



Lannon

# DAMES.

EDMUNDS EXPLAINS

tion Inveresting.

WASHINGTON, April 12 .- The Star re-

# MANNING, S. C., WEDNESDAY, APRIL 15, 1891.

# STORY OF THE COOSAW.

VOL. VII.

THE FIGHT NOW ON IN THE FEDE-RAL COURT.

Unexpected Appearance of the Attorney General-Laying Out the Lines of Bations, page 350. tle-The Argument of the Counsel Pro

CHARLESTON, S. C., April 8 .- Pur-CHARLESTON, S. C., Applie of the state of the state, and the suart to the order issued by Judge diately forfeited to the State, and the Simonton in the United States Circuit State was authorized to bring action for claim and delivery, and in such case the order to the Coosaw Company to was required to give no bond. If, after several years' litigration, it was decided show cause why the receivership created by the State should not be made permanent were begun yesterday morning at 11 o'clock.

Ing at 11 o clock. The Court was opened for the ordin-ary business of the term at 10 o'clock, but little was done, as everybody was waiting expectantly for the arrival of the hour when the cause now so famous the hour when the cause now so famous in the judicial annals of South Caro-lina, should be argued. The opposing counsel appeared in Court a few min-utes before 11, and taking their seats at the long table just in front of the clerk's desk quietly awaited the hour.

When the portly form of Attorney Gen-eral Pepe appeared in the Court room there was some surprise evinced by many persons present, as it had been thought that he would not have been able to leave Aiken, where similar proceedings are in progress before Judge Aldrich in the State Court. By travelling in the night, however, Mr. Pope, S. C., page 388, and many other author-and Mr. H. A. M. Smith, of counsel, ities sustaining the same point.

reached the city, and, accompanied by Major Julian Mitchell, appeared in Court before the appointed hour. They looked as fresh and ready for another hard day's work as if they had been on a week's holliday, instead of being en-gaged in burning the midnight oil over musty law tomes, studying up the merits of their position.

IN BATTLE ARRAY. These gentlemen occupied seats near the door, while at the other end of the table sat the Hon. Augustine T. Smythe, Mr. Louis DeB. McCrady and Mr. T. W. Bacot, counsel for the Coosaw Min-ing Company. The tables were crowded with law books, and a half dozen inevitable "green-bags," crammed with heavy volumes, peeped out from under the seats of the opposing lawyers. The counsel on both sides were evidently ready for heavy work, and each was prepared to meet promptly any point that might be raised by the opposing attorneys.

attorneys. There was no crowd in the Court he had detected two errors, one of leg-islative history and one of State and judicial history. It was news to the bublic took but little interest in them. State of South Coralina that the Coo-State of South Coralina that the Coopublic took but little interest in them. There were, however, several members of the Charleston Bar present, who listened with great interest to the ar-guments as they were presented. 1876

OPENING FIRE. Judge Simonton was on the Bench Act. before 11 o'clock, and as the hands of the big Court clock crept around to the appointed hour Mr. Snythe, leading

passed an Act seeking to deprive the company of its property without the process of law. The "due process of law." it has been decided, is a case in which there is a plaintiff, a defendant, a complaint ar answer and a trial but rier. THE AGRICULTURAL COLLEGE FUND THE AGRICULTURAL COLLEGE FUND TIED UP STILL.

a complaint, an answer and a trial, but rier. the Act of December 23, 1890, contem-Argument at Aiken.

plated nothing of this kind. In the definition of due process Mr. McCrady quoted Bump on Constitutional Decis-AIKEN, S. C., April 8.-Judge Al-drich, in chambers, continued the hearing of the argument to-day on the peti-

ions, page 350. Under the Act of 1890, if any one at-tempted to mine in Coosaw River with-out a permit, his property was imme-out a permit, his property was immeout a permit, his property was imme-diately forfeited to the State, and the State was authorized to bring action for claim and delivery, and in such case Mower, and the Coosaw Company by Col. Robert Aldrich and Mr. G. S. Mower, and the Coosaw Company by Col. Robert Aldrich and Mr. G. S. Mower, and the Coosaw Company by several years' litigation, it was decided that the Company was in the right, its property would then he lost, and it could get no redress since the State could not be sued, and there would be no bond on which to sue. Further-

more, the Act of 1890 practically re-pealed the Act by March 20, 1876, by which the grant was made, and the re peal took place after the Coosaw Com-pany had spent vast sums of money on its plant, and its great property was thus to be swept away without any re-property was the context of a receiver and the side and the context of the conte

On the subject of the State being a plaintiff, Mr. McCrady cited the cases of Railroad vs Mississippi, 102 U. S., page ing that Judge Aldrich had jurisdic. tion in the case. In support of his views he quoted liberally from law

beginning Mr. Pope submitted the fol-lowing suggestion to the Court: "And now comes State of South Car-Coosaw Company ceases work the State quiring whether the Secretary "refuses

olina by the Hon. Y. J. Pope, the Attorney General of said State, and gives the Court to understand and be in-

Coosaw Company ceases work the State quiring whether the Secretary "refuses is deprived of its revenue, adding bur-dens to the taxpayers. It appeared that his Honor should issue the usual order, sembly, and if so, whether he insists confirming the order issued appointing the temporary receiver, and continuing him until further action of the court. He thought there is no reason why formed that there is now pending and being beard before the Court of Common Pleas for Beaufort County the question He thought there is no reason why of the ordering an injunction and con-Mr. Brooks should not be appointed tinuing its receiver under the rule to receiver because he is a clerk in the of-fice of the Secretary of State. show case in said case in said Court made and returnable on 7th April, Gen. McCrady-"Would you think it proper to appoint a Coosaw official re- been one college established in pursu-1891, and also on the question of juris-

diction of such Court. Y. J. POPE, "Attorney General, State of South Carolina."

