

EVILS OF DISPENSARY.

Armed Constables--Men Shot Down With Impunity.

J. L. Tribble, in South Carolina Baptist.

So much has been said in favor of prohibition, and against the dispensary law, it may seem like threshing over old straw to discuss the matter further.

In submitting this I do so conscientiously of the fact that there are good men who regard the idea of prohibition in the liquor traffic as utopian, and some who think we are not ready; but when will we be ready? Can a drunkard get sober while you keep him full of liquor all the time? His only safety is to quit and stay quit. So the only way we can ever get ready for prohibition is to stop the sale of liquor as a beverage and stay stopped.

My objections to the dispensary law may be briefly stated, and the same reasons that made me opposed to the old bar-room system, urges me to oppose the dispensary.

First, the old bar-room system was an unmitigated evil. I have not yet met a decent man who favors the dispensary law, that does not admit that the dispensary is an evil. It is characterized as the "lesser of the two evils."

No man can ever get my consent or vote to maintain that which is conceded by its friends to be an evil. "Thou shalt not follow the multitude to do evil," is just as binding on men to-day as when first declared by the Divine law giver.

Second, it cannot be successfully denied that the dispensary law from its inception has been a great political machine. Did the old bar-room system debauch and corrupt our politics? It was not a circumstance in comparison with what has been accomplished through the dispensary law. All the powers of the Government, the Legislative, Judicial and Executive, by the party whip was brought to one mind, one aim and one purpose, and that was made constitutional which had been declared to be unconstitutional.

Third, not in the history of our State can another law so radical and drastic be found; a law whose originators realized from its inception that it would require an armed constabulary to enforce its provisions. The people who drink liquor must be forced to drink at the fountain furnished by the State. Men, under the merest pretext, have been shot down, and if perchance a jury should be found to convict the constables the ink was scarcely dry on their verdict before the word "Pardon" was flashed over the wires, and the murderous constable was received with open arms and encomiums of "Well done good and faithful servant." What was all this prostitution of justice for? The answer must be obvious to all unprejudiced thinking people. This great political machine had the right of way. It must and shall be sustained, there is power and boodle in it for somebody. Fool the people! Yes, the people have been fooled often. The public conscience was sought to be deadened with the educational idea. Profits in liquor business had become rather large, (evil always comes high) and so the idea was conceived of taking part of the profits to help run the common schools. Well, you can buy some people mighty cheap. Egan sold his birth-right for a mess of pottage, and so the public conscience was supposed to be satisfied with a little sop of pottage from the dispensary profits. Does the amount turned over to the common schools exceed two per cent of the profits? As I have not the figures before me I will not undertake to say.

What is the result? We are made to do evil, to engage in evil that good may come. You see it is a moral(?) institution the State runs, and then it is educational. (May God pity the children of that people whose moral perceptions are blunted and deadened, and whose education is dependent on damnable profits.)

Now and then I see some man vehemently boast: "I am just as strong a prohibitionist as you are, but prohibition don't prohibit, ergo I am in favor of the dispensary. It's the lesser of the two evils." Then he triumphantly points you to what some men have said in disparagement of prohibition in the State of Maine, and then he would scare you by telling you to remember the old bar-room system. Yes, he stopped you from getting less than half a pint, and from getting it from sunset to sunrise. But mark you, the man who was accustomed to getting his one drink is prohibited from getting less than half a pint. The advocate of the dispensary may boast that drunkenness has been less-

ened in the cities, and fewer cases brought in Mayor's Courts, but he never gets the facts about the man who got the half pint, and then got drunk after he left town before he got home. Talk about the dispensary lessening the consumption of liquor as a beverage! Then why does the State Board have to meet every month to lay in increased stocks of liquor. Surely the bottle maker has had a bonanza. Well might he exclaim, "Let me make bottles for the South Carolina dispensary and I care not who makes her laws!"

But true prohibitionists are not going to be fooled by all this scare-crow business; not while the present constitution remains in force. Most of them know that Section II, Article VIII, stands in the way. It has a little previous clause which reads as follows: "Provided that no license shall be granted to sell alcoholic beverages in less quantities than one half pint, or sell them between sun down and sunrise; or sell them to be drunk on the premises. And provided further that the General Assembly shall not delegate to any municipal corporation the power to issue license to sell the same." Upon this the prohibitionists stand, and the man who asserts to the contrary simply misrepresents them, and does so from a selfish and mercenary spirit.

Again, one man says the people will have liquor. If they will, then let some one else furnish it. I must decline by my vote to be a party to the sale, and the man who sells it shall not be my agent. Only murderers are supposed to ask the question: "Am I my brother's keeper?"

