

THE GOVERNOR'S MESSAGE.

The annual message of Governor Elberle to the Legislature, is in substance as follows:

Gentlemen of the General Assembly: In accordance with the mandate of the Constitution, I have the honor to present to you this my second annual message.

The finances of the State are still in an unsatisfactory condition. Ever obligation of the State has been promptly met; but, to do this, the State treasurer has overdrawn, for small amounts, upon various banks in which State funds have been deposited. The State of South Carolina should always be in a position to meet current expenses without the necessity of overdrafts upon banks. To do this, it is evident that one of two things will have to be done: either the appropriation must be cut down, or the tax levy raised.

BIENNIAL SESSIONS DEMANDED.

Only eight States of the Union hold annual sessions of their Legislatures, and it seems a most desirable policy for our own State. Each session of our general assembly costs about fifty thousand dollars. We have too much legislation, and consequently too many laws. Biennial sessions, limited to forty days, would be ample for due consideration of all matters pertaining to legislative business. I therefore recommend that an amendment to the Constitution of the State, looking to the establishment of biennial sessions of the General Assembly, be submitted to the people. Members of the Legislature would then be selected for a term of four years. This very desirable action on the part of the voters would result in a saving of twenty-five thousand dollars a year, and this and other good reasons will commend the measure to the people of the State.

DOWN WITH LYNCHING.

During the last several years there has been an apparently increasing disposition among us to attempt the righting of real or supposed wrongs by the law breaking practice of lynching. It is impossible not to see in this tendency a serious menace to society. We have the law, with all its agencies and it can always be relied on to guard and punish, if we will but back it with public confidence, and sustain it by an enlightened public opinion. If, however, we suffer it to be disregarded and dishonored by riotous and irresponsible mobs, we shall find the lamp of justice become a firebrand of lawlessness and her protecting sword an assassin's dagger. We should not longer permit this usurpation of the highest functions of justice by the unchecked brute force of the mob.

Remedy suggests itself: see to it, as conservators of the peace of the State, as makers of its laws, as the guardians of its sacred honor, that its laws are so enacted and so administered that conviction and punishment shall follow crime with the certainty that links effects to causes.

The officers of the law must be chosen for probity and for courage; and it should become of itself a high crime and misdemeanor for sheriff or constable to allow a prisoner to be taken by violence from his hands, even though his own blood should have to be shed to protect the criminal.

As an additional measure of restraint, it would be well, and I recommend that any county in which the crime of lynching is committed shall be liable to the heirs of the victim of the lynchers in the sum of \$5,000, and that men who shall be convicted of participation in lynching shall be deprived of the right to vote or to hold office in this State.

THE STATE INSTITUTIONS.

The colleges of the State are in fine condition and are doing excellent work. The oldest of them, the South Carolina College, has 180 students, and as able a faculty as can be found in the South. It has fully recovered from the depression of a few years ago.

The South Carolina Military Academy, as you will see from the report of its board, is doing efficiently the work expected of it. The severe experience in maintaining discipline through which it was forced to pass last session has shown that its authorities can meet and discharge most responsible and difficult duties with a courage and discretion that should commend them to their fellow citizens.

The State's newer institutions of learning—Clemson and Winthrop Colleges—are in flourishing condition. Their faculties are full and their patronage is large. These colleges are justifying the wisdom of their establishment by meeting a need not met by any other educational institutions in the State.

The amounts asked for by these various colleges are reasonable and are necessary for their efficient operation. I therefore recommend that the appropriations asked for by these various institutions be in each case appropriated by the General Assembly.

I am informed by the State Superintendent of Education that the public school system of our State has shown

steady growth and improvement during the past year. There has been a marked increase in the professional spirit of teachers, a deeper interest on the part of the public in the welfare of the schools, and a greater activity in providing better school accommodations. There are hopeful indications

I have therefore recommended that the money collected by the State from the privilege tax on fertilizers be given to Clemson College. But the time has now come in the history of the college when a stricter economy in the management of its affairs may be inaugurated, without hurt to that institution, and with needed relief to the burdened taxpayers of the State. The college plant is doubtless the finest of its kind in the South, its various departments are well equipped, and its outfit of buildings, apparatus and appliances comparatively complete. The college, then, seems now prepared to go forward with its great work, without needing to call upon the State for further outlay in the way of buildings and other provision for equipment. It now needs the necessary money for operation and ordinary supply only, and I believe that all these can be fully provided by the appropriation I now recommend.

I recommend that \$30,000 of the privilege tax on fertilizers be appropriated to Clemson College and that \$30,000 of the balance of said privilege tax fund be appropriated to Winthrop College; provided, however, that provision be made to supplement the appropriation to Winthrop College from the general treasury, in case the amount received by the State from the privilege tax on fertilizers is less than \$60,000.