Mr. Pope, after some introductory remarks of a personal nature, said that in the argument of opposing counsel State

Italy's Bluster.

ROME, April 2 .- In a long interview with Marquis di Rudini, Minister Porter such State may prepare and report to saw Company first saw the light in stated that the United States govern-It was the child of an Act of the 28th of March, 1870, he said, and, con-tinuing, he gave what he claimed was ment is willing to materially compensate the families of the New Orleans victims, the history of the provisions of that but that it is impossible for the Wash-

Mr. Pope's style is impassioned and on vial, that being a matter for the grand jury in New Orleans to decide. Section 4 provides: earnest, and he referred at some length

GIRLS SAVED THE TRAIN. But they Planned the Wreck Themselve

cide the Matter.

FREEHOLD, N. J., April 12 .- Ano-

ther chapter was added to the story of Further Correspondence Between Gov- Laura and Flora Woolley yesterday. These girls are the twin sisters who piled ties on a rall road track near Farmernor Tillman and the Department of the Interior-Congress Will Have to de-

ingdale last week, and then flagged the train. hoping to get a large reward. Their ruse was discovered.

-Bogus Heroines

COLUMBIA, S. C., April 7 .- The fol-Laura has been greatly agitated even since the matter became public, and yes-Col. Robert Aldrich and Mr. G. S. Mower, and the Coosaw Company by Gen. Edward McCrady and Mr. A. M. Lee. The hearing commenced at 10 a. m. and continued until 2 p. m. A recess was then taken until 3.30 p. m., when the hearing was resumed. It was concluded at 4.30 p. m. Messrs. Mower, McCrady and Lee left for Charleston on the night train and Col. Aldrich returned to Barnwell. The matter is in Judge Aldrich's hands, and his decision as to whether ment of the Interior to Governor Till- terday she went to her bed-room and apparently not much the worse for her experiment, and her friends and relatives will try to persuade her that there is no reason why she should not con-

Hon. B. R. Tillman, Governor of South ern rail road, neared a deep cut at Hen-

140; Alles vs Ransas, 11 U.S., page
462; Tennessee vs Davis, 100 U.S. page
462; Tennessee vs Davis, 100 U.S. page
462; Tennessee vs Davis, 100 U.S. page
462; Tennessee vs South Carolina, 117 U.S., page 269; Stone vs South Carolina, 16
S.C., page 544; Barker vs Bowman, 8th
S.C., page 388, and many other authorities sustaining the same point.
ATTORNEY GENERAL POPE.
Mr. McCrady was followed by Attorney General Pope for the State. In beginning Mr. Benerokinet the fort the state. In beginning Mr

that the rock was owned by the State, longer an open one so far as the State of run into the woods," the girl said, appa-which is not disputed, and when the South Carolina is concerned, and endown to stop you."

Grateful passengers took up a collection that was reported at the time to amount to \$105, and the maiden tound herself a heroine.

George Fitzgeiald, the station boss. could not quite see how such a scheme In answer to the first part of the incould be planned in that vicinity. uiry I have the honor to call your attention to the provisions of the statue.

It provided in the first section: "That in any State in which there has investigation convinced him that the ties had made no threats against any one, eiver?" Col. Aldrich—"Yes, if it pleased the in which an educational institution of were not placed there to wreck the train. These suspicions were confirmed by a fellow employee, Levi Burdge, a cousin like character has been established or court." Gen. McCrady then suggested Mr. Moses E. Lopez for the position. He knows more about phosphates than any other man in this State.—The Court." Ike character has been established or aided by such State from its own reve-tion of the "heroine of a day," who obtained from her a confession that she and her sister had planned and carried out the context in agriculture and the mechanic scheme to enrich a slender purse, and arts, however named or styled, or incidentally to win a little fleeting rewhether or not it has received money heretofore under the Act to which this nown. The girl who had waved the flag was one of the twin sisters, Flora Act is an amendment, the Legislature of and Laura, daughters of George Wool-

ley. The Misses Woelley were in a sad preequitable division of the fund to be redicament at the discovery of their plot. They had heard their father read in the ceived under this Act between one college for white students and one institunewspapers, they said, of a girl who had but that it is impossible for the Wash-ington government to place the lynchers aforesaid, which shall be divided into saved a tran for glory, and the idea suggested itself to them that the same

thing could be done for money. They

UNDER BONDS. The Farmers' Alliance Makes the Situa-THE SHERIFF PUTS A STOP TO AN AN-TICIPATED ENCOUNTER.

cently published a two column interview Colonel Talbert Arrested and Put Under with Senator Edmunds upon the present Peace Bonds -- Mr. N. G. Gonzales Tempolitical situation and outlook. As beporarily Bound Over -- His Case to be tween the two great parties the Senator does not see any great difference be-Heard this Afternoon.