Every honest man should feel his responsibility to his neighbor. A poor dissipated man comes to me and says: "I am bound to have liquor, sell me some." I say to myself, "Well, this man says he is bound to have it, if I don't let him have it and get the profit out of it some one else will, and my conscience is clear because he says he just will buy it." "No," your dispensary man says, "I would scorn to do that." Your man is bound to have it, and so I'll just let the State sell it to him. O, no, I could not think of taking that man's money for liquor, but I'll let the State take it and use part of the profits to educate the children. I am a moral man myself."

Ah! these self same righteous Pharisees! They will strain at a gnat and swallow a camel. They look for "motes" in the eyes of the prohibitionists but never consider the great "beam" that is in their own eye. He justifies the sale of liquor by his State because the man said he was bound to have liquor, and his State could get the profits of the trade. He was too clean and holy to do it himself, but he would make the Government do the evil business. We may grant that some will buy liquor, and that there are many men who can use it with moderation, but to every one who can thus control his own appetite, there are hundreds that are helpless. Such men need help and restriction. How can any moral upright man vote to continue his Government in a business admitted to be an evil—a business the voter would not think of doing himself for a moment; a business that increases degradation, degeneration, want, misery and crime?

Every man who votes to perpetuate the dispensary law says by that act to the thousands who are addicted to the liquor habit: "buy all the liquor you want. You are a free born American. It is your privilege to make a hog of yourself if you want to,—go in and take your fill. You can shoot and kill while drunk. Our juries are men of like passions, and will make apology to the world for you, because you were drunk." Now, I insist if the State is to be placed into this liquor business for all time, the profits should be used to establish a drunkard's asylum. I deny the right of the Government to make her citizens drunkards and paupers, and then when they have no money to buy bread and meat to force the tax payers to maintain them.

No man need tell us he is a prohibitionist and yet refuse to vote for prohibition. There is one eternal and divine law by which we are authorized to judge men. "Do men gather grapes or thorns, or figs from thistles?" "He that is not for us is against us." "By their fruits ye shall know them." The tree is known by its fruit. The fruits of the dispensary law have been bitter and bloody. It has been a business combined with frauds and perjuries, deceit and lying. (The public has hardly forgotten the disclosures in the Doubt case, but it was all hushed when the Legislature convened.) This being the case, this dispensary tree that flourishes so, and like the deadly Upas fatal to all who come under its shade, should be dug up root and branch. The prohibitionists have laid the axe to the root, and let all who will come to our help. Col. Hoyt will do the chopping, the voters must do the digging with united purpose, with no other interest in view than that of purity in public life and politics, and the good of humanity. We can afford to dig away heading not the sneers and jeers of those who seek to make us partners in the liquor business, until this great dispensary tree that spreads its branches abroad shall fall to rise no more.

J. L. TRIBBLE.
Anderson S. C. June 27, 1900.

W. C. T. U. DEPARTMENT.

Conducted by the ladies of the W. C. T. U. of Anderson, S. C.

The Criminal Responsibility of Inebriates.

The public sentiment toward the criminal inebriate is that he may unconsciously, or by force of poison, or through a diseased judgment, commit a crime; but heretofore the sentiment also has been that he was responsible for being and inebriate, or for being intoxicated, and therefore the responsibility includes the criminal act.

Many countries have laws bearing upon this subject. In the United States the law recognizes no plea of irresponsibility by reason of intoxication; but in actual practice there is a recognition oftentimes that a chronic inebriety is a diseased condition. New York State, some fifty years ago, classified confirmed drunkards, relating to legal responsibility, among the "lunatics, idiots, and persons of unsound mind." A law similar to this exists in Manitoba.

In Austria if a drunken person commits a crime, he may be punished for becoming intoxicated, but not for the crime, provided it is established that he did not premeditate the crime and become drunk in order to nerve his courage to the cruel deed. In Germany and Switzerland there are laws recognizing differences in responsibility relating to culpable or inculpable drunkenness. In Italy the law provides that if crimes are done during intoxication, one-third of the punishment, whether in time of confinement or amount of fine, is remitted.

In the sixteenth century the law of England provided that capital punishment must be executed, though the criminal was entirely unconscious at the time of crime, and even if it was not premeditated. The lawmakers, no doubt, took the view that if the criminal had been sober at the time of committing the act, instead of drunk, possibly the act would not have been committed. This would appear reasonable. In the eighteenth century Lord Mansfield went further in his interpretation of and rulings under this law, holding that drunkenness is a crime itself, and that the law could not condone one crime by another. Coke ruled that the drunkard is a voluntary madman, and therefore responsible.

The ancients had law on this subject. The Roman law provided for mitigation during intoxication, but the Greek abhorred intemperance, and his law showed drunkenness no favor in the commission of crimes. In one of the Greek States, Mitylene, under the ruler Pittacus, the punishment was doubled for crime committed during debauch.

