parker will take place on next Wednesday. In the Texas Democratic convention in Houston last Tuesday Governor Hogg made a speech eulogistic of Roosevelt and said that if Parker was elected the people would not be able to see any change from the present Republican administration. Ex-Congressman Ball called Hogg down and was enthusiastically applauded by the convention. The Democratic convention of West Virginia met in convention at Parkersburg last Wednesday. Hon. H. G. Davis was greeted with tremendous applause; but said he thought it best not to say anything on national issues until he should receive his formal notification. Somebody said "Hurrah for a white man's government!" and Davis said he would heartily agree to that sentiment. Thomas Taggart, chairman of the Democratic national committee has announced the following officers of the national Democratic committee and the following members of the national executive committee: National Committee—Delancy Nichol, vice chairman, New York; George Foster Peabody, treasurer, New York. Executive Committee—W. F. Sheehan, chairman, New York; John R. McLean, Ohio; United States Senator Thomas S. Martin, Virginia; Col. J. M. Guffey, Pennsylvania; Former U. S. Senator James Smith, Jr., New Jersey; Timothy E. Ryan, Wisconsin.

The state campaign winds up at Columbia on Saturday, August 13. An unknown mulatto negro was killed by a Seaboard Air Line freight train at North last Tuesday afternoon. It is estimated that not less than 30,000 people will have visited Charleston by the close of the excursion season. Capt. B. G. Willis, a prominent citizen of Colleton county, died suddenly of apoplexy Tuesday while sitting on a jury case at Waterboro, the county seat. He was about 60 years of age. The Union chamber of commerce has taken up the question of trying to improve the Union cotton market. Much Union county cotton is sold in surrounding markets and the business men think they should handle more of it. The Capitol grounds of Columbia are infested with loafers, who lounge about on the benches and the police are trying to inaugurate a reform. Several loafers have been taken before the recorder within the past few days. Dr. J. Verner, master in equity of Greenville county, committed suicide by shooting himself with a shotgun, at his home in Greenville yesterday. Temporary aberration, induced by bad health is assigned as the cause. The family of Mr. John C. Pearce of Broad, Dorchester county, were poisoned by eating ice cream Monday. Mr. Pearce died Monday night and several other members of the family are thought to be in a very critical condition to present. The state board of control is said to be considering the abolition of its present unlawful system of permitting the sale of beer on royalty, and substitute a system of separate reform. It will be held by duly appointed salaried dispensers. Chester has arranged for a good roads rally to be held on August 5. Senator A. C. Latimer, Mr. E. J. Watson, commissioner of agriculture, and F. H. Hyatt, president of the State Good Roads association, and Mr. M. V. Richards, land and industrial agent of the Southern railway, have accepted invitations to present. Charles B. Garrett and John P. Clark, two farmers of Greenville county, were killed by lightning last Monday afternoon. When the bolt struck them they were engaged in sharpening an axe, one throwing it to stand the storm while the other was holding the tool. Both were killed instantly. George Thompson, who was standing nearby was severely shocked, and it was at first thought that he would die. Every bee in a hive a few feet distant was killed. Richmond, Va., News-Leader: Old Uncle Grover Cleveland has the good habit of saying the right thing at the right time. He may not say it very gracefully or cleverly, but he reaches the spot. Nothing could be better than the rallying cry he sends out this week, calling on Democrats to stand steady. Nothing could be more effective than his paragraph of praise and approval of Ben Tillman of South Carolina. Of all the men in the country, he is the one who has made himself most conspicuously and persistently offensive to the gold standard Democrats, and especially to Mr. Cleveland. He went into the senate brandishing an ornate pitchfork with which he boasted he would lance Mr. Cleveland's ribs. Yet the ex-president goes out of his way to speak kindly of Tillman, and to echo reverently and with dignity, the South Carolinian's somewhat flippant exclamation that Providence seems to be taking charge of the affairs of the Democratic party. These few words only have a most salutary influence in soothing the feelings of both the factions and bringing us together. When Grover Cleveland and Benjamin R. Tillman can stand together and stand together, the rest of us can forget our grievances, disappointments and resentments, however bitter.

