

# GRAND PRIZE CONTEST

## \$400 Upton Piano Free!

### Just A Little Hustling and You Win

We will issue trade certificates with every purchase at our store. These certificates represent ONE VOTE for each ONE CENT of purchase and the person holding certificates representing the LARGEST NUMBER OF VOTES at the end of contest, will receive this beautiful instrument, the Upton Piano, ABSOLUTELY FREE OF COST.

The certificates are transferable and if you are not interested in securing the piano yourself, you can assist a friend, or some charitable institution, church, Sunday school or society in securing the instrument.

Our object is to interest you in our store. We want a chance to show you that you can do better here than elsewhere. We do not expect to recover the heavy expense of this contest through a greater percentage of profit, but through the difference in volume of business—we expect the increase to more than repay us and in the future we shall endeavor to give you EVEN MORE for your money than we have in the past.

We solicit your patronage solely through the merits of our goods and lower prices.

We can save you money and we are ready to prove it.

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GET IN THE GAME!

### NOMINATE YOUR FAVORITE

Then Make Us Give Them The Piano

I hereby nominate M \_\_\_\_\_  
a Candidate in the Grand Prize Piano Contest, and want you to give her the customary 2,000 Votes as a starter.

Name \_\_\_\_\_

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We offer through the entire Grand Prize Contest, 1,000 Votes on every Prescription Filled.

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Manning, S. C.

### The Manning Times.

LOUIS APPELT, Editor.

MANNING, S. C., MARCH 8, 1911.

PUBLISHED EVERY WEDNESDAY

#### SUBSCRIPTION RATES:

One year.....\$1.50  
Six months......75  
Four months......50

#### ADVERTISING RATES:

One square, one time, \$1; each subsequent insertion, 50 cents. Obituaries and Tributes of Respect charged for as regular advertisements. Liberal contracts made for three, six and twelve months.

Communications must be accompanied by the real name and address of the writer in order to receive attention.

No communication of a personal character will be published except as an advertisement. Entered as the Postoffice at Manning as Second Class matter.

### THE GOVERNOR VS. THE CHIEF JUSTICE.

The disagreement between Governor Blease and Chief Justice Jones is very unfortunate indeed, but in our opinion it will finally result in good to the taxpayers, for it should have the effect of putting a stop to the practice of appointing extra judges whenever the members of the Bar of a county conclude to have a special term. The general assembly, to meet the demands of the legal fraternity, provided within the past few years five additional circuits. This required five additional judges, and yet, the demand for special terms with extra judges does not lessen; there should be a limit to this extraordinary expense, and, unless a check is made the special court evil will continue to grow. Whether Governor Blease has gone about this business right or not we are unable to say, but it looks to us that his purpose is to protect the taxpayers from this increasing tendency to make raids upon the public treasury—trying to drive the hogs from the trough.

The law makes provision for the appointment of special judges, it gives to the supreme court the right to recommend when there are no regular judges disengaged, but in the event there are judges disengaged the law also provides the assignment shall be from these; as we understand the situation which has brought about the unfortunate condition at Horry, Judge Klugh was the regular judge to hold that court, he was incapacitated, the governor was notified, whereupon he informed the Chief Justice of Judge Klugh's condition, and asked that one of the disengaged judges, Copes or Memminger, be assigned to Horry, the Chief Justice at the request of the Horry Bar recommended Mr. Quattle-

baum, but when he received the communication from the governor, who is the Chief Magistrate, he tartly replied he had made his recommendation and it would stand. Right here is where the Chief Justice is to blame for the present condition; had he, when the governor informed him that Judges Copes and Memminger were disengaged, told the governor that Judge Copes would hold the Richland court, and that Judge Memminger was sick, there is no doubt in our mind, the governor would have signed the commission for Mr. Quattlebaum, but Judge Jones standing upon his dignity preferred to keep his own counsel, with the result, the innocent people of Horry are the sufferers. Marion is in the same circuit as Horry, and for this week it seems Judge Aldrich is disengaged; the Chief Justice has assigned Judge Aldrich to hold that court as a substitute for Judge Klugh showing the governor is right in his contention, that disengaged judges must hold these courts in preference to extra judges, and why? The regular judges are paid an annual salary, while the extra judges are paid ten dollars a day, but not one cent of this pay is taken from the regular salary of the judge whose place is being filled.

