

The Newberry Herald and News

THIS

A. C. JONES, Pub. and Proprietor.

A Family Paper Devoted to Literature, Miscellany, News, Agriculture, Markets, &c.

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THE HERALD AND NEWS.

TERMS.—One year, \$2; six months \$1; three months, 50 cents; two months, 35 cents; one month, 20 cents; single copy, 5 cents, payable in advance. Expirations.—Look at the printed label on the paper; the date thereon shows when the subscription expires. Forward the money for renewal at least one week in advance. Subscribers desiring the address of their paper changed must give both the old and the new address. Terms of Advertising.—\$1.00 per square the first insertion, and 50 cts. per square for each subsequent insertion. A square is the space of nine lines of solid brevier type. Notices in local column 12 cts. per line for each insertion for one month; longer at such rates, with 25 per cent added. A reasonable reduction made for advertisements by the three, six, or twelve months.

The Source From Which the State Derives Her Revenue.

1,740,281 acres of land and buildings thereon, valued and returned at \$58,449,207. Real estate in cities and towns, \$29,199,935. Personal property, \$47,060,875. Railroad property, \$15,263,348. Total amount of taxable property, \$149,973,355. On this amount a tax of 5 1/2 mills is levied for State purposes, which should yield \$787,360.16. It is estimated that the Phosphate Royalty will yield \$150,000. Total inc. returned and estimated, \$937,360.16. Of this amount Newberry County will be called upon to pay \$23,178.09, on a taxable property divided as follows: 373,165 acres of land and buildings thereon returned at \$2,288,480; real estate in city and town, \$556,580; personal property, \$1,398,530, and railroad property, \$451,254; total \$4,416,779. The total net receipts of the State treasurer, for the year ending October 31st, 1885, were \$968,383.63, which after paying the expenses for the year left a surplus of \$234,191.75. In addition to the State tax of 5 1/2 mills, Newberry will be required to pay the two mill Constitutional School Tax, and for County purposes as follows: * * * Except in the County of Newberry, where it shall be three and one-fourth mills; of which the proceeds of two and three fourth mills shall be applied for ordinary County purposes; of which the proceeds of one-half mill shall be applied to the payment of the funded indebtedness of the County. * * * Making a total of 10 1/2 mills for all purposes, a reduction of 1 1/2 mills on last year's levy.

Where the Money Goes.

GOVERNOR'S OFFICE.
Salary of Governor, \$8,500
Private Secretary, 1,500
Messenger, 400
Contingent fund, 4,000
Stationery and stamps, 250
LIEUTENANT GOVERNOR.
Salary of Lieutenant Governor, \$1,000
OFFICE SECRETARY OF STATE.
Salary of Secretary of State, \$2,100
Clerk, 1,500
Contingent fund, 250
Stationery and stamps, 250
OFFICE COMPTROLLER GENERAL.
Salary of Comptroller Gen'l., \$2,100
Clerk, 1,500
Bookkeeper, 1,500
Contingent fund, 300
Stationery and stamps, 250
Printing blanks, &c., 200
For examining the books of County Auditors and Treasurers, 600
OFFICE STATE TREASURER.
Salary of State Treasurer, \$2,100
Clerk, 1,500
Bookkeeper, 1,500
Department, 1,500
Contingent fund, 250
Stationery and stamps, 250
STATE HOUSE AND GROUNDS.
Salary of keeper, \$500
Janitor, 160
Two watchmen, 800
Repairs state house, 200
Improvement State House grounds, 200
OFFICE ATTORNEY GENERAL.
Salary of Attorney General, \$2,100
Assistant Attorney General, 1,500
Contingent fund, 200
Stationery and stamps, 60
Expenses of litigation, 4,000
OFFICE SUPERINTENDENT OF EDUCATION.
Salary of Superintendent of Education, \$2,100
Salary of clerk, 1,200
Contingent fund, 200
Stationery and stamps, 150
Books and blanks for public schools, 800
Expenses State Board Examiners, 300
Conducting Normal Institutes, 1,500
ADJUTANT GENERAL'S OFFICE.
Salary of Adjutant General, \$1,500
Clerk, 1,200

