

Personal Mention.

—Mr. L. F. Bamberg, of Olar, was in the city yesterday.

—Mr. Jno. W. Smith, of Ulmer, was in the city last Saturday.

—Capt. J. M. Dannelly, of Ehrhardt, was in the city Monday.

—Miss Lillie Bamberg is at home from the Columbia Female College.

—Mr. Joe Kinnard, of Chaffin, Fla., is visiting relatives in the city.

—Mr. L. M. Ayer, of the Clear Pond section, was in the city last Friday.

—Mr. E. P. Rice left yesterday morning for a trip to Glenn Litch Springs.

—Mr. and Mrs. H. Z. McMillan, of Colston, were in the city last Thursday.

—Capt. W. E. Sease and Mr. H. L. Kinnard, of Ehrhardt, were in the city last Friday.

—Mrs. Leila Lewis and little daughter, Thelma, of Estill, are on a visit to the family of Dr. M. R. Lewis.

—Messrs. Robbie Hartzog, Grenton E. Bamberg, and Frank Johnson are at home from the Clemson College.

—Mr. Geo. A. Jennings left last Saturday afternoon to spend a while with his son, John, on Sullivan's Island.

—Mr. A. Karesch, of Branchville, spent last Sunday in the city, visiting Mrs. E. J. McDermid, at the Johnson Hotel.

—Mr. Frank C. Pooer went to Augusta yesterday to attend the commencement exercises of the Tumbam High School.

—Mr. G. Powell Rice is at home from Edgefield, where he has had charge of the business department of the Coed-educational Institute.

—Mrs. T. Sloan Crawford, of Spartanburg, is in the city on a visit to her sister, Mrs. Hayne F. Rice. Mrs. Rice is right sick, but it is hoped she will soon improve.

—Gen. and Mrs. F. M. Bamberg came home last Thursday night from a visit to relatives in Columbia and Greenwood. The General was improved some by the trip.

—Rev. J. H. Wilson, of Ehrhardt, was in the city last Thursday. He was here to meet his daughter, who has been attending Elizabeth College at Charlotte, N. C.

—Mr. C. R. Calhoun, principal of the graded school, with his family, left yesterday to spend the summer with relatives in Greenwood. From there Mr. Calhoun will go to Rock Hill to attend the summer school for teachers.

—Miss Bertha Wells, teacher of the primary grades in the graded school, left for her home in Orangeburg county, near Holly Hill, last Saturday. Miss Wells declined re-election, and consequently will not return next year.

My entire stock of watches, clocks, and jewelry at cost. T. C. ROYCE.

Mr. E. C. Bruce announces himself in this issue as a candidate for re-election as County Supervisor.

The examination of applicants for teacher's certificates takes place at the court house to-morrow.

Say, old man, how do you manage to keep cool these hot days? I drink at the bon ton fountain, Bamberg Pharmacy.

Mr. W. H. Varn, of Colston, has been awarded a gold medal for his exhibit of produce at the Charleston Exposition.

The committee on the Jenkins sword fund had a balance of \$50.70, which has been turned over to the Hampton monument fund.

Mr. J. P. Matheny announces himself as a candidate for the position of Magistrate at Bamberg. His card will be found in the candidates' column.

E. H. Aull, of Newberry, Governor McSwain's private secretary, has announced that he will not be a candidate for Secretary of State.

A new paper has been started at McCormick, S. C., and is called the Messenger. It is edited by J. P. Smith. Its mission seems to be to work for a new county.

We have received from President D. B. Johnson an invitation to attend the commencement exercises of Winthrop College at Rock Hill, to be held June 15th to 18th.

May you be sick? Yes, Well, if you would get well, call on the Bamberg Pharmacy.

County Chairman H. C. Folk gives notice in this issue of a meeting of the county Democratic executive committee in the court house here on Thursday, the 19th, at 10 o'clock a. m.

Last week Mr. J. A. Byrd received a telegram from Sumter, informing him that his son, Clifton, was sick in the hospital there with typhoid fever. He is getting along very well at this writing.

Good corn for sale in the ear, at \$1.00 per bushel, and oats in sheaf or straw at \$1.00 per hundred, by H. J. Brabham.

The commencement exercises of the Carlisle Fitting School will take place in a few weeks, and preparations for the event are going on. The order of exercises has already been published in this paper.