In modern times judges are disposed to hold that drunkenness is no excuse for crime, and that a criminal act done during a debauch is as punishable as one done by premeditation, when the criminal is entirely sober. An instance of this ruling occurred in a noted case in which two friends became intoxicated, and one killed the other, imagining that his friend was assaulting him. This case occurred in England. The judge held that the prisoner was guilty for the reason that he was responsible for his drunken condition.

It would appear to be clear that a large number of crimes are done by people in a condition of debauch who premeditate the crime, become drunk as a preliminary to the crime, and do the deed when under the influence of the poison. The question would appear to be to settle the point of premeditation or determination or intention to commit the crime, rather than to hold the person guilty because he was responsible for getting drunk.—Banner of Gold.

A Fortune Wasted.

"A two-dollar bill came into the hands of a relative of mine," writes a lady in Boston, "which speaks volumes on the horrors of strong drink or the traffic in it. There was written in red ink on the back of it the following: 'Wife, children, and over \$40,000 all gone. I am alone responsible. When I was twenty-one years old I had a fortune. I am not yet thirty-five years old. I have killed my beautiful wife, who died of a broken heart; have murdered my children with neglect. When this bill is gone, I do not know how I can get my next meal. I shall die a drunken pauper. This is my last money and my history. If this bill comes into the hands of any man who drinks, let him take warning from my life's ruin.'"—Christian Advocate.

Lost—Many golden opportunities have been lost by those who suffer rheumatism. By taking Rheumacide now they will be permanently and positively cured. Sold in Anderson by Evans Pharmacy.

—A college girl is a girl that studies so hard all winter that her mother has to get up and get her breakfast all summer.

D. W. McVey, Tukeye, Ala., wrote: Our child's bowels were passing only pure blood and all prescriptions failed to relieve her, until we tried Teething (Teething Powders), and she is now doing well.

AN ORDINANCE.

An ordinance granting to the Anderson Telephone Company, its successors and assigns the privilege of using the streets and alleys in the city of Anderson, State of South Carolina, for a period of ten (10) years from the date of the ratification thereof, for the purpose of erecting and maintaining a telephone system in the said city of Anderson.

Be it ordained by the mayor and aldermen of the city of Anderson, South Carolina, in council assembled and by authority of same as follows, to wit:

Section I.—That the Anderson Telephone Company, a corporation under the laws of this State, its successors and assigns, be and is hereby granted the right of way for the erection and maintenance of poles and wires, with the necessary apparatus and appurtenances for the purpose of transacting a general telephone business, through, upon, over, and under all the streets and alleys of the city of Anderson, State of South Carolina, for a period of ten (10) years from the ratification hereof; provided, that the privileges herein granted to the said Anderson Telephone Company shall not interfere with privileges heretofore granted to the Anderson Water, Light and Power Company. And provided further, that the said Anderson Telephone Company shall within ten (10) days after notice of the ratification of this ordinance file with the clerk of the council written notice, under the hand of its president and attested by the secretary of said corporation under its corporate seal, that said company accepts said privilege subject to all the restrictions, limitations and provisions of this ordinance.

Sec. II.—That upon the filing of said notice of acceptance by said corporation as hereinbefore provided, the clerk of this council shall immediately in writing acknowledge receipt of said acceptance, and shall, as soon as practicable, record said written acceptance on the ordinance book of said city at the foot of this ordinance. And as soon as said written acceptance is filed with the clerk of this council, this ordinance, together with said written acceptance, shall be and become a binding contract between the city of Anderson, S. C., and the said Anderson Telephone Company.

Sec. III.—That in consideration of the use for telephone purposes of the streets and alleys of the city of Anderson as herein provided and granted to the said Anderson Telephone Company shall at any and all times, when any of the municipal authorities of the said city of Anderson, permit the lower cross arms on its poles within the city limits, or so many pins on said arm as may be required, to be used by the city of Anderson for the purpose of placing and maintaining thereon at the expense of the city of Anderson, any fire alarm, telegraph or telephone wires which may be necessary for the installation and maintenance of a police or fire alarm system in said city of Anderson; provided, such system be so installed, under the supervision and direction of the superintendent of the Anderson Telephone Company, so as not to interfere with or impair the efficiency of the telephone service of the said company.

Sec. IV.—That in further consideration of the privileges herein and hereby granted to said company, its successors and assigns, shall provide, that the said city of Anderson, free of charge, for use in the City Hall, as many phones in connection with the system or exchange of said company as the city council of said city may deem necessary for the proper transaction of the public business by the various city officers, not to exceed, however, one phone for and in each office in said City Hall, together with three additional phones (exclusive of those in City Hall) to be located and placed at such points within the city limits and cemetery as may be designated by city council now or hereafter; and the same to be changed or removed to other points at pleasure of city council; and all of said phones shall have long distance, as well as all other service rendered to any subscriber to said telephone company, and a failure or refusal by said telephone company, its successors and assigns to comply with the provisions of this section shall work a forfeiture of the privileges herein granted.