State armorer, 500

Ordinance Sergeant, 400
Contingent fund, 150
Stationery and stamps, 150
Expenses Adjutant General's Office, 1,000
Maintaining militia, 14,000
Confederate rolls, 500
JUDICIARY DEPARTMENT.
Salary of Chief Justice, \$4,000
2 Associate Justices, 7,000
8 Circuit Judges, 28,000
8 Circuit Solicitors, 12,500
Clerk Supreme Ct, 1,000
State Reporter, 1,000
Librarian Supreme Court, 800
Messenger Spm. Ct., 250
Attendant Spm. Ct., 250
Contingent fund Supreme Ct., 500
Books Supreme Court, 1,000
STATE LIBRARIAN.
Salary of State Librarian, \$625
Contingent fund, 200
Stationery and stamps, 200
Purchase Supreme Ct. Rp'ts., 450
REGISTRATION AND ELECTION.
Salaries Supervisors Registration, \$7,000
Books for general election, 800
Books and certificates supervisors registration, 2,000
Commissioners and managers of election for per diem and mileage, 20,000
HEALTH DEPARTMENT.
Salary health officer, Charleston, \$1,800
Health officer, Hilton Head, 800
St. Helens, 500
Georgetown, 500
Keeper at Lazaretto hospital Buildings at Port Royal, 400
State Board of Health, 3,000
Maintaining quarantine, 1,600
Repairing keeper's building at quarantine station at Charleston, 2,575
PENITENTIARY.
Salary of Superintendent, \$2,100
Physician, 1,200
Clerk, 1,200
Captain of guard, 1,200
Chaplain, 600
LUNATIC ASYLUM.
Salary of Superintendent, \$3,000
Per diem and mileage, regents, 2,000
Insurance of buildings, 3,000
Support of, 70,000
Purchasing books for patients, 50
Centre building, 41,110
Repairs on new building, 700
SOUTH CAROLINA UNIVERSITY.
Salary of librarian, \$500
Repairs on buildings, 1,000
Insurance on buildings, 1,000
Support of schools, 15,000
Salary of assistant professor of agriculture, 1,700
Salary of professor of applied mechanics, 300
Equipping department of applied mechanics, 1,200
SOUTH CAROLINA MILITARY ACADEMY.
Insurance Citadel buildings, \$400
Support beneficiaries, 20,000
DEAF, DUMB AND BLIND ASYLUM.
Support of, \$10,000
Insurance on buildings, 331
Drainage, 200
Purchasing organ, 1,200
CATAWBA INDIANS.
Support of, \$800
LEGISLATIVE DEPARTMENT.
Per diem, mileage and stationery certificates, \$30,000
Pay officers and employees, 5,000
Contingent expenses, Senate, 400
Contingent expenses, House of Representatives, 600
Engrossing and enrolling department, 2,500
Public printing, 15,000
MISCELLANEOUS.
Civil contingent fund, \$1,500
S. C. Agricultural Society, 2,500
Columbia water works, 1,000
Repairs executive mansion, 700
Completing consolidation, 1,000
Harbor master, Charleston, 1,100
State board of equalization, 1,000
Muster roll of soldiers of the Revolution, 300
Artificial limbs, 9,000
Interest, consols., 352,796
Deficiencies, 27,028
Ag. College scrip., 11,508
Claims passed, 3,000
County Auditors' salaries, 21,900
Total amount of State taxes \$392,144. To this must be added the County taxes and 2 mill school tax.

Put the Blame Where It Belongs.

If our respected contemporaries, the Greenville News and Newberry Observer, will point out to Governor Thompson how he is to get the money to have the enumeration made with the Constitution so explicitly commands and the Legislature has so persistently refused to comply which, we have no doubt the Governor will be more than willing to obey the constitutional provision. He expressly called the attention of the Assembly at the session before the last to the necessity of providing for the enumeration, and it refused to appropriate a dollar or to make any law for the taking of the enumeration, leaving the method provided by the General Statutes in that behalf without a dollar to put it in execution.