COLUMBIA, S. C., April 10.-For the tween the situation now and what it has past day or two there has been some apprehension of a personal difficulty oc- Farmers' Alliance the situation is one of curring between Colonel W. J. Talbert extraordinary interest and importance Superintendent of the South Carolina because of its possible effect upon the Penitentiary, and Mr. N. G. Gonzales, next national election. The reporter editor of the State, on account of re-cent publications reflecting severely on each other, and on yesterday from in-and to the country are there in the when asked if he regarded Italy's acformation given to him, Sheriff Rowan situation?"

was led to believe that there was some grounds for these apprehensions, and accordingly he took cut warrants for replied with a faint smile. "For in this Nicholls have done all that their official the arrest of both of these parties in order to have them put under peace bonds. The warrants were issued by Farmers' Alliance, for the next Presi-

bonds. The warrants were issued by Trial Justice Muller and placed in the hands of Constable Pollock. Colonel Talbert was found about two o'clock and at once proceeded to the Trial Jus-tice's cffice, where he gave the required bond for S500, with Mr. W. T. Martin as surety. He stated to the Trial Jus-tice that he did not object to giving the bond if it was required of him, but that at the same time he wanted it un-derstood that he was thirsting for no derstood that he was thirsting for no and regular way, although he may have man's blood, and further, that as a law- carried the smallest number of States. abiding citizen, he considered himself to be always bound to keep the peace, party, it is that the Farmers' Alliance although always ready to protect him- may carry in the next Presidential elec-

self when necessary. He said also that he did not want any one put under vote for a Republican candidate, and peace bond for his protection. He thus in effect, if there should be no elec. asked the Trial Justice if any one had tion by the people, give the election to requested that he should be put under bond, to which the Sheriff replied that he had taken out the warrants on his "What do you think will be the issue

own responsibility. The warrant against Mr. Gonzales was served later in the afternoon, and by the same ground for justice and

he appeared at the Trial Justice's office about 5 o'clock in the afternoon. Tramps were not numerous, and the few Mr. Gonzales was accompanied by for the protection of American labor and families living in the vicinity were well Mr. F. H. Weston as his attorney, and industries that it has maintained hithfor the protection of American labor and known and above suspicion. A little demanded a trial on the ground that he erto." "Do you think silver will be an issue

and could therefore see no reason why in the next election?" "I don't think it will be an issue behe should be required to give a peace

ond. Sheriff Rowan made a statement to for I think that the Democratic party bond. the effect that he had made inquiries will hardly wish to make the silver quesof parties who he thought were in a tion an issue to the extent of running position to know as to whether there any considerable risk of separating silver was any likelihood of a difficulty occur- and gold as coin money for the country, was any incennood of a dimension of control of the control, ble side ring between Messrs. Talbert and Gon-zales, and that he had been informed by them that there was. Mr. E. J. Watson of the State being one of those but that the Republicans will be in favor the law." why so informed him in response to his of using silver as money as it always has

inquiries. The Sheriff further stated that Col. Geo. K. Wright had notified him in the morning that a difficulty for President, will be I am quite unable done. What the Farmers' Alliance plat-

counsel for the Coosaw Company, arose and informed the Court that, in obe-dience to the order of the previous day, the defendants were present and ready to proceed. Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing, which was filed with the clear Attomery General Pope read the fol-lowing which was filed with the clear Attomery General Pope read the fol-lowing which was filed with the clear Attomery General Popered the fol-lowing which was filed with the clear Attomery General Popered the fol-lowing which was filed with the clear Attomery Gene After making an unsworn statement as above, counsel for Mr. Gonzales re-and if so, what might it lead to? Is Is communism at the bottom of it?"

ITALIAN GASCONADE.

NO. 17.

A LULL IN THE EXCITENENT AT THE

FEDERAL CAPITAL.

The Views of Senater Butler on the Cours of the Italian Government in Recalling their Minister from the United States

No War Probable. WASHINGTON, April 2.-All quiet on

the Potomac" sums up the situation at the National Capital to-night. Senators Butler, Ransom, Vance, Representative Boatman and all the Southern Congressmen now in Washington contion in recalling Baron Fava as justifi-

"I do not. Mr. Blaine and Governor Nicholls have done all that their official positions permitted them to do, all that could reasonably be expected of them and this action of the Italian Government has very much the appearance of Italian gasconade. Of course every law-abiding citizen deprecates the unfortunate occurrence in New Orleans, but the people of Louisiana are the best judges of their own environments, and can be trusted to deal properly with them. Neither Mr. Blaine nor Governor Nicholls is a grand juryman or pros-ecutor, and they have properly left the affair in the hands of the law, where it belongs."

