

The Argument in the Mandamus Case. The argument in the *mandamus* case was commenced yesterday before the Supreme Court. On the side of the petition, involving the claims of the Citizens' Savings Bank and the Central Bank, Phineas F. Frazee, W. E. Rose and Felix Cardarelli, amounting to over \$92,000, were arrayed. Messrs. Rion, O. D. Melton, Dunbar and Whipper, on that of the Treasurer, as respondent, were the Attorney-General Melton and Messrs. Chamberlain and Elliott. In opening the case the Attorney-General asserted that the claims in question had not been passed upon specifically, as should have been done, to entitle them to payment. He distinctly and solemnly affirmed that officers of the Legislature have proved recreant to the trusts committed to them, and have allowed and assisted forward claims that they knew to be fraudulent. He desired an issue of fact to be made and sent to a jury, and that these claimants should be required to produce and substantiate their claims. The Treasurer has a right and it is his duty to scrutinize all claims that come before him. He had done so in these cases, and for satisfactory reasons could not approve them. He dreaded the precedent, for in the train of these, if allowed and paid, will follow all the so-called legislative expenses. He had heard of four members of the General Assembly who have proposed to a merchant of this town, to furnish each of them \$500 worth of provisions to stock their farms, and to pay him with a pay certificate for \$3,000, leaving a margin of \$1,000. Refusing to take the certificate himself, the merchant came so far into the scheme as to let his provisions go for money raised on the certificate, and it is now held against the State, ready to come into court, if the way is only made for it by a favorable decision on the cases now before it. The Attorney-General said that the Executive Department of the State Government was in earnest in the endeavor to stem the tide of fraud and corruption which was pouring over the land, and begged the aid of the Court in the efforts they were making.

Mr. Rion, in reply to the preliminary question thus raised, said that no such issue of fact could be made. There is no way to do it, and there is no authority in a court to inquire into the right of the Legislature to make appropriations. He wished there was some way by which this could be done and a check interposed to the ruinous practice. The Court decided to hear the whole case, and would deal with questions and issues of fact as they might arise. Mr. Rion then proceeded with his argument. He showed that the writ of *mandamus* is governed by the rules of the common law, and does not allow much discretionary power; that it is the proper mode to compel a State Treasurer to perform a ministerial duty, and that the Acts of March 9, 1874, leave no discretion with the State Treasurer. Under them, he is directed and required to issue the certificates of indebtedness, &c. He next showed that ample provision had been made to pay the claims, and asserted that the Treasurer could not set up the plea of impediment, in the way of his doing it, in the Constitution. Other points were made, amongst them that certificates of indebtedness are not bills of credit, because they lack the characteristics of a circulating medium. Mr. Dunbar followed on the same side. In the course of his argument urging the payment of claims, whether supposed irregular or otherwise, whether doubtful or not, he encountered the blade of Justice Willard, who said: "You come here under the audit of the Legislature, and require payment of claims, whether fraudulent or not. That they are not fraudulent, you have not proved." Mr. D. replied, holding up the formula, that "the Court has no right to presume that any claim passed by the Legislature is fraudulent. When passed, that is enough. The Court, as well as others, must recognize the Legislature, and not go behind its acts."

Mr. Chamberlain entered upon an elaborate argument on the side of the respondent, the reading of which will be finished this morning. The case is one of considerable interest. In our view, upon the verdict will turn the decision of the question whether the Legislature will be convened or not. A large number of its members, officers and attaches are in some way concerned in it, and watch the proceedings with great interest. Whatever the decision may be, we trust that

we shall not have a summer session of the General Assembly.

