

The Watchman and Southron.

THE SUMTER WATCHMAN, Established April, 1850.

"Be Just and Fear not—Let all the Ends thou Aims't at, be thy Country's, thy God's and Truth's"

THE TRUE SOUTHRON, Established June, 1866.

Consolidated Aug. 2, 1881.

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June 21

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June 23—3m

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July 19

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Aug. 9

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Aug. 11

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Aug. 16

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Apr 19—o

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May 10—t.

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Aug. 2—2m

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Nov. 7—o

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COLUMBIA, September 7, 1893.

The Hon John F. Ficken, Charleston, S. C.: From information derived from Dr. Babcock who has just returned from Beaufort, and from letters describing the condition existing in Colleton and the islands between the two Edisto, the number of starving and destitute people cannot be less than 2,000 and the liberal contributions already made and being made are a mere bagatelle in comparison with what will be needed to carry these people through the winter, and in any degree place them on a self-supporting basis.

We must make a general call for aid and the business of relief must be centralized and controlled by one central committee, whose labors will last far into the winter. The relief committees which have already been appointed were hastily selected and did not realize the magnitude of the labor before us. Please confer with the committee in Charleston and then come here at the earliest possible moment, that we may advise on the matter. The work of relief is but just begun.

B. R. Tillman, Governor.

It is the intention of Governor Tillman to appoint a central committee at Charleston to take charge of the distribution of funds.

The following proclamation was issued by Governor Tillman on Thursday.

AN APPEAL TO THE PEOPLE OF THE UNITED STATES.

The hurricane which swept the Atlantic coast on August 27 was unparalleled in its severity. It spread desolation and ruin throughout the entire State of South Carolina, but the sea islands, spreading northward along the coast of South Carolina, from the Savannah River to North Edisto Inlet, were the greatest sufferers by reason of the severity of the wind and the unprecedented height of the tide. The sea invaded the land. Hundreds of houses have been swept away by the waves or blown down by the winds, and while the exact number of deaths will never be known it cannot be less than a thousand.

Vegetation has been completely blasted by the salt water as though it were the breath of a simoon. What was a prosperous and blooming expanse of rice fields, gardens and farms is to-day a desert with the very landmarks destroyed, leaving the people without shelter, without food, without the possibility of getting work, except for a limited number, to confront the terrors of starvation until another crop can be grown. Owing to the fact that nineteen-twentieths of them are negroes, and that means of communicating with the remote islands have been destroyed, I have only within a day or two arrived at a clear understanding of the situation and the horror it unfolds.

Dr. J. W. Babcock, superintendent of the State Lunatic Asylum, an accomplished physician and sanitarian, who went to the scene of the disaster on the 1st of September as my official representative, returned to-day, and his report accompanies this appeal. I do not deem it necessary to dwell upon the picture he draws. I have not felt justified hitherto in asking for help except from our own people. The people of the State, whose losses by the storm will run into the millions, have responded nobly and immediately suffering is being alleviated, but starvation or pestilence will claim many thousand victims before the winter is over if our efforts are not supplemented by the charitable in other States.

I pledge my official word that contributions shall reach the people for whom they are intended; that the charity which may be given shall not be misapplied; that laziness and idleness will not be encouraged, but the money and provisions which may be donated shall be applied to the support of these people, so as to enable them to build their homes and take a new start in life with the new year. There are not less than 20,000 such destitute. Bread alone for these storm sufferers will cost not less than \$75,000 between now and March, while practically eleven months will elapse before they can grow any. Medicines, bed clothing—anything that can be used in a house, because everything is gone—will be thankfully received.

We can buy these things with money, but if money is not to be had, don't hesitate to contribute. Send all money contributions to me. They will be acknowledged through the press and will be put in bank to be checked against as needed. Send all other contributions, to central relief committee at Charleston, S. C. My efforts to relieve these unfortunates are stimulated by the feeling that, being negroes, ignorant and helpless, they are peculiarly the wards of the Executive. A common humanity pleads with those who are able to help these poor wretches in their destitution.

B. R. Tillman, Governor.

DR. BABCOCK'S REPORT

The prohibitory report of Dr. L. B. Babcock reads as follows:

His Excellency, B. R. Tillman, Governor of South Carolina—Sir: As a result of investigations made at your request I submit the following report:

Three days were spent in making personal visits to the islands around Beaufort, and I there found the situation so serious as to demand immediate attention. The facilities for communicating between the tier of islands and the country between Charleston and Savannah at best are poor, and just at this time especially so.

In addition to visiting numbers of the islands inquiry was made through reliable sources of existing conditions in parts not personally inspected. I must confess to a certain amount of surprise at the number of deaths, loss of crop and devastation of that section.

All that portion of South Carolina known as the sea islands and those parts of Colleton, Berkeley,

The Cyclone Sufferers.