"Do you think the Malia will be again heard from?"

"That I cannot tell. It appears to be an Italian institution transplanted to this country, but it does not flourish here and will not be permitted to spread. Whatever means are necessa-ry to eradicate it will be adopted wherever it shows its head, and the Italian Government may as well un-derstand, first as last, that if Italian equality of rights among the citizens of the United States and fair elections and for the protection of American labor and industries that it has maintained hithklux Klan or Melly Maguire organization would be permitted to ply their avocation in an Italian city on Italian subjects? Just about as long as it takes to get them to the nearest lamp post or nearest limb. One thing I think may be safely assured, that the course of the Italian Gogernment is not calculated to encourage the amia-ble side of the American character or excite sympathy for Italian subjects who use stilettos on the law officers of this country in revenge for enforcing

"Will the present complications lead

to war in your opinion?" "I do not know. I trust not. There is nothing in the conduct of our Govwas pending, and that thereupon he considered it his duty as a peace officer, to take the course he had taken. Mr. Gonzales said that the course of the Sheriff was unwarranted by the facts and that if he was put under bond

tinue to live. The attempt to wreck the train occurred on Monday of last week. As the 4.30 p.m. express train from New York to Lakewood, on the New Jersey South-

Hon. Y. the said State, and appear herein for of what hight be termed sarcasm, and the purpose only of contesting the his references to opposing counsel as jurisdiction of this Court over the "these young men" caused some amuseabove mentioned cause, and the legality ment to those gentlemen. The State, of the attempted removal of the same Beaufort County, and for no other purpose whatsoever. Y. J. Pope. "Attorney General, State of S. C."

him for not replying to a letter which State would consent to anything like his official capacity. He disclaimed nor wanting in spirit, and no concaten-ever having received such a letter, ation of events could procure a comeither individually or as Attorney Gen-promise. The State had been insulted, eral. After mutual satisfactory ex-and her laws shall be vindicated, and planations between Mr. Pope and Mr. this creature of hers (the Coosaw Comquested Mr. McCrady to present the ous will. He here paid a lengthy tribargument of the defendants.

MR. LOUIS DE B. M'CRADY. Mr. McCrady began his argument

promptly and applied himself to the points in issue without any introductory flourish of trumpets or rhetorical said. effort.

There were, he said, three iconstitu-Constitution of the United States provided that no State could by any legisunder which it claimed an indefinite and exclusive license, on certain conditions, to mine rock from the Coosaw River, opposite to and south of Chison December 23, 1890, a board of phosphate commissioners was created, and on and after March 1, 1891, take pos- was there that the difference between the Court of Common Pleas of Beaufort County, asking for an injunction re-straining the Coosaw Company from they said nothing about the money they asserting its rights to the territory and had made out of the Coosaw River. from mining rock within it. There is no reference in the complaint of the Act of 1890, but without the Act the property. board would have had no existence. The wrongs charged against the Coosaw Company are the wrongs set forth in this Act, and nowhere else. In this suit the Coosaw Company has filled a petition for a removal to the United cipal of eminent domain, the State can States Court, and in regard to jurisdic- take the property of private citizens tion it must be shown by the defen-dants that there is a Federal question corporations, such as railways, canals, involved. Is the petition for removal etc. But she holds navigable rivers a pleading, and can a Federal question and the soil beneath them in trust for be set forth in that petition?

In support of his position Mr. Mc-Crady quoted numerous authorities, among them the Gold Washing and queut Legislature. In support of this Water Company vs Keys, 96 U.S., page he quoted the final decision in the 202, which he referred to several times famous Louisiana slaughter house case, in the course of his argument and read and argued that a Legislature could from at some length. In 121 U.S., page not bind another Legislature to such 462, in the case of Carson vs Dunham, grants where the whole people were diit was held that where the petition was rectly interested. In reply to a ques-defective it might even be amended to tion from the Court. Mr. Pope exmake more plain the point of jurisdiction. He quoted further from 122 U. S., page 517; Mayer vs Cooper, 6 Wallace, page 252; Railroad vs Mississippi, 102 U. S., page 140, and a further tore could annul it. lengthy list of authorities.

Section 10 of the 4th article of the Constitution must be construed for the purpose of seeing if the act of Decemthan this is involved. The 5th article not handsome-I will use no stronger indefinite grant under certain condi- now.' tions, which it has fulfilled, but the