The positions of cotton weigher at the several towns in this county are to be filled by the county board of commissioners at their meeting the first Monday in July, and there are a number of contestants for the place.

Say, what's the matter? Nearly dead from heat. Go to the bon ton fountain and get comfortable.

Capt. G. O. Riley died at his home in Barnwell Tuesday night of last week, after a long illness, at the age of seventy-seven years. He was buried Wednesday at Cave's church with Masonic honors. Deceased was well known and had many friends in this section.

My summer line of ice cream, frozen cream, and water coolers is here, and the prices are sure to right. See what I have when in need. C. J. S. BROOKER.

Last Saturday we received an invitation to the commencement exercises of the Claiborne and Euphrates literary societies at the meeting of the Board of Trustees of the South Carolina College, which were held Monday and Tuesday evenings, the 9th and 10th. The graduating class is a large one this year.

Dr. Jas. H. Carlisle has resigned the presidency of Winthrop College, and Prof. H. N. Snyder, who has had charge of the chair of English for several years, was elected president by the board of trustees. Dr. Carlisle remains at the college as president emeritus and will have charge of the chair of astronomy and physics.

In last Sunday's State article from that paper's Greenville correspondent was published, stated that the students of Clemson College had shuffled their feet and hissed Senator Tillman while making a speech to them; that the students were very much dissatisfied over the refusal of the trustees in not accepting the resignation; and that there was considerable drunkenness and rowdiness among the boys. In Tuesday's State, A. B. Bryan, a correspondent from Clemson College, denies these reports, and states that while some of the students are dissatisfied over the action of the trustees, that a large majority of the members of the higher classes have accepted their action in good faith. He seems to believe there will be no further trouble at Clemson.

At the term of court held in Florence last week, Messrs. Smith and Dennis, both white men and merchants in the town of Timmonsville, were tried on the charge of arson, they being accused of setting fire to their stores in Timmonsville last winter. The case consumed several days, the case being finished last Sunday night. Court was in session all day Sunday. The jury remained in their room many hours without agreeing upon a verdict, and Judge R. O. Purdy ordered a mistrial a little before daylight Sunday night. It is said the jury stood eleven for acquittal to one for conviction. The case was vigorously prosecuted by business men of Timmonsville, who were heavy losers in the fire which spread from the store of Smith & Dennis.

THE BAMBURG HERALD

The graded school closed last Friday, and the children are happy.

Fine peaches at Bamberg Nurseries 30c per peck at Burton Fielder's store in town, 25c per peck.

Dr. J. B. Black announces himself in this issue as a candidate for the House of Representatives. See his announcement in the proper column.

Next week we will have an advertisement of the Harris Springs Hotel. The hotel is now open for the summer, and the opening ball will take place on Thursday, the 26th instant.

A game of ball was played Tuesday afternoon between the Fitting school and the town team, the town team being victorious by a score of 26 to 6. The game was played on the new grounds of the Bamberg team, which has been cleared up and a small grand stand erected there. A right good crowd witnessed the game. It is said the Bamberg team has arranged to play several games with strong teams from other towns, and some good ball may be expected here in the near future.

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An Interesting Decision.

We publish below the text of decision of the State Supreme Court in a case from this county, which will be read with interest:

F. P. Sease et al., appellants, v. Esther C. Sease et al., appellees, and J. M. Dannelly, assignee of F. M. Bamberg, respondent.

This is an action brought (inter alia) for the partition of certain real estate described in a deed made by John D. Sease to Esther C. Sease, whereby the grantor, in consideration of \$2,500, did "grant, bargain, sell and release unto the said Esther C. Sease and her children (the premises in question). To have and to hold all and singular the said land together with all and singular the rights, members, hereditaments and appurtenances thereunto belonging or in any wise incident or appertaining unto the said Esther C. Sease and her children, her heirs and assigns, with a reserve to her husband W. E. Sease his natural life time but not subject to his contracts or debts, or those of any other husband which she may hereafter marry. And I do hereby bind myself, my heirs, executors, administrators, and assigns, to warrant and forever defend all and singular the said premises unto the said Esther C. Sease and her children from and against the lawful claims or demands of any person or persons from claiming the same or any part thereof."