What kind of a Man? The *Union-Herald* has lived, moved and had its being in the midst of a corruption which it has characterized, with innumerable rhetorical flourishes, as monstrous and intolerable. It was its voice which, when the work was done, apparently in harmony with the enlightened utterances of the Conservative press, pronounced that the honor of the State had been sacrificed between thieves, and its credit sunk where plummet line could never reach. Now that the echoes come back to it, now that the country has become alarmed, and orders that these legislative and official robbers shall be made to walk the plank, the *Union-Herald* makes piteous complaint of it as "unqualified abuse." It doesn't like the echoes of its own voice. It begins to change its tune. It wants to know what the newspapers all over the country "have to do with the domestic affairs of South Carolina?" Well, we suppose they think they ought to be better regulated, and are lending their aid and advice to this end. They are just as capable of doing this as the great National Council of the party, to which the *Union-Herald* looks to learn "what kind of a man to nominate" for Governor. This redoubtable journal vaults the glory of its party principles, its invincible organization in the State, its growing power and its increasing intelligence. It indulges in its behalf in numerous other palpable fictions and unjustifiable flatteries. And yet it begs the National Executive Committee of the Republican party to advise the South Carolina concern as to "the next gubernatorial nomination." It really can't stand alone. It has to be supported and tutored, taken under wing and told what to do. The difficult problem is to learn "what kind of a man" they must put up for Governor. If they should ask us, we would say, "All sorts of a man."

WHAT IS IT?—We clipped the following from an editorial in the Union-Herald of a few days ago:

"We have proved that the blame lay somewhat at the doors of our merciful and relentless enemies, who, in 1865, scornfully and indignantly rejected the amendments, and passed the Black Code; who, in 1870, whipped and slaughtered us by hundreds, until the arm of the empire was invoked to protect us, and who now, under the fire of such journals as the *New York Times*, are preparing to crush, peaceably or forcibly, our organization."

We have been educated up to the point of calling the late republic a nation, and to talking of matters national; but the empire is decidedly an advance we scarcely looked for so soon. Is it to be accounted for by the notorious slipshod style of that luminary's rigmarole, or is it merely to familiarize the gradual approach of Caesarism? Anything is preferable to the vulgar tyranny we now live under; so for one, here goes *Vive la Empire*."

THE LOVELY SOUTH-LAND—In the last issue of *Our Fireside Friend*, published at Chicago, we find a letter from Mr. H. C. King, one of its traveling correspondents, from which we copy the subjoined eloquent and mainly tribute to the South. The letter from which we copy bears date:

NEW ORLEANS, May 1, 1874. You wish me to tell you "How I like the South?" Do I like the "Eden of America?" Not I love it, with a love so strong and so deep that, had I the power, I would pluck from her lacinated body every thorn of whatever kind; I would heal every wound, however deep, and make her, if not the paradise of the world, certainly the paradise of North America, which nature designed her to be. I would unite her with the West, in the closest fraternal bonds, for thus the prosperity and happiness of the whole land would be promoted. The South is a land especially blessed by the hand of God. When her advantages shall become known and appreciated by the people of this and other nations; when her beauty and her inherent riches are understood, and wise rulers and beneficent laws shall hold sway; when the waste places shall be built up; when the busy hum of manufactories shall be heard all along the banks of our magnificent streams—when this time shall come, then will the South become what the Creator in His great wisdom designed it to be, the very "Garden of Eden" of America. Now, do you wonder that I love the South? I would that I possessed the pen of a Milton, that I might tell of its beauty and grandeur in fitting language.

Alphonse Carr writes in the *Figaro*: "France is in greater danger now than she was at the epoch of the Prussian invasion." "We see around us only greed and appetites; there is no longer any question of duty." "France is a country, it is no longer a fatherland." "Or rather, it is a gambling table on which men play with loaded dice and marked cards." "There are people who inhabit France—there are no longer any Frenchmen."