A PLEA TO THE JURISDICTION. "And now comes the State of South arolina, plaintiff above named, by the loud complaints. His remember to the low proved futile of international comity are low to the state of south low complaints. His remember to the low proved futile comity are low to the state of south low complaints. His remember to the low proved futile comity are low to the state of south low complaints. His remember to the low proved futile comity are low to the state of south low complaints. His remember to the low proved futile comity are low to the state of south low complaints. His remember to the low complaints with the state of south low complaints with the state of south low complaints. His remember to the low complaints with the state of south low complaints with the state of south low complaints with the state of south low complaints. His remember to the low complaints with the state of south low complaints with low complaints with the state of south low complaints with the state of south low complaints with low complain "And now comes the State of South fendant could come here with such the rules of international comity pre-Carolina, plaintiff above named, by the loud complaints. His remarks in this clude an expression of opinion by a tied respectively to receive. If the J. Pope, Attorney General of part of his argument smacked strongly Minister placed in the position that he said, had bowed her sovereign head much to pacify the Italian government President and the amount involved from the Court of Common Pleas for to come into a Court of justice, and the and that he has won over to his way of shall be kept separate in the Treasury people of South Caroling felt it acutey that this mining company was not whom have been trying to induce the order that the State or Territory may, satisfied with the righteous conduct of Italian Premier. Marquis di Rudini, to if it should so desire, appeal to Congress

is said that even if Baron Fava is withit was said had been written to him in this. South Carolina was neither poor, drawn it will be done only as the most of this law." Smythe, the latter gentleman called at-tention to the fact that the paper intro-save that of the United States Courts from prominent Italians in other citles duced by Mr. Pope raised immediately could stay her right to make this crea- urging moderation upon the Italion gov- where a slight variance was admitted the question of jurisdiction, and re- ture bow in submission to her righte- ernmont in its treatment of the New Or- the Secretary has insisted upon a divis- sentative Simpson to New England is leans troubles.

ute to South Carolina, the United States and Chief Justice Marshall, and the

COLUMBIA, S. C., April 8 .- The offi-Federal Courts. The filing of a petition and bond does cial report of the proceedings of the

not constitute a transfer of a case, he meeting of the State board of examiners Saturday is given to the press this It is the duty of a suitor who wishes a transfer to appear in the State Court and settle the matter there, and uscript histories of the State to be subtional questions involved in the cause. any other course indicated a lack of mitted must be presented in type writ-The tenth section of Article IV of the courtesy toward the State Court. On ten copy, and that the manuscript will be accompanied with some indication the point of the United States jurisdiction being purely statutory, he read the of the proposed arrangement of the Act of Congress of 1887 amendatory to text, the style and cost of the book. contracts. Under an Act of the South Carolina Legislature a grant had been made to the Coosaw Mining Company, inder which it claimed an indefinite made to the Coosaw Mining Company, inder which it claimed an indefinite made to the Coosaw Mining Company, inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix inder which it claimed an indefinite case cited he said by the appendix indefinite case cited he said by the appendix indefinite case cited he said by the appendix indefinite case cited he said by the appendi counsel had been decided under the old teacher, and attendance on the teach-mischievous Act, and not one under ers' institute, proper credit being the division should be based upon the tuations in his condition from each of mischievous Act, and not one under ers' institute, proper credit being the division should be based upon the tuations in his condition from each of latter enumeration. Very respectfully, which he rallied, although in each inolm's Island. By another Act passed 1887 the Court was compelled to con- the State divided into suitable districts fine itself in such cases to the com-plaint filed in the State Court. This this summer. The detailed work for the Act provided that the board should, was not true under the old law, and it arrangement was left to State Superinsession of the Coosaw territory, and the Acts of 1875 and 1887 appeared. passed urging the county boards to re-further authorized the board to issue The petition to this Court states no district their counties in suitable

# tendent Mayfield. A resolution was licenses to other parties to mine in this facts which raises a Federal question. school districts and press the levying reply to my letter to Hon. John W. Noriver. On the 21st of March the State From the beginning of this case the of a special school tax under the pro-of South Carolina filed a complaint in great cry on the part of the defendants vision of the school act of 1888 in all to Mr. Noble, our General Assembly has from which it was evident that there had been the great amount of money

### Revengeful Italians

PARKERSBURG, W. Va., April 3 .-There is considerable commotion among the railroad lines in this State,

Ile asserted that the State could not the destruction of property. Two at-tempts to wreck a fact express on the Baltimore and Ohio Railroad were de-South Carolina her quota because he grant in perpetulty to a few persons the exercise of rights which belonged to all her citizens. Any such Act of the tected in time to prevent the loss of thinks it is not equitable is for you or Legislature is repealable. On the prinall her citizens. She holds them as a sovereign, and any act which gives them away can be undone by a subseand Ohio at Constitution was blown up with dynamite, completely wrecking the building and causing a heavy loss. All the contents were destroyed. All these crimes are charged to the Italians in the neighborhood where they happened.

Italy's Next Move.

plained more explicitly that he held LONDON, April 2.-A dispatch from that where an Act was passed by one Rome says that the next move on the Legislature confining public rights to a part of the Italian Government, should few individuals, a subsequent Legisla- satisfaction not be given for the New Orleans tragedy, will be to place an embargo on American goods, and prohibit GOING INTO ANCIENT HISTORY.

This company may flourish, he said, their importation into Italy. but in the end it would be overtaken. Much indignation exists Much indignation exists in Rome Charges had been made, though they against the Vatician party for the utber 23, 1890, is embraced in its purview, may be untrue, that the inception of terances of the Papal organ to the ef-but a further constitutional question these matters in the Legislature were fect that the government was influenced by secret societies. The clerics of the Constitution provides that no person shall be deprived of his proper-tw without due process of law. The fer to those things, let him put them in the pleadings, and we will meet him ple by its action. With the exception

State, notwithstanding this claim, has matters if the company behaves in a ment in its course.