Clemson now receives annually the following sums:

Table with 2 columns: Source, Amount. From Hatch fund... \$15,000; From Land Script fund... 5,754; From Morrill fund... 10,000; From Clemson bequest... 3,512.

Total... \$34,760

Recommended appropriation from the State... \$30,000

Total... \$64,760

Winthrop College now receives from the Peabody fund... \$ 3,000

Recommended appropriation from the State... 30,000

Making a total of... \$33,000

During the past year the board of trustees appropriated \$12,000 to erect a building for a Textile Training School. This building is similar in design to a small model cotton factory and is to be equipped with specimen machinery, for the work of all departments of a real cotton factory. Besides lectures and text books study on the manufacture of cotton, each student will be required to study the construction and use of the machinery used for this purpose; and this will be done under the direction of competent instructors.

Next to agriculture, the manufacture of cotton is the most important industry in the State. It would seem, therefore, that a textile school is next in importance to an agricultural school. It is important from two points of view: 1, Because of the number of people already engaged in it, and because of the probability that that number will continue to increase; 2, Because it is the chief occupation to which the youth of our State may look for profitable employment.

PENSIONS.

This State is now paying out annually in pensions to Confederate soldiers the sum of \$100,000.

Our own system of pensions is in need of changes and reforms. It is expensive and cumbersome, and too open to those solicitations of influence and favoritism that invite abuses and encourage extravagance. The system should be simplified, and its regulations and restrictions be made strict and even rigorous. The township and county boards should be abolished and application for pensions made to the State board. The sum now expended in this way, \$100,000, is more than the State can afford, and more than is required to satisfy the just demands upon the fund. This money is now being too indiscriminately distributed, with loss to the State and with injustice to some beneficiaries and favoritism to others.

I recommend that the pension list be purged, and that \$50,000 only be appropriated for pensions the coming year, and that steps be taken to insure the proper distribution of this amount.

DISPENSARY LAW.

Nothing connected with the administration of the State government at this time is of so much interest and importance as the dispensary law. This method of controlling the liquor traffic has now been in force for five and a half years, and the protracted and bitter struggle between its friends and its foes has reached a critical stage. It must be firmly and perma-

nently established or completely done away with.

It will be remembered that, at the last session of the Legislature, the litigation instituted in the United States Circuit Court by Vandercook had reached the supreme Court of the United States, on appeal from Judge Simonton's decision. For almost a year there had been absolutely paralysis of the dispensary law, so far as its punitive features were concerned, and the constables had all been discharged. The dispensaries had been forced to fight free whiskey, on terms of absolute equality; yet, strange to say, they fought it successfully; for while the profits were reduced by this lawless competition, there was still enough business to make the dispensary self supporting and leave a small margin of profit. In May last, the Supreme Court at Washington handed down its decision, sustaining the constitutionality of the dispensary law in all its features, with the limitation only as to importation for personal use. The long and hotly contested question of legal status of the dispensary was removed. The original package dealers at once closed their shops, and shipped their liquors out of the State, with my permission. I did not deem it wise or right to take advantage of them, as they had been doing business under the sanction of the Federal judiciary. The constabulary was reorganized and put to work, and from that time to this the force has been kept busy trying to destroy the unlawful traffic which has gained foothold in the State under the protection of Judge Simonton's decision.

I desire in this connection to recall to your attention the fact that, in 1894, the State Supreme Court, by declaring the dispensary law unconstitutional, gave the illicit liquor dealers encouragement, and as a result there was widespread demoralization, with liquor selling prevalent almost everywhere, even in the country, notwithstanding the law prohibited its sale absolutely. After that decision had been reversed and the dispensaries reopened, and a more or less rigid enforcement of the law for two years had extirpated in a large measure the illegal traffic, came the interference of the Federal Courts and the imprisonment of the constables for contempt. This interference gave encouragement to a large number of illicit dealers and induced them to continue in the business, and when the paralyzing decision in the Vandercook case came there was a phenomenal increase in the number of illicit dealers engaged in this traffic in South Carolina. This is shown by the number of the United States revenue licenses issued. In the fiscal year ending June 30th, 1897, the number of retail revenue licenses, or permits to sell liquor, were 322; in the year ending June 30th, 1898, there were 625. In other words, the present unsatisfactory condition, and I do not hesitate to say that it is unsatisfactory, notwithstanding the final triumph in the Courts—is owing, in large measure, to the interference of the Federal Judge, with the consequent encouragement to all who saw fit to engage in the sale of liquor, nothing more being required than to pay the United States revenue license. It has taken months of laborious and strenuous effort to restore the conditions of tolerably successful working of the dispensary law which prevailed at the time when the Vandercook decision was rendered. The friends of the dispensary and those who have too readily turned their backs on it should bear all this in mind and still evidence hope and patience.