UNITED STATES COURT, JUNE 18.—Judge Bryan presiding. In the District Court, the petition of Blanding Richardson for counsel fee in the case of H. W. Mackey, bankrupt, was granted. The petition of Martha D. Smith against allowing land exemptions to G. F. Townes, bankrupt, was ordered to be answered in twenty days. The petition of W. E. Earle, creditor of G. F. Townes, bankrupt, for sale of bonds, was referred to the Registrar. The petition of H. W. Earle, creditor of Stephen Marchbanks, bankrupt, for sale of property, set aside as homestead, was ordered to be served on the bankrupt, who was required to answer in twenty days. Final action in the matter of the sale of the Laurens Railroad was ordered to be taken on the 6th of July. The issues of law and fact in the case of J. T. Shumate, assignee, against Littlebury & Lewis, were ordered to be referred to James S. Aldrich as special referee. The application of Wm. Shannon, et al., for an extension of time, for creditors to prove claims against Washington Allen, bankrupt, was granted. An extension of time for Registrar Jaeger to report in the case of John P. Kinard, bankrupt, was granted. Mary A. Holmes was allowed to discontinue the petition in the case of McMaster, Monteith & Roath, bankrupts. The report of Registrar Clawson of the sale of the property of Hamilton Wilson, bankrupt, was confirmed. The assignee of Jesse C. Clifton, bankrupt, was ordered to pay the claim of R. K. Patterson & Co. The petition of Charles H. West, Jr., assignee of Jas. R. Pringle, bankrupt, to foreclose mortgage on property in St. Philip street and lot in Hampstead, was referred to Registrar Carpenter for report, after notice to lien creditors.

SOUTH CAROLINA STATE DENTAL ASSOCIATION.—The Association met on Thursday, at 10 A. M., the President in the Chair. The petition for a donation to Dr. S. C. Barnum, the inventor of the rubber dam, found a hearty and substantial response. The Committee on Membership reported favorably on the letter of application of Dr. E. Solomon, of Sumter, who was duly elected. A preamble and resolutions in respect to the memory of Dr. R. S. Whaley were read and adopted. The renewal of the subject of "Hemorrhage After Extraction" was again taken up, and Dr. Rice's treatment fully discussed. Drs. Chupen and Patrick brought forward peculiar cases, which elicited considerable discussion and experiment.

Dr. J. H. Alexander, of Barwell, offered an essay of the cellular base as a substitute for hard rubber. By resolution, the honor of the invention of the present mode of making the cellular base by steam process was accorded to Dr. Alexander.

Dr. J. B. Patrick read an able paper on "Dental Irregularities and Malformations." His remarks were replete with many new and original ideas, which elicited the warmest interest. Dr. Teague presented a paper for taking impressions of the mouth, for the testing of which he was requested to operate at a clinic for the purpose. He also presented an appliance for operative dentistry, which was referred to a committee on that subject.

A PRECOCIOUS CRIMINAL.—It is not very often that we hear of a boy of fifteen being sent to State prison for life, or even of one so matured in crime as to deserve such a fate. It was reserved for Little Valley, Cattaraugus County, N. Y., to produce such a moral monstrosity. At that place, yesterday, William Boorne, aged fifteen, was sentenced to Auburn State Prison for life. His offence was the murder of his step father, Caleb O'Neal, whom, in January last, he literally cut to pieces with an axe at a place called Steamburg. Both the murderer and his victim were intoxicated at the time. Whether that fact operated favorably to the acceptance of a plea of murder in the second degree does not appear, but it is probable that the same absurd view of the case in this particular was taken that has been taken of many others. This boy received his sentence with an indifference becoming one who had vaulted to the front rank of murderers at a bound, and, with perhaps a single exception, no better disposition could have been made of him.

[Rochester (N. Y.) Union, 31.]

RECONCILIATION.—It has been proposed at West Point, says the *Edinburgh Gazette*, to have a grand reunion of the graduates of the Academy, Federal and ex-Confederate, next June. A resolution has been passed to that effect. The proposition emanated from Professor Davies, of Portland, in his address to the Alumni of the institution. He made the appeal as a means of healing the wounds left by the war; as he phrases it, "that from the sunny memories of many joys common to them all, and from the grave of all painful recollections, never to be disturbed by thought, by word, or by deed, there may spring up a closer brotherhood, a purer patriotism, and a more abiding love of country." It is believed that all, or nearly all, the Alumni, North and South, are cordially in favor of the project. More than this, President Grant is reported as not only heartily assenting to it, but it is intimated that he will be present in person on the occasion to assist at the celebration.

WHAT THEY DO WITH DOGS IN BALTIMORE.—Upwards of 1,000 dogs were delivered at Horner's glue factory by Mr. William Donovan, superintendent of Potter's Field, Mr. Horner paying five cents per dog, for the purpose of boiling them down into glue.