When the time passed for the regular discharge of the work, and it became the duty of the governor under the Constitution, so requiring him, to have an enumeration made, he expressly asked such an appropriation at the hands of the legislature as should enable him to obey the law. In connection with this matter the Governor said:

"The Attorney General advised me that such enumerations cannot, under existing laws, be made in advance of an appropriation by the General Assembly to defray the expenses. The Constitution imposes upon the Governor the duty of having this enumeration made, and I recommend that such sum be appropriated as may be necessary for its purpose."

What more could the Governor do? What more can he do now? He has no right to draw a dollar from the Treasury without an appropriation granting it.

The Constitution says, Article 2, Section 22:

"No money shall be drawn from the Treasury but in pursuance of an appropriation made by law."

Again, singularly enough, it repeats in Article 9, Section 12:

"No money shall be drawn from the Treasury but in pursuance of appropriations made by law."

Section 10, same Article, provides:

"No scrip, certificate or other evidence of State indebtedness, shall be issued, except for the redemption of stocks, bonds or other evidences of indebtedness previously issued, or for such debts as are expressly authorized by this Constitution."

Article 16 of the Amendments provides: "To the end that the public debt of South Carolina may not hereafter be increased without the due consideration of the people of the State, the General Assembly is hereby forbidden to create a further debt or obligation, either by the loan of the credit of the State by guarantee, endorsement, or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guarantee, endorsement, loan, or loan of its credit to the people of the State at a general State election."

Avoiding the Issue.

Our esteemed cotemporary at Charleston is a splendid and remarkably cool editorial lumbug. It has printed an article on the census question in which it meekly remarks that the census should have been ordered. It then proceeds to show that the census should not have been ordered with this argument: "Reapportionment of representation could not have been reached so as to affect the elections this winter by any action taken at the legislative session now closed. Under no circumstances—the legislature having failed to provide for taking the census this year—could the reapportionment go into effect at any election earlier than the general election to be held in November 1888. The election next year will be upon the present basis, and we cannot suppose that it will be desired in the winter of 1886 to undertake an entirely new census in 1887, two years after the proper time, or to reapportionment representation for 1888 on the basis of a census which will then be eight years old."

When the census would produce its effect is not legitimately part of the discussion. The only question is whether or not the constitution requires it to be taken, and nobody can read and understand English can have a doubt on that. The constitution required the legislature to order the census and requires Governor Thompson to order it now. If he fails to do it the legislature of 1888 will be an unconstitutional body not representative of the people and powerless to perform any legal acts. That condition of affairs will cause endless confusion and disaster, for which the men who voted against the census in the house and senate and the governor will be responsible.

Waiving that, what is the relief from the existing conditions of fraudulent representation on one side and a defrauded people on the other? No subsequent legislature can constitutionally order a census to be taken. Nobody has the right to adopt any other census than that required by the constitution to be made as a basis for reapportionment. Even in 1895 there will be no remedy for the chain of census years will have been broken. By the News and Courier process of reasoning the present apportionment will be permanent and if Greenville has a hundred thousand and Charleston has fifty thousand people fifteen years hence, Greenville will have four representatives and one senator and Charleston will have twelve representatives and two senators.

We are not willing to believe that Governor Thompson will give his aid to defiance of the constitution and the defrauding of the people who have been his fast friends and put him where he is against the will and influence of Charleston and her allies. He is an honorable and intelligent man, and we can not understand how an honorable and intelligent man can doubt what the governor's duty is.—*Greenville News.*

In view of all this, what right has the Governor to raise any obligation against the State, or to draw a dollar from the Treasury to defray the expenses of the enumeration? Is it not plain that the Legislature's refusal to appropriate the money needed has precluded the possibility of the Governor obeying the precept of the Constitution? And who would consent to do this work without a title of evidence showing the indebtedness of the State for the service rendered, and to rely for payment on a Legislature which had already refused to grant a dollar for the work? The Governor may execute a law, he can't make one. And if the people of the State fail to send a Legislature here prepared to obey the commands of the Constitution, the Governor can't make them do it. He may veto an unconstitutional law, but he cannot force the Legislature to enact a law, however needful it may be, to enable him to discharge the functions of his office. This is a grave matter, in which the Governor is in no wise to blame, and the people may as well understand at once where the blame does lie. A greater outrage was never perpetrated on lawful government than the persistent refusal of the Assembly to comply with the Constitution in this solemn particular, going to the very foundation of all rightful government under a popular representative system; and the whole State is called upon to rebuke it, and to rebuke it utterly; but let the blame be put where it properly belongs.—*Columbia Register.*

On Both Sides.