The demoralization produced by the various causes mentioned can be readily overcome in time, and the law will work more successfully and be obeyed more willingly as time goes by. Our efforts should be especially directed to perfecting the system in its administrative features.

There are a great many people who will never be friendly to the dispensary system, or to any like regulation. Many men are opposed to it on principle, some as extreme prohibitionists, and some as extreme advocates of liquor traffic. These two widely separated camps meet on common ground in their hostility to the dispensary; others are influenced by political considerations, and even by past political prejudices, now happily being fast dissipated. The dispensary law ought to be judged by its fruits rather than by motives of political prejudice of self-interest. If these fruits have not been hitherto altogether of the kind or quality that its friends still hope to see it bear, there is yet sufficient promise to ask that this tree which has almost uprooted and blasted by the light of judicial interference, shall now be given opportunity to show what it can bring forth under fostering and friendly influences. I beg to remind you that at the beginning of my term as Governor, I recommended and urged this policy, and I have seen no reason to change my opinion. The law has never had a chance hitherto to show what it can do, but now, since there is no longer any question as to legal limitations or powers, we are free to address ourselves to perfecting and improving the system. The large vote received by the prohibition candidate for gov-

error in the second primary of the late election cannot be considered entirely an endorsement of prohibition, for there is excellent reason to conclude that the prohibition candidate polled the full prohibition vote in the first primary, while in the second he polled the vote of the antagonists of the dispensary system, from whatever cause that antagonism arose, and, in addition, the strength of all the "sore-heads" and disgruntled office seekers and politicians of both factions. The election in Charleston is a striking evidence of this. It will hardly be disputed that, if the people of Charleston want prohibition, as their votes would seem to show, it is because they feel sure that under that system there will be practically no restraint on the sale of whiskey.

Turning now to the practical consideration of the dispensary, I do not think whiskey should be sold in any county where a majority of the people favor prohibition. I therefore recommend the submission of the liquor question to the qualified electors of each county, that each county may vote as it prefers. Any county, however, that votes for prohibition should be made to bear all expenses of enforcing the prohibitory law; and such should not receive any of the profits from the dispensary. Under the Constitution, the profits accruing from the sale of liquor go to the support of our free schools. Now, the county of Marlboro, which never had a dispensary, and which is now under the most rigid form of prohibition, with no possibility of legal liquor traffic within its borders, receives its proportionate share of dispensary profits, while at the same time the State is charged with maintaining constables in that county to enforce the law and prevent the sale of liquor. I submit that this is unfair to the other counties. The same thing obtains in the county of York, where the only dispensary, the one at Tirzah, has been discontinued, leaving the county without any place where liquor can be legally bought. You will call to mind that these two counties are close to the North Carolina boundary, and it is well known that there is a large influx of whiskey from the distilleries across the line, by wagons and other conveyances.

Of course, these counties may have liquor imported for personal use without restriction, but it can not be sold legally. I believe that it is but right and just for those counties which have prohibition, or may hereafter adopt it as the means of controlling the liquor traffic, to be taxed to enforce such law, nor should they receive any part of the profits arising from the sale of liquor in the other counties, to add to their school funds. If the county officers, magistrates and sheriffs, enforce the law, well and good—there will be no need for constables; but if they do not, the Governor should be given the authority, upon petition setting forth such violation, to appoint constables, and to require a levy in such counties sufficient for their maintenance.

Now let us consider matters concerning the administration of the law other than those mentioned as dealing with its violations. When the dispensary system was first inaugurated, the State board was composed of the Governor, the Comptroller General, and the Attorney General, ex-officio, and in these was vested the power to appoint the State Commissioner and the County Boards of Control, and to exercise general supervision over the working of the dispensary in the whole State. After the retirement of Governor Tillman, in the middle of Governor Evans' term, the Legislature changed this provision, and created a new State Board of Control, consisting of five members to be elected by itself. The Governor was left without official connection with the dispensary, except the right to appoint and control the constables. The system has now been in force three years, and, in my opinion, it has failed to accomplish the purpose of its advocates. The idea was to divorce the dispensary system from politics and to put it under a strictly business management. No such result has followed. It is notorious that the dispensary is as much or more in politics than it ever was. As Governor, I have had little or no authority in connection with the administration of the law, and no power of restraint or direction over it; and yet I have been held responsible by the people at large, and by my enemies in particular, for the mistakes and shortcomings of its management. Responsibility without authority is a most unpleasant and unjust burden; and while I do not seek additional responsibilities in connection with the dispensary, I submit that justice and fairness make it necessary either to relieve the Governor absolutely of all connection with this institution, or else give him some potential voice and influence in its affairs.