Minister placed in the position that he (Porter) is now placed in. It is learn-ed, however, from reliable sources that the United States Minister has done of its appropriation, the facts and reathe United States Minister has done sons therefore shall be reported to the thinking other Ministers, several of until the close of the next Congress in awaken considerable interest in the Al-MUTUAL EXPLANATIONS. Mr. Pope then called attention to the remarks of Mr. Smythe on Tuesday, in which a reflection had been thrown on him for not replying to a letter which charged with the proper administration

forcible protest known in diplomacy, and It seems evident that while the Legi-not as a forerunner of a conflict between lature may propose a division of the before the next campaign. Senator Pefian Cabinet Ministers are in receipt of a made the duty of the Secretary to pass ion on the ratio of the school population, and this seems to be the most equitable and uniform basis that can be adopted.

School Examiners' Recommendation In this case he sees no reason to recede from his convictions that equity demands a division into the ratio of the

school population. In answer to the second part of the inquiry, I have to state that when you of power. were written to on the subject. Jannary 31, 1891, the school census for State of South Carolina for the year 1890 was not available, and the census of 1880, white 35.9 per cent., colored 64.1 per showing the holder's experience as a for 1890. (Whites 36.7 per cent., colored

GEO. CHANDLER,

Acting Secretary. GOVERNOR TILMAN'S REPLY.

Hon. Geo. Chandler, Acting Secretary Interior, Washington, D, C. SIR: I have the honor to acknowledge

receipt of your letter of March 21st, in donated by Congress last year "for the ing to consciousness. When the end further endowment and support of col- finally came, it was peaceful and to all leges for the benefit of agriculture and appearances, painless. The physicians the mechanic arts," between Clemson say that Barnum had no organic disease among the railroad lines in this State, and there are indications that the Ital-ians are averging their countrymer by ion is equitable or not as provided by months being due to the gradual failure of his general mental powers, resulting

life. A few minutes before the New him to decide until Congress meets. South Carolina has dealt liberally Grafton the track walker discovered with its colored college in the past and tightly between the rails. An hour on your part to accept the apportionlater the Chicago express barely escaped a disastrous wreck near the same point in the same point is a same po by a similiar obstruction. A large de- and if I had, I would refuse to accept pot and store building on the Baltimore the money on such terms as you offer.

#### Very respectfully, B. R. TILLMAN, Governor.

# "A Pure Matter of Health."

WASHINGTON, April 8 .- Senator Edmunds, who sent his resignation to the Governor of Vermont a few days ago, when asked for a statement of the reasons for his resignation, said: "I have resigned from personal considerations solely. It is a pure matter of health. and securities. cannot live in Washington during the winter. I suffer from throat trouble and the climate is too severe. I hold that a senator should attend to his duties, and if I cannot remain in Washington constantly, I prefer to resign. l shall spend the winters in Aiken, S. C., visiting Washington occasionally to attend the sessions of the Supreme Court when I have business before it." MRS. SARAH B. COOPER condensed

WASHINGTON, April 8.-Representative Jerry Simpson left the city yesterday for Olean, N. Y., to spend the next ten days in the work of proselyting the farmers of Western New York. The national lecturer of the Alliance. Mr. Willitts, also left yesterday afternoon for New Jersey, where he hopes to lance cause. He has already made a journey out to Ohio and sown the seed from which he hopes a large crop of Alliances will grow. This activity on the part of the Alliance leaders, according to Senator Peffer's statement to a United Press reporter, is due to the fact that a movement is on foot to carry the Alliance ideas into every State of the Union

the United States and Italy. The Ital- fund between the two institutions, it is fer also spoke hopefully of the conference to be held in Cincinnati on the 19th large number of cablegrams and letters upon the equitableness of the proposed of May, and said that it was the forerun-from prominent Italians in other citles division. In all but a very few instances ner of the organization of a new party. The effect of the recent visit of Repreviewed with some alarm by the members of both the Republican and Democratic parties in New Hampshire. Both parties there have discovered how equally divided the vote is, and it would not take many converts to the Alliance ideas to give the third party the balance

P. T. Barnum Dies.

BRIDGEPORT, Conn., April 7 .- The great showman, P. T. Barnum, passed House and the State office. I did not away at 6:22 o'clock this evening in the presence of his grief stricken family. During the period of Barnum's invalidism and confinement to the house which began twenty-one weeks ago last stance with a slightly lowered vitality. The change for the worse, which oc-

curred last night was so much more pronounced than the previous attacks had been that it convinced the physicians that their patient had not many more hours to l ve. At 3:30 o'clock this afternoon

from old age. He was about 80.