The Legislature, which has just concluded its session, while a hard working body, can scarcely be accredited with the accomplishment of any great amount of public good. All along it has evinced a disposition to avoid large undertaking, and to split the difference on smaller controversies, so as to be near on both sides as possible. In the very beginning it killed the Bill to provide for the assessment and taxation of property, when no measure could probably have been passed that was calculated to afford the people greater relief than a properly devised assessment law. There were defects in the pending Bill, but with amendments it could have been made a most grateful measure to the honest taxpayers of the State, by equalizing the burdens of maintaining the government. For instance, the people of Anderson County are now paying taxes on real estate valued higher than any other County in the State outside of Charleston, and yet the market value of our lands are not as high, probably, as those of several other Counties. Many inequalities exist in the assessments of the several Counties which ought to be corrected. Some measure looking to the relief of our judicial system should have been adopted, though it must be admitted that it is very perplexing to know just what would be best to be done. The Legislature, we think, made a grave mistake in repealing the law exempting new manufacturing companies from taxation for ten years. It is practically withdrawing an inducement for the erection of factories in our midst. The inducements extended under the law were not excessive, and were not onerous to the people. Their repeal is a step backwards in the line of progress and development in South Carolina. The action on the Lien Law was the result of halting between two opinions. The sentiment of the Legislature was in favor of its repeal, but the Senate was afraid of direct repeal. It therefore resorted to the indirect attack by which the law is made uncertain and confused. The direct repeal of the law would, we think, have been better than the amendment which prevailed.—*Anderson Intelligencer.*

Violating the Constitution.

It was wholly wrong for the Legislature to violate the Constitution in not providing for the Census. It was wrong in the members to have been unmindful of the oaths taken by them to support that Constitution. It is a wrong to the whole people of the State to thus preserve an unequal and unjust representation; and it is an unexcusable wrong to the people of certain counties to be subjected to taxation without representation. But does this great wrong end there? No! It will permeate the entire political fabric of the State, and like all legal frauds, will vitiate everything it touches. Let us see how?

Next Summer the State Democratic Convention will meet to formulate a policy for the State for the ensuing two years, and to nominate a Governor and numerous State officers to carry out that policy. There are important questions dividing the people of the State, and it is important, as it is just, that only those should be nominated to fill those offices who are in sympathy with the views of a majority of the party. The low country will go into that Convention with large delegations based upon the fictitious representation now of force in the Legislature; the up country will go there with small delegations, and thus it may happen that the future policy of the State may be dictated and all the State officers selected by those who represent an actual minority of the people. Charleston will go into that Convention with 28 delegates, although really entitled to only about one-half that number. Greenville, Spartanburg, Laurens, Edgefield and other counties must take back seats.

But will the wrong stop there? No! This legal fraud will go into the Congressional Conventions and thus pollute our Federal representation. In the First Congressional District Convention, Charleston will go in with nearly a double representation and absolutely dictate to Orangeburg and Lexington who their Congressman shall be, whereas those two counties would have some voice in the selection were it not for the fictitious basis upon which that Convention will be organized. This is likewise true of the Second District Convention. In the

Fourth District Convention

Richland County goes in with a fictitious delegation, while Laurens, Spartanburg and Greenville between them are denied the votes of six delegates in choosing their representative in Congress.

Thus this great wrong deepens as it goes, and per force must remain so until the Census of 1895. Is there no remedy? Have the people no rights which the rulers will respect? The Legislature has willfully violated its duty to them. Will the State Democratic Executive Committee at least urge the State Convention itself take the bull by the horns, turn out all improper delegations and give seats to delegations according to the number of people in each county.—*Abbeville Medium.*

Did Not Dare to Cope With the Question.