Had Chief Justice Jones considered the welfare of the people of Horry and imparted to the governor his information relating to Judge Memminger's physical condition, the whole trouble would have been avoided, and it would have left no ground to misjudge the motives of either of these distinguished gentlemen. There are some who think the Chief Justice unfriendly to the Chief Executive, and that he is not disposed to give any aid to his administration. What there is in this we do not know, however, there has been friction between the judicial and the executive branch of the government ever since Governor Blease took the oath of office from a magistrate, instead of the Chief Justice as has been the custom in the past. To have a conflict between the Executive and the Court is unfortunate, but when that conflict reaches the acute stage that the people are made the sufferers then there should be some way to bring about mediation for the differences to be settled, at least until the general assembly convenes that it may fix the law so no such deplorable conditions will ever arise again.

The Governor is a direct representative of the people, and to them he is responsible for his acts; the Chief Justice does not represent the people nor is he accountable to them. Their duties ought not to conflict, but if there is any doubt as to the present

law, and it seems there is doubt, many lawyers agree with the governor's position, and he is a lawyer of note himself, then it is all the more necessary that a truce be patched up between the contending parties until the legislature meets.

The position taken by the governor is not new by any means, if our recollection is right he opposed while a senator the creation of the three last circuits on the ground that it was creating needless offices, and contending it would not relieve conditions, or put a stop to special terms of court, and the appointment of special judges, but instead, it would only provide more jobs for needless lawyers, and give no relief to the taxpayers whatever. Blease foresaw the results clearly; results show that notwithstanding the creation of additional judges the special terms, and special judges come just as often as before, if they have not increased. He is now endeavoring to put a stop to the practice of having special terms of court—this drain upon the public treasury, but, if an emergency arises which demands a special term, he believes the taxpayers are entitled to first consideration by requiring the regularly paid judges to do the work, instead of adding an extra expense to the taxpayers by appointing lawyers, who possibly are without cases, whenever it suits the convenience of the gentlemen of the Bar. This is one of the retrenchments he promised the people he would inaugurate, and he is evidently trying to live up to the faith he professed.

Governor Blease may be mistaken all the way through but we must feel that he believes he is right, and that he dares to do his duty as he sees it, but whether Blease is right or wrong there is nothing to applaud in the action of the Chief Justice in withholding from the governor the information that one of the disengaged judges was sick. It is evident the governor knew nothing of the illness of Judge Memminger, if he was, but in response to his communication, Chief Justice Jones could have spared the people of Horry their present unfortunate condition, and the governor of embarrassment; all that he needed to have done was to say that one of the disengaged judges the governor referred to would hold the Richland court, and the other was unable to attend on account of sickness; this would have settled it, and the Horry court would have opened up on schedule time with Mr. Quattlebaum who was recommended by the Chief Justice, commissioned by the governor, presiding.

### WAIT AND SEE.

There is now being mailed out to the members of the general assembly, postal cards from those interested in the commission form of government plan in Charleston, asking for expressions in regard to passing over the governor's veto the Act passed at the recent session. This seems to us a very unusual procedure, and we hardly think that the members of the assembly should commit themselves in advance. When the legislature convenes next year, the governor will accompany his veto with the reasons for his veto, therefore, it will then be time enough for those who are called upon to vote to make up their minds as to the merits of the governor's refusal to sign the Act.