CITY MATTERS.—Subscribe for the PHOENIX. The Water Power Company's fluid does not improve in color. The papers in nearly every section of the State report excellent crops. The article chiefly sold at most fancy fairs—The visitor. Money is getting more and more scarce every day.

"Truck" is growing finely. The next complaint will be in regard to the grass. To prevent bleeding at the nose—Keep your nose out of other people's business. Everything being in readiness, the city alarm bell was raised to its position yesterday. A delegation of Scotchmen from Charleston will visit the Caledonians, of Columbia, on the Fourth of July. Blackberries are coming in plentifully, and the small vendors are glad to sell at five cents a quart. It is the most useful fruit that grows.

A centenarian—a colored man, named James Taylor—died suddenly on Thursday. He was a native of Africa, but has been in this country about sixty years. He claimed to be 102 years old. Governor Moses has removed Giles Carter as Trial Justice for Darlington, and has appointed John W. Daniels, of Anderson, a Notary Public, and J. Jenkins Hucks, of Georgetown, a Trial Justice. Judge Willard and Lawyer Dunbar disagree as to the *mandamus*. The Judge thinks it is the beginning of a fearful desolation if the certificates are issued; while the lawyer thinks desolation will occur if they are not.

It has been suggested that as many of our citizens have never seen Colonel Black's admirably drilled regiment on parade, that as the 4th of July is a general holiday, the regiment have a street parade. What says the Colonel? A Lexington horse, which had probably "never been to town before," deliberately walked with a buggy upon the side-walk, under the awning in front of Mr. McKenzie's, yesterday. It was hot, and the horse sensible.

Oliver Ditson & Co., of Boston, our constant advertisers, have repaired damages caused by fire and water, and are now at home in the old quarters, with store and stock in fine order, and with music sufficient for the largest orders.

The staff of Major-General George F. McIntyre, commanding the Fourth Division State National Guard, consists of the following: J. L. Neagle, Chief of Staff, with rank of Brigadier-General; Thomas M. Canton, Assistant Adjutant-General; Y. J. P. Owens, Inspector, and J. C. Bulow, Engineer, each with the rank of Colonel. When a newspaper writer puts on a clean shirt without pulling off its soiled predecessor, and then wonders why the weather is so warm, and when he goes to the office in the middle of the day and lights the gas to work by, there is reason to believe that the brain-work of the night before was carried too far. If it gets much warmer here than it was yesterday, we'll have to carry a bucket to take ourselves home in. We're a meltin' right down in the street, and if it wasn't for ice, the dying and burying plan would 'nock death and cremation into a cocked hat. A man melts—a grease spot—and the sun dries it up, and there's an end on't.

IRISH OAT MEAL.—Mr. P. Cantwell has just received from the mills, Londonderry, Ireland, five barrels of this healthy and nutritious food, which he is selling at so low a price as to put it within the reach of all.

DEATH OF AN AGED CITIZEN OF LEXINGTON.—Mr. Reuben Harman, an aged and highly respected citizen of Lexington, died in that town, yesterday, at half-past 10 o'clock, at the advanced age of seventy-three. He was the father of Capt. Harman, of the Lexington Dispatch. Many friends will regret the loss of the old gentleman.

DROWNED.—About 4 o'clock, yesterday afternoon, a party of soldiers were bathing at what is known as Twelve Foot Hole, South of Neagle's Bridge. Among the party was a German named Kernel Baur, private in Company D, 18th Infantry, who could not swim. At one time he was rescued from water too deep for him, and in spite of remonstrance, went beyond his depth a second time, when he sunk. His body was dragged for by a detail from the garrison, and the search was successful just as the drags had been thrown in for the last time, about 8 o'clock in the evening. The body was recovered about 100 yards below the spot where the man was drowned.

GOOD FOR THE COLORED ORPHANS.—Mr. Geo. W. Rouse, President Charleston Joint Stock Company, paid into the State Treasury \$2,000, for the benefit of the colored orphan asylum in Charleston. A like payment, last year, we learn, saved the inmates from actual starvation.

SUPREME COURT, FRIDAY, JUNE 19.—The Court met at 10 A. M. Present—Chief Justice Moses and Associate Justices Wright and Willard.