It is true that there was a demand on the part of some for the repeal of the lien law. Whether or not it would have been wise to repeal that law it does not now need to discuss. The last Legislature did not repeal it. On the contrary they tacked on to it an amendment that we do not hesitate to say savors strongly of a return to feudalism in that it puts the poor renter and laborer in the power of the landlord. There are numbers of men, white men, who do not own land and who are compelled to rent. To such the above amendment is a cruel blow. It puts them absolutely in the power and control of the landlord. For no merchant is going to advance to them upon the security of a lien, whilst the landlord holds this almost unlimited power over them. We recall that it was said privately in Columbia during the Session that this Act was intended to make the lien law odious so that its repeal might be the more easily accomplished hereafter. If this be true it was a weakness on the part of the Legislature, which did not dare to cope with the question. That the amendment was not made in the interest of the poor and laboring man is shown by the Act itself. After providing that laborers who assist in making the crop shall have a lien next in priority to that of the landlord, Section 2 provides "that no writing or recording shall be necessary to create the liens of the landlord." It will be observed that it was not said that the lien of the laborer need not be recorded or written. On the contrary it would appear that provision was purposely omitted. So that under the guise of protecting the laborer, he really under this Act stands on no better ground than others whose liens are written or recorded.

Above all the Act throws open the door to fraud. At the end of the year by collusion and connivance between a dishonest laborer and his landlord the whole of the crop may be gathered up and pocketed from honest creditors by claim of a fictitious verbal lien of the landlord. Upon the whole it seems to us the amendment is unwise and pernicious. If the experience of the country proves that the lien law has ceased to be useful then let it be repealed in full. Amendments in the nature of that above set forth cannot be of any avail.—*Abbeville Messenger.*

Abundant Cause for Regret.

From the tone of the papers in the upper Counties, there is great dissatisfaction with the recent Legislature because of its failure to pass the census bill. We publish a few extracts from those papers on our first page and if they represent the feelings of the people, those who are responsible for the failure will have abundant cause to regret their action. One and by no means least, of the unfortunate results coming from this discreditable affair will probably occur at the next State Nominating Convention. There will almost certainly be two widely diverging sentiments represented in that body and if a nomination should be made by a narrow majority coming from those Counties whose representation is greater than it should be, it will arouse antagonisms in the Counties which feel they have been debared their just rights. A nomination may be equivalent to an election in this State, and then it may not be. It depends entirely how that nomination is made.—*Sumter Watchman.*

The Governor Has Done His Duty.

Some of our State exchanges are urging Governor Thompson either to take the census under the constitutional provision, or to call an extra session of the Legislature to provide for taking it. The Governor cannot, under the advice of the Attorney General, have the census taken, for he is forbidden to contract any debt, under very heavy penalties, that is not provided for in an appropriation by the Legislature. We had inclined to the opinion that the constitutional mandate to the Governor to have the census taken, where the Legislature fails to comply with the provisions of the Constitution in regard thereto, would be ample authority to the Governor, and would override any statute, either direct or implied, and must confess that we have not been convinced by the able and carefully prepared opinion of our accomplished Attorney General; but our friends must recognize the fact that the Governor is bound under the circumstances to be governed by the advice of the highest law officer of the State. Governor Thompson cannot, with any propriety, proceed to have the census taken now, even though quite a number of lawyers think he has the right to do so. Neither would any practical advantage be derived from calling an extra session of the Legislature. The Senate refused to consent to a census, at the risk of defeating the general appropriation bill, which would have necessitated an extra session of the General Assembly. It is practically certain that no census bill could be passed at such a session. The Governor could bring the Legislature together, but he could not make them pass a bill. It would, therefore, be useless to incur the additional expense of an extra session that would do absolutely no good. The Governor has fully performed his duty in this matter, and shown a readiness to have the census taken if possible. He has presented the matter to the Legislature twice, and has consulted the legal adviser given him by the people as to his right to take the census, and has been distinctly informed by the Attorney General that he has no authority to do so. It seems to us therefore, that the census cannot, under any circumstances, be taken until after the next election. The people should see to it that the candidates for Senate and House of Representatives are pledged to give their votes for taking the census next time.—*Anderson Intelligencer.*

Will Sectionalism Never Die Out?