The circuit court (Judge Benet) held that the defendant Esther C. Sease is the owner of the whole of the premises described in the complaint in fee conditional after birth of issue, and from the decree embodying this conclusion the parties thereto appealed.

It was unquestionably the intention of the grantor to dispose of the fee in the land and to reserve to himself a reversionary interest therein to himself; for he used the words "heirs and assigns."

It is impossible to construe the deed so as to give force and effect to all its parts, without changing the phraseology in some respects.

The construction adopted by the circuit judge—taking "children" as the equivalent of "heirs of the body"—renders possible reversion to the grantor in fee. Esther C. Sease should die without disposing of the land and without leaving living heirs of her body, whereas it is clear that the grantor intended to convey the entire fee without such possibility of reversion.

If the word "children" is construed to mean "heirs of the body" the deed would then contain repugnant and inconsistent words of limitation and of inheritance, the words "heirs and assigns" being words of limitation and inconsistent with the words "heirs and assigns" which are likewise words of limitation.

The interpretation placed upon the deed by the circuit judge not only changes the word "children" into "heirs of the body" but, after this is done, makes inoperative and ineffectual the words "heirs and assigns"—a conclusion which is in fact reasonable, which was evidently not in the mind of the grantor.

If by construing a word to be intended for another word, effect can then be given to every part of the deed, that construe the word "children" to mean "heirs of the body" is the only construction which gives effect to every part of the deed, and which likewise refuses to give any force and effect whatever to certain other words of the deed—which effect can be accomplished by construing the word "heirs" to be intended for "children."

That this is a proper construction is manifest from the fact that the grantor evidently intended to convey some interest to the children of Esther C. Sease at times; and the fact that the grantor reserved a life estate to W. E. Sease, the husband of Esther C. Sease, shows that he did not intend that the children should take a life estate.

By construing "children" in its common and ordinary acceptance as a word of purchase the children would take as tenants in common with Esther C. Sease, and this is the only construction that will give effect to every portion of the deed.

In the case of Keith v. Perry, 1 DeS. 351, the court construed the word "children" in order to give effect to the intention of the testator.

The question of estoppel, submitted, on proper notice, by the respondent was not considered by the circuit judge. The judgment of the circuit court is reversed, and the case remanded. Opinion by Mr. Justice Gary. Filed May 31.

Messrs. Lizar Bros. & Rice, Mr. B. T. Rice for appellants; Messrs. Howell, Gruber & Bostick for respondent.

Some Ehrhardt News.

ENRHARDT, June 10.—Our section has been visited recently by most refreshing rains. The farms are in excellent condition. Grain cutting is the order of the day. Quattlebaum & Dannelly's machinery is in the section this spring. The farmers are beginning to appreciate the use of machinery on farms.

Along the line of maulery, there is such a hubbub as a stump puller. Why does not some hustling man get one. They say stumps can be pulled at a cost of 5c each. This is surely a cheap way to get rid of them. Especially in this section, where you can do about one-sixth more work in a stump field.

Miss Lottie Cleveland, a very charming young lady from Savannah, Ga., is visiting Miss Powell.

Messrs. E. Murray and Lottie Blanchard are expected in town this week. They are to be the guests of Mr. and Mrs. J. L. Padgett.

Miss Lilla Carpenter, who has been visiting Miss Ruth Copeland, left last Wednesday.

Capt. J. M. Dannelly went to Charleston last Wednesday to meet Mr. Burton, a lumber man from New York. The Captain, however, he is a graduate from the College of Physicians and Surgeons, Baltimore, and comes very highly recommended.

"When the cats are away, the mice will play." Last Saturday Miss Lou Smith, a most attractive young lady, was in the section, here to spend the night with a young lady friend. By means of some wireless telegraphy her affianced became aware of her absence from home Friday morning, and he drove to the section and Sunday morning hastened to carry his sweetheart home to a devoted husband.

The election of town officers was held last week, and the city fathers are in the midst of it. Mr. C. Kinnard, J. A. Chassereau, J. L. Copeland, H. C. Copeland.

Dr. A. F. Langford made a flying trip to Ehrhardt last week. He is to return this week for a permanent stay.