The Legislature itself, last session, by a particularly unanimous resolution, deprecated and almost forbade the granting of beer and hotel privileges, but the State Board of Control paid no attention to this expression of opinion from the law-making body, and I had to use the constabulary to suppress the nuisances in the form of

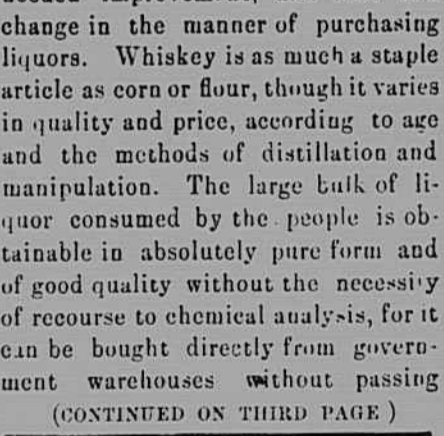
open barrooms, which resulted from the granting of these privileges. This brought me into antagonism with the State Board of Control—an antagonism which might have been avoided had these gentlemen paid any heed to my suggestion or consulted me as to the best policy to be pursued. As long as the original package stores were running in open competition with the dispensary, and illicit sales were also unchecked, there was, perhaps, some excuse for the State Board of Control to continue that policy; but after the Supreme Court of the United States had confirmed the validity of dispensary law, and forbidden Judge Simonton's support of the State's competitors, leaving the dispensary law in full possession of the field, I did not think there was any excuse for the continuance of the policy upheld by the State Board; for I believed the former law, and I believe the present law, should be administered as a temperance measure with no regard whatever to the matter of profit or to anything other than to teach the people to use whiskey without abusing it, and to minimize, as far as possible, the evils inseparably connected with its traffic and use. Moreover, under the present system, the State Commissioner is a mere figurehead, without power and almost without duties. The State Board of Control have absorbed nearly all of his functions.

I submit what seems to me to be the best plan of organization: The details of the business should be turned over to the State Commissioner while the Board of Control should have authority to purchase liquors and to exercise general supervision over the whole system. The Board of Control should be appointed by the Governor, with the advice and consent of the Senate, and the constables should be appointed by the Board of Control and State Commissioner. If objection is made it may be pointed out that the regents of the Hospital for the Insane are appointed by the Governor, and the management of the institution is excellent. Note, also, the members of the present Board of Control are not even required to give bond for the faithful performance of duty, yet they have absolute control of an institution doing annually a million and a half dollar business.

The County Boards of Control be abolished and two or three inspectors should be appointed to look after the dispensers' books and the breakage. This would be a much more economical method than the one now pursued. This system of organization, together with the supervision of the Grand Juries, would reduce speculation and embezzlement to the smallest amount possible. The State Commissioner might be either appointed by the State Board or elected by the General Assembly. We have both systems now in force in the State. The Superintendent of the Hospital for the Insane, who is giving perfect satisfaction, is appointed; the Superintendent of the Penitentiary, an equally efficient officer, is elected by the General Assembly. But there should be vested somewhere the power by which both State Commissioner and County Dispensers might be suspended, and, if necessary, be removed for cause.

I suggest, also, what seems to me a needed improvement, and that is a change in the manner of purchasing liquors. Whiskey is as much a staple article as corn or flour, though it varies in quality and price, according to age and the methods of distillation and manipulation. The large bulk of liquor consumed by the people is obtainable in absolutely pure form and of good quality without the necessity of recourse to chemical analysis, for it can be bought directly from government warehouses without passing

(CONTINUED ON THIRD PAGE)



What nobler, better ambition can a young couple have than to live loving, helpful lives, and then, in a green old age, look back over a life that has been mutually self-sacrificing, useful and successful? The one great stumbling block that stands between most married couples and this ideal married career is ill-health. If both husband and wife would take proper care of their health, there would be more hale, hearty and happy old people in the world. If, when a man suffers from weak nerves and disease of the delicate and important organs that make wit and motherhood possible, Dr. Pierce's Favorite Prescription is an unerring cure for all disorders of this description. It acts directly on the sensitive organs concerned, in a natural, soothing way. It makes them strong, healthy and vigorous. It prepares them to bear the burdens of maternity. It is the greatest of nerve tonics. The woman who uses it will bear healthy, happy children, and live to a ripe old age. Dr. Pierce's Pleasant Pellets regulate and invigorate the stomach, liver and bowels. By all medicine dealers.

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