Counterfeit Currency. WASHINGTON, April 8.—Assistant United States Treasurer Whelpley stated this morning that there was no doubt that a counterfeit of the S2 silver certificate was in circulation. As fast as the S2 silver certificates was received at the Treasury Department they were destroyed, but no order had yet been issued calling them in. The printing of S2 silver certificates from the old plate had been suspended. The new design will bear the portrait of

Secretary Windom, instead of that of Gen. Hancock. It is said that the new issue of \$2 silver certificates will not be printed until Secretary Foster decides upon a distinctive paper upon which to print all treasury notes, bonds

## Ready to Shoot Italians.

DODGE CITY, Kansas, April 2.-The following message was sent to New Orleans to night: To the Mayor and citizens of New Orleans: The people of Dodge City, Kansas, in mass conven-tion assembled, resolved, that this meeting express the sentiment of this city and county, and say to the people of the Crescent City, that 1,000 ablebodied men, spoken for by this resoluin the pleadings, net min put them now." Mr. Pope: "I will not refer to these matters if the company behaves in a ment in its course. Source things, let min put them ple by its action. With the exception of the clerics, the newspapers, without ment in its course. Source the pleadings, and we will meet him now." Mr. Pope: "I will not refer to these matters if the company behaves in a

quired the Sheriff's testimony to be re-"A third party movement," replied duced to writing, it being as follows: S. W. Rowan, being duly sworn. says: the Senator, "does not exist in the Farm-'My attention was called to the proba- ers' Alliance enterprise. If succeessful bility of a difficulty between Mr. N. G. to the extent of having a President and Gonzales and Mr. W. J. Talbert. I was both houses of Congress, it would doubt-informed that policemen were sta-less lead to the enactment of the meationed near The State office and that sures they have already indicated, and the citizens along the street were anticipating a difficulty. I made inquiry measures were good for the farmers or last night to get something definite, but extremely bad for them would manithe parties gave me evasive answers. communism is at the bottom of the I have not seen Mr. Gonzales for three Farmers' Alliance movement. The peror four days. When I read the paper (The State of the 9th) I read an article centage of communism in this country that made me suspicious of trouble. I is, I believe, almost infinitesimally went on the street this morning and a gentleman informed me that trouble ing people of the country, which taking a gentleman informed me that around all the departments of human activity, was expected between Mr. Gonzales all the departments of human activity, and Mr. Talbert, and that he thought embraces probably ninety-five one hun-and Mr. Talbert, to be placed under dredths of the whole number of grown bond. 1 requested my informant to up people who are altogether too intellimake his aflidavit and told him if I gent and honest to think that communmade it I could not make the arrest. He declined, giving no reason, and I families, but they believe that it is destructive of private rights, of personal prosperity and personal happiness, and then came round and made the affidavit. I had been told if these two parties met if carried into practice would effect the on the street there would be trouble. maintenance of the vicious and lazy stated that Mr. Condit was alarmed and ignorant out of the toil of intelli-and so told him." "How might the finances of the coun

Cross-examined-"I saw the police men standing near the State office; I try be affected by this movement?" "The finances of the country always have frequently seen them standing on

the corner of the Opera House and at the Opera House steps. There is one store between the Opera House and the State office. I did not ministration of its government. If any at the Opera House steps. There that people engaged in business and can Canal Company left here two weeks is one store between the Opera people having capital have in the ad-House and the State office. I did not approach either Mr. Gonzales or Mr. Talbert, I was suspicious of trouble last night, and from the time of the appear-dable as to make unsound legislation at all was wrecked on Pannacadorie's night, and from the time of the appear-ance of the first article in The Regis-all probable, the finances of the country ter, knowing Mr. Gonzales not to be a would be very greatly disturbed, and No lives were lost so far as known. As man who take insults. I think, but do that, of course, would disturb every not state positively, that both Mr. Wat- branch of labor and business. This son and Mr. Reynolds told me that if everybody perfectly understands."

Mr. Gonzales and Mr. Talbert met there would be trouble. Mr. Watson and ST. LOUIS, April 6.-Mr. John T Farish, a well known mining expert Mr. Reynolds both are employed in the State office; Mr. Watson as local editor who has returned to this city from Col' and Mr. Reynolds as business manaorado, says that never in all his experience in the mountains has he witnessed

ger. . "(Signed) Mr. Gonzales was then required to anything like the snow storms of the give bond until 4 o'clock this afternoon, past six weeks. For eighteen days he at which time the examination will be says he was snow bound in the Red at which time the examination will be mountains, near Rico, Col., and during continued. that period was literally cut off from he was in the Trial Justice's office that the world. The snow storm, which raged for weeks, started in about the ing been purposely brought about by a 15th of February, and since that time the trails to the mines have been cover-Radical sheet," as previous to its ated up and fully fifty lives lost by the disastrous show slides that were of altacks upon him there was no cause for

any trouble. most daily occurrence, making it dan-The Evening Record, commenting gerous for a man or beast to venture away from shelter. He reports that the

upon the arrest, says: "Since the publication of Mr. W. J. great producing mines were completely Talbert's letter in The Register yester-day morning in which the following reference to the editor of the State apshut off, and that thousands of tons of ore are awaiting the reopening of the trails. peared: 'I denounce his insinuations against my good name as contemptible ies and slanders,' the public generally have felt that bloodshed was imminent. All day yesterday every one was on the qui vive of expectancy. This statement, taken in connection with the sworn statement of the Sheriff,

goes to show that there was some public apprehension of an impending difficulty .- Register. Holocaust in Pennsylvania.