Sec. V.—That the privileges herein granted to said company are upon the further express conditions that its charges or rates for local or city service shall never exceed fifteen (\$15) dollars per year for residence phones, and twenty (\$20) dollars per year for commercial or business phones per phone; but this section shall not be construed as restricting the charges for long distance or out of town connections, charges for which service shall never be more than what is charged for like service in other cities of the same size as the city of Anderson.

Sec. VI.—That all poles, wires and cross arms used on any of the streets or alleys of said city of Anderson by said telephone company shall be subject to approval as to length and size by the city authorities, and shall be located and placed on said streets under the supervision and direction of the city authorities, to the end that they may be so placed as not to obstruct public travel, subject the public to any inconvenience, mutilate any shade tree, or injure any public or private property; and the erection of said telephone system shall be in the very best possible manner; and the privileges herein granted shall be enjoyed by said company subject to all reasonable requirements of the municipal authorities of said city of Anderson for the protection of the public weal.

Sec. VII.—That from and after the ratification hereof no telephone line, pole or cross arm shall be erected within five feet of an electric light or power wire; and no electric light or power wire shall be erected within five feet of any telephone wires; and the said Anderson Telephone Company shall, within six months from the date hereof, make its lines, poles and cross arms conform to the provisions of this section; and any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than ten dollars nor more than one hundred dollars, or imprisoned for not less than ten days nor more than thirty days, in the discretion of the mayor.

Sec. VIII.—That whenever it is necessary for the telephone wires and the electric light or power wires to cross each other, a space of at least five (5) feet shall be preserved between them, and if it shall be necessary to raise or lower any wires in order to preserve this distance, the expense thereof shall be borne by the company or persons doing the latest construction, and proper "guard wires" shall be placed and maintained by the company doing the latest construction. And any person liable to perform any duty hereunder, who shall refuse or fail for twenty-four (24) hours to do so, after notice from any member of the police force or the mayor of the city, shall be deemed guilty of a misdemeanor, and punished as provided in section VII.

Sec. IX.—That no strong current wires, such as electric light or electric power wires shall be attached to or supported by the poles or cross arms of the Anderson Telephone Company nor shall the wires as cross arms of the said Anderson Telephone Company be attached to or supported by the poles or cross arms of any such electric light or power company, nor shall the wires of either of such companies be allowed to touch or rest upon the poles, wires or cross arms of the other of such companies. And any person violating or permitting a violation of any of the provisions of this section shall be deemed guilty of a misdemeanor, and punished as provided in section VII (7) hereof.

Sec. X.—That said Anderson Telephone Company shall, within the next six months, expend at least three thousand (\$3,000) dollars within the corporate limits of the city of Anderson in improving the efficiency of its service, and in the perfecting of this system, and said company shall at all times keep its system of phones in such good condition as to render its patrons the very best possible service.

Sec. XI.—That said company shall at all times when placing or removing any of its poles, repair the streets, alleys and other places so that they may be in as good condition as they were prior thereto; and said telephone company shall be required to remove any of its poles when so ordered by said city authorities, at its own expense.

Sec. XII.—That in the construction of said telephone system nothing but the very best material of suitable size and efficiency, and apparatus of latest improved designs shall be used; provided in future work no wire inferior in grade and size to No. 12 B. B. iron wire be used; and in wiring houses and buildings said company shall use all reasonable safeguards to provide against dangers from lightning and fire, and the construction of said system shall be of such a character as to reduce the dangers to life and property to a minimum.

Sec. XIII.—That the said Anderson Telephone Company shall save harmless the said city of Anderson against all damages, costs, expenses and fees arising in any action or suit against said city of Anderson, or any officer or person of any kind, in any way, by the said Anderson Telephone Company.

Sec. XIV.—That the said Anderson Telephone Company shall be required to supply a phone or phones, to every person within said city who shall ask for same, and who shall comply with the rules of said company.

Sec. XV.—There shall be no charge made by said Anderson Telephone Company to customers or patrons for wiring or for any other matter; but the charges hereinbefore mentioned shall be not to them.

Sec. XVI.—That the city of Anderson hereby agrees not to grant to any other company or person a franchise for telephone purposes in said city on terms more favorable than those granted to the Anderson Telephone Company, herein unless said city shall at the same time grant to the Anderson Telephone Company its successors and assigns, like favorable terms and privileges.

Sec. XVII.—No sale or transfer of said franchise shall be made or be effective without permission of city council first had and obtained.

Sec. XVIII.—Failure of said Anderson Telephone Company to do or perform any part or parts of this franchise or contract, or exceeding any of the regulations, limitations or restrictions herein mentioned shall immediately work a forfeiture hereof.

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FRUIT JARS!

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