It does seem that it is about time for the spirit of sectionalism in South Carolina to die out. The low country is, in many respects, different from the up country, but no sensible reason can be assigned why one section should strive to rule the other. During the last session of the Legislature, this spirit of jealousy, this desire for supremacy on the part of the low country, was plainly manifested. Charleston is South Carolina in the eyes of a Charlestonian. By what system of reasoning the Legislature arrived at the conclusion that Charleston County is entitled to retain two Senators, and every other county one, we do not know. One of the fundamental principles underlying the American government, and one that marks its superiority, is, that in the lower house the representation shall be in proportion to the population, but in the other house the little States of Delaware and Rhode Island have as much power as the Empire State. This is one of the checks which the framers of our organic law have seen wise to make, and the same principle should be recognized in the State. This may appear to be a small matter, and really, we might allow Charleston two Senators if she would be satisfied, but not content with this, the low country has defeated the census bill because by its representation would be increased in a greater proportion. When it comes to cheating us of our rights and allowing greed such sway that the plain provisions of the Constitution are disregarded, then, not even for the sake of harmony, and at the risk of stirring up sectional animosity, we must enter a positive protest. It is gross injustice and an insult to the State. Let the representatives be appointed fairly according to the principle of equity, cost what it may. We think the

Better to have been

It has been said by way of commendation that the Legislature of conservative and passed no reactionary legislation, but many of the members will doubtless realize that if they had been a little more reactionary they would have found more approbation at the hands of the people. Considering the condition of our people appropriations are too liberal and taxation is entirely too high. Free tuition in the College is an unnecessary, unfair and unwarrantable expense and should not be allowed to exist any longer. The Citadel Academy is an expensive luxury. It was re-opened under the representation that the appropriation made would be refunded to the State out of moneys soon to be recovered from the Federal government, after which it would require no further appropriations. The claim against the government has never yet been recovered, but appropriations go on from year to year just as if the State could not get along without the Citadel Academy. The Columbia Canal is a visionary scheme that will doubtless swamp more money than the State will ever get out of it. Even if it should prove a profitable investment, the State has no right to tax the people for money to speculate with. True, the work has been carried on with the earnings of the penitentiary, but the earnings of the penitentiary should go into the treasury to lighten the burdens of taxation. The State militia is a perfect farce, and all appropriations in that line are preposterous. All these and many minor drains upon the treasury should have been checked in order that the tax levy might be made as light as possible. Various prohibition propositions were before the Legislature, but there seemed to be a continuing termination not to disturb the existing statutes, except in the case of Oconee County where the prohibition act was repealed. The bill to provide for an election on the question of prohibition in Anderson county was defeated in the House and never reached the Senate.

As usual, entirely too much time

was consumed with charters and acts of incorporation. It seems difficult for the Legislature to free itself from this burden, but a determined stand taken on a fixed line would at once check a growing evil. Altogether, the late Legislature might be considered a fair average, we suppose, and probably the most commendable thing it did was to adjourn instead of taking a recess upon the approach of Christmas.—*Anderson Journal.*

"Just my danged luck" growled

a passenger on a train down in Ohio. "I believe I am the unluckiest man on earth, anyway. Nothing goes right with me and I'm about discouraged."

"What's the matter now?"

"Well, you see, I have been the Post-master down at the Corners nigh on twelve years. My first boy I named Ulysses Grant Snider, the second, Rutherford B. Hayes Snider, the third James Garfield Snider, and last week we took my fourth boy to church and had him christened Grover Cleveland Snyder. I paid the editor of our country paper \$5 to put in a long article about it and get a copy or two marked to send to Washington."

"But where does the bad luck come in?"

"Why, the next day after I mailed those papers I got an official letter from the department. It was my discharge, and now they've got a measly Democrat in my place."

Many of those who have followed

the course of the present Legislature of this State will doubtless come out of the task with indignation greatly fatigued. The untiring and continuous efforts that have been made solely in behalf of class interests, the monstrous attempts to make the whole subservient to a part have been quite sufficient to impress upon all, the great truth which becomes ever clearer as a man grows older, that patience is a cardinal virtue.—*New York Herald.*

Advertising is the philosopher's

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