Meremention. N. E. Mason has been appointed chief of the bureau of ordinance navy department, to succeed Rear Admiral Converse, who has assumed the duties of chief of the bureau of navigation. In an address at a public reception President Nord, of Hayti, accused the foreign population of the island of plotting against his government, and made threatening refer-

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the business of both companies has developed will no doubt be a source of no little surprise and gratification to business people in all quarters. Following are the directors of the fire insurance company: I. B. Farles, Bethel; J. F. Ashe, Bethesda; J. P. Blair, Blairsville; J. K. Allison, Broad River; D. P. Lesslie, Catawba; W. J. Miller, Ebenezer; J. L. Kimbrell, Fort Mill; J. A. C. Love, King's Mountain; N. A. Simrill, York. These are the directors of the life insurance company: I. B. Farles, Bethel; N. A. Simrill, York; W. J. Miller, Ebenezer; W. S. Lesslie, Lesslie; W. S. Wilkerson, Hickory Grove; J. K. Allison, Hickory Grove; W. M. Caldwell, King's Creek; D. E. Boney, Yorkville; J. F. Ashe, McConnellsville; W. D. Lesslie, Clover.

Mr. Ben Johnson has been unwell for several days. Mr. Carl Hart of Columbia, is visiting in Yorkville. Mr. J. Harry Spann of Sumter, is visiting in Yorkville. Miss Lila Tu, of Camden, is visiting Miss Agalace McCaw. Miss Annice O'Leary has returned from a visit to friends in Rock Hill. Miss Grace Whisonant of Wilkinsville, is visiting her sister, Mrs. J. P. White. Miss Josie Fessel of Rock Hill, is the guest of Misses Beale and Mary Williams. Master Howard Beard is quite ill and it is feared that he is threatened with fever. Mrs. D. A. Matthews and children of Clover, are the guests of the family of Mr. J. Q. Wray. Miss Kate McConnell has returned to her home in Chester, after a visit to friends in Yorkville. Mr. J. W. Carr has typhoid fever. He has been removed from his room over Mr. Roth's store to Mr. A. Rose's boardinghouse. Miss Mayme Patrick of Bethel, returned home last Saturday, after a weeks' visit to Misses Annie and Mary Scott, in the Delphos neighborhood. Mrs. Paul T. Gordon and daughter, arrived in Yorkville last night from Eagle Lake, Texas, to spend some time with relatives and friends here. Mr. A. B. Gaines and family of Gainey have located in Yorkville, and are occupying the Dickson house on King's Mountain street. Mr. Gaines will engage in insurance. Uncle Robin Love passed through Yorkville yesterday on his way from Hickory Grove to spend a few days with his son-in-law, Mr. J. W. Love, three and a half miles east of Yorkville.

In the magistrate's court last Tuesday a jury found a verdict for \$25 damages against Mr. A. Rose in favor of Dr. J. B. Bowen, on account of the seizure of a quantity of Pabst malt from the latter by the former on July 18 last, and directed the return of the goods seized, or the value thereof, to wit, \$25. This case grew out of the raid of Constables J. F. Drake and A. Rose on Dr. Bowen's drug store the facts as to which were published at the time. Constable Drake went into the store and induced a fourteen year old clerk to sell him two glasses of malt one for himself and the other for a companion, as a beverage. Having drunk the malt the constable went out and returning with Mr. Rose, seized and carried away all the malt in stock, shipping the same to Columbia. Dr. Bowen retained counsel, Messrs. F. P. McCain and John R. Hart, and brought an action for claim and delivery for the recovery of the property seized and for damages. Constable Drake having left town in the meantime, Constable Rose only was served, the complaint being as follows: That you, Alonzo Rose and J. F. Drake, are in unlawful possession of certain good and chattels, the personal property of the plaintiff, to wit: 33 bottles of Pabst malt extract of the value of \$3.25, and said plaintiff is entitled to the possession thereof, by reason of having a perfect title therein; that the plaintiff has made a demand upon the defendants for the possession of the said personal property; but the same has been refused. That by reason of the unlawful, oppressive and malicious act of the defendants in seizing and taking into their possession the said personal property, the value of the same has been reduced to the sum of \$3.25, and the plaintiff in consequence thereof, has been damaged in his business and reputation to the sum of ninety dollars. Wherefore, the plaintiff demands judgment against the defendants for the sum of ninety dollars damages, and for the possession of the said personal property, or the value thereof, \$3.25, in case possession cannot be had, together with the costs and disbursements of this action. Mr. Rose retained W. B. McCaw, Esq., as his representative, and filed an answer as follows: First: That he denies each and every allegation of the complaint. Second: He specifically denies that in taking possession of the 33 bottles of Pabst malt described in the complaint of the plaintiff, not as an individual, but as a constable, acting under the order of the chief state constable of the state of South Carolina, and of his division Chief J. R. Fant, his act was unlawful, oppressive or malicious; but on the contrary his said act was in the strict line of his duty as a state constable sworn into and bonded to enforce the dispensary law of the state of South Carolina, which plaintiff after being warned and admonished, had violated by selling Pabst malt as a beverage. Wherefore this defendant prays that the complaint of the plaintiff be dismissed with costs. The case came up for trial on the issues outlined in these pleadings, before a jury composed as follows: M. L. Thomasson, foreman; J. L. Williams, Wm. Dickson, J. M. Brian, John F. Youngblood. Mr. McCaw moved to dismiss the proceedings on three grounds as follows: 1. That claim and delivery, a strictly statutory proceeding is necessarily based on a proper summons, affidavit and undertaking, the undertaking to be signed by one or more sureties. The undertaking in this case being signed by the plaintiff alone, was factually defective. 2. The pleadings do not state an action for damages because no actual damages as such, are alleged in the complaint. 3. Where there is no allegation of actual damages, there can be no recovery of vindictive or exemplary damages. Messrs. McCain and Hart argued that inasmuch as the plaintiff was