The State *ex rel.* A. G. Brenizer, agent, W. E. Rose, Felix Cardarelli, Phineas F. Frazee, James M. Smith, Thaddeus C. Andrews, James A. Bowley, Howie & Allen, Asher Palmer, Republican Printing Company vs. F. L. Cardozo, State Treasurer, Mr. Attorney-General Melton vs. heard for respondent in these cases, on a question of a reference of the issues of fact. Mr. Rion for relators. Messrs. Rion and Dunbar were heard for relators. Mr. Chamberlain was heard for respondent. At 3 P. M., the Court adjourned until Saturday, 20th, at 10 A. M.

THE LIBRARY ASSOCIATION.—At the last meeting of the Columbia Library Association four additional directors were elected. The whole board now consists of Messrs. J. B. Palmer, H. S. Thompson, L. E. LeConte, John S. Green, W. C. Swaffield, John Agnew, Jr., R. S. Cathcart, Rev. J. H. Bryson and J. B. Ezell. A committee was appointed to canvass the city in the interests of the Association, and to extend the lists of members. The names of persons who wish to join will also be received at the library room, between 9 and 12 o'clock in the morning. Those already members, who have not paid the initiation fee, can do so at the same place.

FIRE.—At 10 o'clock last night, the old fire triangle gave what is hoped to be its final alarm, as the new bell is almost in proper position. The cause was the partial burning of a car load of cotton, at the head of a train, on the South Carolina Railroad, which was to leave this morning. The car arrived by the Greenville Railroad yesterday afternoon, but we could not learn the owners' names. The firemen were on hand in short order—the Independent steamer actually throwing the first water, but the Enterprise hand engine reducing the light to total darkness in a few minutes. The Hook and Ladder Company rendered efficient service, as usual. No cause can be assigned for the conflagration—the first intimation the watchmen had was the bursting of the flames from the top of the car.

DEATH OF R. C. SHIVER, ESQ.—Our entire community was grieved, yesterday, to hear of the death of this energetic and well known gentleman, which occurred about 8 o'clock in the morning. He had been in feeble health for a length of time—suffering from a complication of diseases—and his death was not altogether unlooked for. Mr. Shiver was about thirty-five years of age. He was born in Richland Fork, but had resided in Columbia during the greater portion of his life. Early in the late war he volunteered in the Boykin Rangers, (Captain Kershaw,) and was soon after elected Lieutenant. He acted as a scout for Gen. Hampton for several years, and behaved gallantly throughout. Near the close of the war he was wounded and taken prisoner, but upon the surrender of Gen. Lee, was paroled, when he immediately returned to Columbia. He then, to endeavor to retrieve his lost fortunes, commenced running a line of hacks and wagons between Columbia and the railroad terminus, in which he was very successful. A stock of merchandise was then procured, and Mr. S. returned to his old business, which he pushed ahead with such zeal and ability as to place himself in the very foremost rank of the mercantile community. He was, in fact, regarded the "Dry Goods King" of the State. Mr. Shiver leaves a wife, three children, father, mother, sister and many other relatives, besides a host of friends and admirers. His funeral services will be performed at his late residence, corner of Gadsden and Richland streets, tomorrow morning, at 10 o'clock.

PHOENIXIANA.—Love does much, but money does more. Unless above himself he can erect himself, how poor a thing is man. Love is a sweet tyranny, because the lover endureth his torment willingly. In life it is difficult to say who do you the most mischief—enemies with the worst intentions, or friends with the best. The French press is now supposed to exhibit the best specimen of "ruled" Disease is dirt! All pain the patient feels is but the soiling of the vital wheels. To wash away all particles impure, and cleanse the system, plainly, is to cure.

PUTTING A GIRDLER ROUND THE EARTH.—A cable despatch informs us that the steamer *Africa* has successfully laid a large section of the cable destined to connect Brazil with Portugal. The line is in working order as far as the Cape Verde Islands. As soon as this line is completed we shall be able to have daily communications with South America. Its influence on the civilization of the South American republics cannot fail to be healthy. It will undoubtedly have the effect of developing trade and industry, and be the means of spreading enlightenment over the pampas of the South.