We regarded the adoption of the Act at the time it was up for consideration in the general assembly local in its nature, simply giving to those cities desiring to come under this form of government the privilege to so vote, and therefore did not oppose it, but the fact of the Chief Executive declining to sanction it, should at least cause the general assembly to wait until it has ascertained his reasons. If it is simply a personal opposition to such a form of government the Act will in all probability be passed over the veto, but if the governor assigns such reasons as to appeal to the better judgment of the assembly then his veto will be sustained. Therefore we say the postal card campaign from Charleston is premature and no member of the body should commit himself one way or another. We do not believe in a snap judgment, and we also think it a bad precedent to commit the legislature in advance on matters which are to come before it a year later.

Governor Woodrow Wilson of New Jersey has accepted an invitation to address the State Press Association which convenes in Columbia this coming May. This gentleman who is a presidential possibility, will be received by the press of this State with a warm welcome as he is a favorite in South Carolina.

The Charleston people are now waging a campaign to raise \$150,000 by the 15th, to build a Y. M. C. A. hall. They have about one half of the amount raised and the balance will be forthcoming on schedule time. Behind this movement is a strong following of the best business men of the city, men of all faiths and creeds. Gentle and Jew are working with might and main for the accomplishment of this grand purpose.

The senators from South Carolina, Tillman and Smith, took opposite views on the Lorimer case in the United States Senate. Smith voted against the seating of Lorimer and Tillman voted for his seating. The cause was one in which there was no party issues involved.

When Senator Lorimer returned to his home in Chicago the populace turned out and gave him a royal welcome. This demonstration may signify that he is not as black as he has been painted, and it also endorses the action of the Senate for having by its vote retained the gentleman from Illinois in that august body.

When a test case is made of that special judge muddle, we predict that the supreme court will dodge the main issue and resort to a quibble or legal hair-splitting, by contending that because a judge is not actually sitting on the bench doesn't necessarily mean that he is "disengaged." He might be at home writing out an opinion, you know—or reading the correspondence between Governor Blease and the chief justice, and actually "laughing in his sleeve" at the predicament the supreme court has got itself into.—Laurensville Herald.

The New York deadlock is not at all encouraging to the prospects of the Democratic party in that State, and its baneful effect will be felt throughout the country. It seems to be a battle among the machine politicians, the interests of the party, nor the country are regarded. Murphy, a Tammany leader, has the whip in hand, but the Insurgents are equally as determined not to let Tammany have the making of a United States Senator, while this fight is going on the Republicans will have an opportunity of getting their forces together again for the battle of 1912.

Senator E. D. Smith, after a very hard struggle, has at last succeeded in ousting Mr. Louis Kuker from the post office at Florence, and getting the appointment for Mr. John Chase. There was no complaint against Kuker except that he was appointed to that office without the consent of Senator Smith, and it has been the custom to give the appointment of post master to the Senator at his home town. We know Mr. Kuker well and his being relieved from this office is no reflection upon him, as he has the confidence of the people of his community, and the department also.

Some newspapers are trying very hard to convince the factory operatives that Governor Blease has gone back on the factory people. When will these newspapers ever learn that the factory people are not the mental derelicts—the cooling babies—that Cole Blease's enemies seem to think they are? The average factory operative knows Cole Blease, and if the newspapers could injure him they would have had their effect in last summer's primary.—Laurensville Herald.

Some of the newspapers of the State have been quite severe in their criticism of the member of the general assembly who left their post of duty immediately upon the receipt of their pay certificates, instead of staying until the work was done. The every representative should have remained until the gavel fell, and especially when it was known that unprecedented things were liable to happen, but our observation, after several years of experience in that body, has been that those who are sticklers for economy, and make the loudest noises for the people, are the first to leave for home when they are paid off. We believe if the pay certificates were dishied out on the first day of the session these same noise makers, for the people would find it convenient to be absent in a very short time. The only way the membership can be made to stay is to withhold the pay certificates until the day after adjournment.