Dr. J. R. Langford, who has done fifteen years of eminently successful practice, will locate in Ehrhardt this week. Dr. Langford, Jr., is a graduate from the College of Physicians and Surgeons, Baltimore, and comes very highly recommended.

There is to be a picnic at St. John's (Baptist) church next Saturday. This simple announcement carries with it a meaning. The hospitality of this section is unbounded.

The State reunion of Confederate veterans will be held in the city of Greenville, the 6th, 7th and 8th of August.

The buildings at the Exposition, and all the desks and furniture that belongs to the Exposition Company, will be sold at auction some time in the near future and the proceeds applied to the settlement of the indebtedness of the company.

News from Olar.

OLAR, June 7.—The teachers, pupils, parents and friends of our Sunday school met at the church yesterday for the purpose of giving the little ones a day of enjoyment in the way of a picnic, and right royally was it done. After assembling in the school building, the festivities were opened with reading a few verses from Proverbs by Rev. S. P. Chisolm, followed with prayer by Mr. Willie Still, after which the choir treated the congregation to some charming instrumental and vocal music. This was followed by an address from Mr. Chisolm, which was a splendid effort in the way of a Sunday-school "talk," filled with wise thoughts and good advice to the children and congregation in general, interspersed with witty anecdotes, for which he is so famous. One thought especially struck us, i. e., there are no really happy homes in which there are no children. The children of the world might be said to have been the theme of his most excellent discourse, which was instructive, entertaining, amusing and pathetic, the falcon of which it has not been our good fortune to listen to recently. During his address he hit the ball-room some hard licks, placing it even worse than the bar-room in its far-reaching evil influence on the young people. A liberal sprinkling of candidates, a most excellent dinner, and other refreshments in plenty and to spare. Wish you could have been with us, Mr. Editor, for it was indeed the most enjoyable little social picnic we have ever attended here. After several hours of social enjoyment every body left for home, vowing the day a complete success. What a pity it is that we could not have more like this. It is a break in the routine of every-day work that is good for all, leaving us fresher and brighter to take up the work that lies before us; and more, it gives us a kindlier understanding of our fellow-men, and a desire to spend an occasional day in such social pleasure.

Crops are fine, but needing rain. We are glad to welcome in our midst Mr. J. J. Jones, who has been practicing his profession—law.

We regret to report the death of Mr. Sam Goza, which sad event occurred last week.

Fishing is the order of the day with those who can get the time to enjoy this grandest of sports. Saltwater fishing is furnishing not only sport, but food fit for the gods. Those who have the time to "take it in." Your scribe took a half holiday last week and caught quite a lot, but could not equal some of the "fish tales" heard almost daily.

We are pleased to report our community in better health than any time during the year. Measles has swept us like an avalanche and left but few unscathed. We need not fear another general epidemic soon, for we've had 'em.

Miss Bessie Chitty is at home again, from Hartsville, where she has been attending Welsh Neck High School.

Miss Cressie Breland is visiting relatives here.

Fences are ripening and melons soon will be blackberries are here and we are in luck. C. F. W.

Ehrhardt Etchings.

ENRHARDT, June 10.—Dr. A. F. Langford is visiting his daughter, Mrs. J. D. Quattlebaum.

Mr. Willie Clayton, who has been in North Carolina for the past year, returned home last week with his bride. His many friends wish him much happiness.

Messrs. Dave Felder and Malcom Moya, of Bamberg, spent Thursday night in Ehrhardt.

Miss Lottie Cleveland, of Savannah, is visiting Miss Essie Powell.

Miss Lilla Carpenter, of Charlotte, N. C., who has been visiting Miss Ruth Copeland, returned home last Wednesday.

Mr. Henry Rush has secured a position as chain bearer with the party of surveyors who are working on the Seaboard Air Line from Olar to Charleston.

Captain M. VanHartingen, of Augusta, was in town Friday and Saturday looking after the interests of the Seaboard Air Line surveyors.

Mr. A. B. Bieke was the first peach grower to stock our markets. He says prospects this year are very good.

Chicken stews, which have been so popular this season, have recently died out. It is in order to give effect to the intention of the testator.

The question of estoppel, submitted, on proper notice, by the respondent was not considered by the circuit judge. The judgment of the circuit court is reversed, and the case remanded. Opinion by Mr. Justice Gary. Filed May 31.

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