Beaufort and Charleston counties subjected to the tide-water influences were more or less seriously damaged by the cyclone and high tide of Sunday, August 27. The destruction of crops and homes was more especially noticeable on the exposed islands, which include John's, Wadmalaw, Edisto Port Royal, Coosaw, St. Helena and others adjacent. The territory adjoining Combahee, Ashepoo and the neighboring rivers was found to have suffered serious loss. At the lowest estimate fully one thousand lives were lost. The coroner of Beaufort places the number at eight hundred.

The storm swept away at least half of the homes on the islands facing the ocean, such as Coosaw, Cornau, St. Helena and Edisto Island. I may state that on Land's End, Pollywau and Hope plantation, the survivors are crowded into the few houses that with stood the storm. These islands are inhabited by a population of about 45,000 people, most of whom are dependent upon their crops for support. Some income is derived from work in the mines. The tide covered most of the islands and the low lands on the main land and had a most disastrous effect on the crops.

The salt water entirely killed such of the cotton, potato and pea crop as it covered, and the wind storm blew down the corn crop. The high tide and long submergence of the rice crop has ruined it. In short the planters of that section have no right to expect more than an eighth of the ordinary crop.

With their homes destroyed, their crops ruined and the phosphate industry paralyzed by loss of its equipments, there is very little for these people to do. They have no resources, all of it is in the destroyed crops. They are willing enough to work, but there is nothing for them to do. The people are to-day living on salted potatoes they have gathered, together with corn saved. This cannot last long. 25,000 people who will have to be supported almost wholly until another crop can be planted, about April, when they can secure other resources. There is no other solution.

The history of this section shows that after the less severe storms of 1817, 1855 and 1871 an epidemic of malarial fever of malignant type followed. There is now a serious possibility of such an epidemic. In addition to the great loss of human life there have been a great many animals drowned and there has been extreme carelessness in the burial of the bodies. The water supply is brackish. The people are forced to live in crowded houses in many localities, and with the short supply of provisions the conditions are far too favorable for the spread of the fever.

Good food and clothing, which are sorely needed, will do a great deal to minimize the possibilities of disease. A number of cases of fever and diarrhoea have already been reported.

The central relief committee at Beaufort has for the past few days been distributing rations among the needy on a careful basis.

It is realized that the food stuffs contributed will have to last many months, and on that account limited supplies are given those known to be deserving of help. From what I could see there is no encouragement of idleness, nor is there any disposition to abuse the charity by assisting those who are able to find work.

The superintendents of the phosphate works advise me they have daily to turn away hundreds of men who seek work. The seriousness of the situation can hardly be overdrawn. The distress and impending dangers of starvation appeal for prompt assistance.

Competent relief committees have been organized with colored representation, and the distribution of the supplies is being systematically and cautiously managed.

In addition to the supply of food there is a necessity for clothing. Most of those who survived saved only the clothing on their backs and are without proper raiment for the winter season.

Additional medical assistance and larger supplies of medicines and disinfectants I regard as prime necessities.

J. W. BABCOCK.

Privateer Prodigies.

PRIVATEER TOWNSHIP, SUMTER CO., Sept. 4—Mr. T. H. Osteen, one of Privateer's farmers, has bought but four pounds of meat in about that number of years. In that time he has bought two hogs; every year he kills from six to eight head of hogs. For six years he has been farming at the place of his widowed mother-in-law, Mrs. Susan Kolb, who has been one of the best managers that has ever lived in Privateer. In these six years Mr. Osteen has never bought any corn; on the contrary, he has sold on an average of thirty-five or forty bushels a year, and his wife has never seen a sack of western corn. Mr. Osteen runs but one plow and says he never expects to run more than that.

Mr. Abe Ardis, who lives just over the line in Manchester township, has been raising his meat ever since the war; he has never lost a pig by disease, and now has about thirty head of hogs, among which is a sow that raises three litters of pigs a year. His breed is almost entirely of that kind called "pieny woods."

One of Privateer's farmers told me that where he made 1350 pounds of cotton last year, he would not make more than 300 since the storm has damaged his crop—McDonald Furman, in the State.

Between the proposition to issue treasury notes or to issue bonds there should be no hesitation. To issue bonds is to perpetuate the national debt, and increase the amount on which the people must pay interest in gold. The treasury notes bear no interest—Augusta Chronicle.

Secretary Carlisle is quoted as saying that there was in the country, outside of the Treasury, on the 25th of August, \$58,452,350 more currency than there was on the 1st of August, and \$70,294,783 more than there was on the 1st of January, but it is hoarded, and that's what's the matter.

Judge Simonton Rasped by Gov. Tillman.

The Swan Decision Was More Than He Could Stand and He Tells Why—It Makes Rare Reading.

Governor Tillman has given the press a statement in regard to the decision of Judge Simonton in the Swan case, in which he rasps Judge Simonton in a very severe manner. It is rare indeed that such remarks are made about a judge of the United States Court. It makes rather lively reading.

Governor Tillman said:

"The decree of Judge Simonton in the Swan case is an extraordinary document. Judge Simonton cannot be supposed to have any ill will to Swan, and therefore can have but two objects: First, to bring the administration or the dispensary law into disrepute; second, to paralyze the constables in their efforts to prevent the importation of contraband liquors into the State.