Although the general assembly negatively only four of Governor Blease's vetoes, there were only three items out of the 25 which the governor vetoed in the appropriation bill that were legally overridden. The \$2,000 to the Confederate Home college in Charleston was put back in the appropriation bill in direct violation of the constitution, and any citizen, were he so disposed, could yet enjoin the treasurer from paying that amount out, on constitutional grounds. Governor Blease, however, made a mistake, we believe, when he allowed the appropriation for the Stock Breeder's association to stand, yet vetoed the appropriation to the state fair. But perhaps the governor thought that an exception might be made in the case of the Stock Breeder's association as an encouragement for more hog and hominy, rather than more side shows and coach-coaches for the state fair.—Laurensville Herald.

The constitution for a wise purpose separates the legislative, judicial, and executive branches of the government, but if these

branches are not in a mix-up now we do not know a mix-up when we see it. Somebody is wrong, is it the legislature, the governor or the Chief Justice? When the Supreme Court renders a decision right or wrong that fixes the law, therefore the recent deliverance in the Davis case settles the question as to who is to appoint special judges. It is not up to the Supreme Court to reverse itself in this State. The court's records will show this we think, and it is also a fact that as good lawyers as those we have on the Supreme bench do not always agree with the conclusions of that body. We hope, however, the governor will not insist upon the position he has taken, for to do so can accomplish no good and it may have a bad effect upon the administration of the law.

### Blease and The News and Courier.

The News and Courier is disappointed and greatly disturbed because "editorial comments" appearing in various newspapers would seem to indicate that Governor Blease has succeeded in fooling a number of people into believing that it is the chief justice and not himself who is responsible for the muddle which has arisen in connection with the Horry county court, etc. Well, contemporary, possibly it is because those "newspapers" haven't learned their lesson, yet, from the big bell-wether city dailies. Of course it is understood that they must fight Blease, and the News and Courier doesn't like to see them taking the wrong cue. It is now stated in the papers that the reason the chief justice didn't appoint Judge Memminger to hold the special court at Horry was because he knew, at the time he recommended Mr. Quattlebaum, that Judge Memminger was sick and unable to preside. If that was the case, how easy it would have been for the chief justice to have communicated that fact to Governor Blease. But, no; it would have been too much of a condescension and a lowering of the dignity of the court. But since the court has now given the sickness of Judge Memminger as an excuse as to why it did not name him to hold the special court does that mean that hereafter it will appoint regular judges, when disengaged, to hold the special courts? It certainly has that significance.

The issue now joined between Governor Blease and the chief justice calls to mind the fact that Governor Tillman had trouble with the supreme court, and to the political revolution then brought about the chief justice owes the exalted position which he now holds. As to the governor "fooling a

number of people," etc., it seems that the "fooling" was going on all right before Blease came on the scene, but he is going to see to it, hereafter, that ten dollars-a-day special judges are dispensed with, and the taxpayers no longer fooled, so long as there is a regular judge disengaged.—Laurensville Herald.

### As Between Blease and Ansel.

How politically inconsistent are some people! While some newspapers and politicians are criticizing Governor Blease because he protests against the efforts of politicians to take away from him his prerogative of appointing officials without being hampered by the recommendations of some other officials, these critics seem to lose sight of the fact that former legislatures never forced such measures on other governors, and on one occasion when a bill was passed relative to investigating Laurens county financial affairs, it was provided in the act that the county supervisor appoint the investigators; but our supervisor never got a chance to select the men. For some reason or other another act was passed of similar import, but provided for the governor to do the appointing. Governor Ansel didn't do a thing but sign both bills—but took good care to do the appointing himself! No hulla balloo was kicked up, then, about the governor's act—no kick, no newspaper criticism, and no crocodile tears shed about the misfortune and the low depths to which the proud old State had fallen! And as to the pardoning board, whenever Governor Ansel wanted to tickle the dignity of that body, he submitted some little, old, insignificant case to them; but anything of importance—a matter the governor was interested in and really wanted the person pardoned—he generally acted without the advice of the board of pardons—and there was no kick, nor the least breath of criticism! But as between the acts of Blease and Ansel, with some people, it makes a deal of difference, you know!—Laurensville Herald.

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