In connection with life insurance companies and home companies, we clip from an exchange the following. We are always gratified to record the progress of science. Whenever skill and industry is applied to the development of material interests at home, it is the special province of the press to herald every such achievement. Good health begets long life—long life begets a good annuity. An assurance of this is found in the profitable investment of Dr. Heinitch's popular medicines. His reputation is well known, and his medicines are household remedies. Southern in everything—the products of the South utilized and applied to diseases of the South. He well deserves the honor he has won: "EXCELSIOR.—We are always gratified to record the progress of worth. Applied to the development of local interests, it is the special province of the press to herald every such achievement. Dr. Heinitch has established his reputation, and his medicines are household articles. Southern in everything—the products of the South utilized and applied to diseases of the South. He well deserves the honor he has won. See his advertisements."

HIX'S PORTRAIT OF KERSHAW.—The *Richmond Enquirer* thus speaks of the work of our talented artist fellow-citizen: Among the portraits of celebrities that ornament the walls of Messrs. Tyler & Co., that of General Joseph B. Kershaw, of South Carolina, has attracted much attention. A favorite in Virginia, Gen. Kershaw would naturally have many admirers of any "counterfeit presentment" of his well-known features, but the one in question has the additional merit of extraordinary fidelity and naturalness of expression, careful drawing in drapery and generally good tone. The eyes are particularly fine and life-like. Objection has been made to a certain stiffness in the attitude, but those who best know the gallant Carolinian declare that this is characteristic. The details of the background have not been fully worked up—the artist, Mr. W. P. Hix, of Columbia, reserving the finishing touches until he reaches this city, which he will shortly do, en route to the Western part of the State, where he has orders for a large number of portraits. Although a new comer comparatively in the field of art, Mr. Hix gives promise of a success which must gratify in a high degree his friends and patrons. We will add, that personally Mr. Hix is one of the most genial and agreeable of men."

HOTEL ARRIVALS, June 19, 1874.—*Wheeler House*—B Myers, New York; S McIlvain, Philadelphia; A O Kaufman, Charleston; M W Perry, Louisville; B B McCreary, Charles Calvo, city; Maj J M Morgan, Richland; C H Phifer, N C; D R Phifer, H O Moses, Newberry.

Hendrix House—M A Bland, Rowe's Pump; R B Carnick, Winesboro; T W Murphy, Orangeburg; W R Williams, Allendale; Dr J K Kneice, Lexington; P L Black, Ridgeway; B Holmes, N C; P D Hylar, T W Dreher, Va; W C Gotsly, Ga; P W Tabb, Md; A J S Thomas, Greenville.

Columbia Hotel—Jonah H White, O G Dyott, N Y; S C Gilbert, J E Hagood, W H Evans, E G White, Charleston; C J Andell, W E Frigg, John's Island; Dr Thomas Legare, Orangeburg; J G M Cordon, Md; R B Casey, Ga; T S Clarkson, N C; J M Seigler, G & C R.

LIST OF NEW ADVERTISEMENTS. Oliver Ditson & Co.—Organ Music. W. F. Hardy—Information Wanted. John C. Dial—Water Filterers. The Next Governor to be Imported.

A GLUT OF LABOR IN NEW YORK.—The brick-layers and laborers who have clamored for more wages have no better luck than the coopers and stage drivers. They could not have chosen a more unfortunate moment for their experiment. The building trade has not been so dull in many years; thousands of competitors stand ready to seize the trowel and hod at a moment's notice; there is a glut of cheap labor, inasmuch as the half-starved Italians are willing to work for a dollar less a day, and the employers for once are the masters of the trades unions. A strike under such circumstances was so stupid a blunder that the workmen themselves took no heart in it, although they yielded to society discipline.

[New York Tribune.]

SEVERAL STATE CONSTABLES ATTEMPTED to arrest a colored offender, in Laurens, on Sunday last, when he drew his pistol, but did not use it. He was afterwards beaten over the head with a pistol, which exploded and wounded him dangerously. A rural statistician reports that more people are talked to death by pedlers of lightning-rods than are killed by lightning.