It is illogical, prejudicial and tyrannical that I feel constrained against my will to criticize it, and I do this that the people of the State may read the decision and these comments on it at the same time. It may be unwise in me to do this when it is well known that the railroad tax cases, the Agricultural Hall case and the case involving the power of the Railroad Commission are all pending before this same tribunal. But experience has shown that the present administration has nothing to expect from this judge but adverse decisions, without regard to the merits of any case presented. I shall, therefore, use plain language and call things by their names.

Swan was ordered to jail yesterday, but has since been released on parole by order of the judge, pending an appeal to the Supreme Court of the United States on habeas corpus. For this he has our grateful thanks.

The facts upon which Judge Simonton acted are stated by him as follows: Swan, a State constable, seized a barrel of whiskey in the warehouse of the South Carolina railway on the first day of August without a warrant to either search or seize, and took no further steps than to deposit it with the sheriff of Charleston county. The whiskey had been received by the South Carolina railway on April 12th, and was held for delivery by reason of some doubt as to whom it belonged. Swan is charged by the judge with acting on his own authority, without instructions, certainly from any one in the legal department of the State, and in all probability he was without instructions from any other person.

"This is his offence as set forth by the judge, and Swan is committed to prison for contempt of court upon this showing.

"The real facts are these: Swan notified me as Governor, that there was a barrel of whiskey in the depot and asked instruction. I ordered him to seize it and deposit it with the sheriff, taking therefor a receipt. When asked later for particulars, he said the railroad people claimed that the barrel had been shipped in April, but showed no manifest or way bill to prove it. Swan's crime, then, was that he obeyed the Governor of the State, whose appointee he was under the dispensary law; seized a package of liquor which had no certificate on it, as required by the law, was 'in quantity going to show that it was for sale,' and deposited it with an officer of the State court to await the action of that court as to its ownership and legal disposition.

"Is there any Federal question here giving the judge of the United States Court jurisdiction? There is according to Judge Simonton. It is contempt of court because the railroad is in the hands of a receiver, an appointee of that court. Now, let us examine the reasoning and the law upon which this man has been deprived of his liberty and imprisoned. Judge Simonton says: 'Were this simply a case of interference with property in the hands and custody of this court without notice to it, and without action on its part, its settlement would be easy,' and then with the humility of Uriah Heep, he says, 'he (the receiver) and the court from whom he holds his appointments, are servants of the law, exceptionally bound to pay it the utmost deference and respect. But the real issue in this case is vastly more important than an interference with property in the hands of the court, continues the learned judge. He then discusses the right to search and seize property,' and denies the legality of Swan's action, claiming it to be unconstitutional. Let us see how Swan, according to Judge Simonton, must have proceeded under these circumstances. In the first place, Swan never did search the South Carolina Railroad depot. He only went in when the doors were open and used his eyes to look about, and in doing so he certainly broke no law. Judge Simonton says he should have got a warrant, and I will ask his honor against whom? Against a barrel of whiskey? No trial justice would have granted it, for warrants are not issued against things. Against the receiver? That 'officer of the court' had done nothing and again he would have been unable to obtain a warrant.

"The United States revenue officers are not required to take out warrants against contraband whiskey, and I deny that it is possible or lawful to get a warrant for contraband whiskey under the Dispensary law while it is in transit. The absurdity and impossibility of carrying out the law under this construction is, therefore apparent. While the constable is waiting for a warrant the train containing it would move on, or if in the depot, it might be delivered to the consignee. The constitution does guard us against unreasonable searches and seizures,' and the only question here is whether Swan's seizure was unreasonable. 'Did he break any doors? No

Did he injure anyone? No. Did he destroy the property or convert it to his own use? No.

No. It was placed in the charge of an officer of the State court, and Section 25 of the act expressly provides: 'All such liquors intended for unlawful sale in this State may be seized in transit and proceeded against as if it were unlawfully kept and deposited in any place.' Mark you, it does not say proceeded against and seized, but seized and proceeded against; showing clearly the intent of the Legislature, and the analogous power exercised by the revenue officers of seizing without warrant contraband whiskey, is certainly sufficient excuse for my construction of the law and my orders to Swan. If this construction is unlawful and unreasonable, then Swan's action was clearly inadvertent contempt if contempt at all, of the court, merely a trespass punishable only after conviction by a jury. The judge may contend, and does contend, that there is no power in this act for a constable to do otherwise than as expressly allowed or commanded. But the Governor is authorized 'to appoint constables to see this act enforced,' and the enforcement of this act required that whiskey in transit, without the certificate, shall be 'seized and proceeded against.' No power of search is claimed, or has ever been exercised, except under injunction and by order of a circuit judge of the State court.

"Judge Simonton accuses Swan of 'searching,' only to have an excuse for his tyrannical decree, and in the face of the facts. But suppose he did search and seize where is the contempt? I certainly did not consider for a moment the status of