PITTSBURG, Pa., April 6.—A special from Rochester, Pa., says: "In a fire last night a large frame structure on New York street, belonging to John F. Smith, in which was located the tea and coffee store of Geo. Edwards, the millinery store of Mrs. Hall, the shoe shops and residence of E. J. Keene was destroyed. A number of Italians lived over the millinery store and all were burned to death. There have been nine bodies found.

A Sensation in Abbeville. CHARLESTON, April 7.-It was dis-covered Saturday that the grave of Judge Wardlaw, who was buried near Abbeville eighteen years ago, had been opened and the coffin broken. Tre body was undisturbed. His wife's R. W. EVANS, Mayor. grave had also been opened. The moat the barge office to-day. with indecent haste we ought at least to assert a becoming determination not to be driven

Senator Butler's utterances have the proper ring, and he but voices the sentiments of his people in the Old Palmettt State as expressed in the News and Courier.

There are no new developments in then in a very short time whether those the Italian flury. The next feature of the controversy will be the reply from Marquis Imperiali to the Secretary's festly appear. I do not think that letter of last night, which has not yet arrived. On it will depend much of the prospect. He may indicate his inability to speak for his Government, having been left only in charge of "cursent affairs," in which event Mr. Blaine will take it for granted that diplomatic representation in this country from Italy is at an end, and will probabl communicate with Marquis Di Rudini through Minister Porter at Rome. The note from Marquis Imperiali may be ism will be of any benefit to them or their delayed long enough for a cable mes-families, but they believe that it is des- sage to reach Rudini from here and for a reply containing instructions to get back. This may happen within a couple of hours or it may take two days according to the temper of the Italian Government.-News and Cour-

> ier. Wrecked on a Reef.

NEW YORK, April 2.- The steamship Aguan, of the Honduras Central Ameri can Canal Company left here two weeks reef 200 miles Northwest of Greytown. soon as the steamer struck the reef a life boat was sent ashore. It reached Greytown on the 30th of March, and on the day following the steamer Brazo of the Moregan life, left Greytown to go to the rescue of the passengers and crew of the Aguan. The Brazo is expected back at Greytown today. The Chief Engineer of the Aguan telegraphed these facts to his company's office today.

The Plot Miscarried.

WHEELING, W. Va., April 8.-Miss Amy Morgan, daughter of a Wheeling banker, was seized at her father's gate by two masked men on Sunday night who thrust her into a carriage and drove all night. At daylight the girl, who was blindfolded, heard one of the men pounding at the door of a house. He came back and said: "We are here. The game is up." The two had a con-sultation as to whether to kill the girl or let her go, and finally decided upon the latter course. The girl ran and walked ten miles, and then struck a railroad at Kilsey, 25 miles from home. She got back home at noon yesterday,

# Juggled Republican Victory.

QUEBEC, April 2 .- Last evening a

RALEIGH, N. C., April 8.—Governor Daniel G. Fowle, who died suddenly last night, had been slightly indisposed for two days but way not support PROVIDENCE, R. I., April 3 .- The election returns available at 1 o'clock this for two days, but was not supposed to be seriously ill. Shortly after 11 o'clock afternoon make it certain that there has been no choice by the people for any he called to his daughter Mary and said officer upon the general ticket. The republicans have carried a sufficient that he was not feeling well, and expected she would have to sit up with him. His daughter, Miss Helen, then number of towns to give them the fifty. five votes necessary for a majority on went into his room, and in a few minjoint ballot. The total number of votes utes he said, "I am fainting." She has-tened to his side, but he almost instantfor governor stands: Burton, nationalist, 384: Davis, democrat, 22,243; Ladd, rely expired. His death was probably from apoplexy. He was sixty years of publican, 21,895; Larry, prohibitionist, age. The capital, public buildings and 1,820. The next general assembly stands; Senate, republicans; 21; democrats 9; to the executive mansion will be draped be chosen 6. House of representative, in mourning. Raleigh is a city of sadness. Lieutenant Governor Holt has republicans 34; democrats 23; to be been telegraphed for and will be here chosen 19. Severe Earthquake.

exhausted.

## to-day. Italians Flocking to America.

Fifty Lives Lost.

The Death of Gov. Fowle.

violent earthquake here was felt all along the North shore of St. Lawrence NEW YORK, April 2-Superintendent of Immigration Weber says immiand extended far into the back country gration from Italy is rapidly increasing parishes. News from St. Gabriel County, -in fact, leading that of all other counat Quebec, and other stations confirm tries. The figures of March are: Italy, the fact of a violent shock. Residents of Ireland, 4,386; Hungary, 3,589; Austria, 3,384; Russia, 2,925; total 29,338. Sixteen hundred and seven Italians were landed several seconds and caused the inhabit-7,869; Germany, 7,087; Great Britian and Bonaparte state that the earth and ants great alarm.