enches to the massacre of 1864, when 2,500 white men, women and children were slain by the natives. Capt. Henry Savage, collector of the port of Wilmington, N. C., and depository for the Confederate States treasury under Jefferson Davis, died in Wilmington, N. C., Monday, aged seventy years. Mrs. Nelson A. Miles died at West Point, N. Y., Tuesday, of heart failure, aged 62 years. A passenger train on the Illinois Central railroad was held up by five masked men about 25 miles from Chicago Monday. Several of the passengers were robbed and one was severely wounded. The Missouri, Kansas and Texas Order of Railroad Telegraphers went on a strike Monday. The one hundredth anniversary of the first treaty made by the United States government with Indians west of the Missouri river was celebrated at Fort Calhoun, Neb., August 3. A monument was unveiled on the spot where Lewis and Clark held their council with the Indians. An epidemic of cholera is raging in Persia, thirty or forty deaths having occurred in Teheran in one day. The state of Texas is said to be making efforts to chase the site of the siege of Alamo. The Democratic convention of Texas has renominated Governor Lanham for governor. The Democrats of Indiana have nominated John W. Kearn for governor. Yellow fever has broken out at Tehuantepec, Mexico.

It has been arranged that the formal notification of Judge Parker will take place on next Wednesday. In the Texas Democratic convention in Houston last Tuesday Governor Hogg made a speech eulogistic of Roosevelt and said that if Parker was elected the people would not be able to see any change from the present Republican administration. Ex-Congressman Ball called Hogg down and was enthusiastically applauded by the convention. The Democratic convention of West Virginia met in convention at Parkersburg last Wednesday. Hon. H. G. Davis was greeted with tremendous applause; but said he thought it best not to say anything on national issues until he should receive his formal notification. Somebody said "Hurrah for a white man's government!" and Davis said he would heartily agree to that sentiment. Thomas Taggart, chairman of the Democratic national committee has announced the following officers of the national Democratic committee and the following members of the national executive committee: National Committee—Delancy Nichol, vice chairman, New York; George Foster Peabody, treasurer, New York. Executive Committee—W. F. Sheehan, chairman, New York; John R. McLean, Ohio; United States Senator Thomas S. Martin, Virginia; Col. J. M. Guffey, Pennsylvania; Former U. S. Senator James Smith, Jr., New Jersey; Timothy E. Ryan, Wisconsin.

The state campaign winds up at Columbia on Saturday, August 13. An unknown mulatto negro was killed by a Seaboard Air Line freight train at North last Tuesday afternoon. It is estimated that not less than 30,000 people will have visited Charleston by the close of the excursion season. Capt. B. G. Willis, a prominent citizen of Colleton county, died suddenly of apoplexy Tuesday while sitting on a jury case at Waterboro, the county seat. He was about 60 years of age. The Union chamber of commerce has taken up the question of trying to improve the Union cotton market. Much Union county cotton is sold in surrounding markets and the business men think they should handle more of it. The Capitol grounds of Columbia are infested with loafers, who lounge about on the benches and the police are trying to inaug