

The Watchman and Southron.

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—BY—
N. G. Osteen,
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Called up For Contempt.

Constables and Police Again Ordered to Show Cause.

Judge Simonton Issues a Rule Upon the Petition of Mr. N. G. Gonzales, Whose Liquor Was Taken at the Club Raid.

Judge Simonton has issued another rule to show cause why they shall not be attached for contempt, directed to the State constables and the city policemen who raided the Columbia Club recently, the rule being returnable in Greenville on Wednesday next. It was issued upon the following petition on Mr. N. G. Gonzales, and the papers were served upon the parties concerned by U. S. Deputy Marshal Thornton last evening:

THE PETITION.
United States of America, District of South Carolina, in the Circuit Court.—Fourth Circuit. In Equity.

Ex-Parte: N. G. Gonzales Petitioner. In Re: James Donald vs. J. M. Scott et al.
To the Honorable Charles H. Simonton, Judge of the Circuit Court of the United States for the District of South Carolina:

The petition of your petitioner, N. G. Gonzales, respectfully shows:

1. That he is a citizen of the State of South Carolina; and resides in the City of Columbia, in the said State.
2. That since the 8th day of May, 1895, your petitioner had shipped to him from the State of North Carolina a package of liquor for his own personal use, and not for sale or barter, distribution or division, to wit: one keg, containing between four and five gallons, not quite five gallons, of whiskey, and marked and shipped and received with the consignee's name on it and the words "For Personal Use," as also the business card of the consignor, a manufacturer of liquors, and the label of the express office from which it was shipped.

3. The said package was shipped per the Southern Express Company, a common carrier, and was delivered to your petitioner by said Express Company at his place of business, and was on the next succeeding day sent by your petitioner to the rooms of the Columbia Club, a social organization of which your petitioner is, and has been since its establishment, more than ten years ago, a member, for his own personal use, and not for barter or sale, distribution or division, directly or indirectly; and while there your petitioner drew off and consumed a part of the contents of said package, leaving about two gallons in the keg, to which he caused to be added cherries, etc., to make what is known as "cherry bounce," the same being for his own use and consumption.

4. That your petitioner is the editor of "The State" newspaper, and is well known as such, and as never having been engaged in the sale of liquor or having even the most remote connection with such a traffic; that he, being unmarried and having no residence but a sleeping apartment, has been accustomed to regard the rooms of the said Columbia Club as his home during the hours in which they were open, and it was for the express purpose of providing for himself the facilities and freedom of a home that he joined in the creation of said Club in the year 1894, that your petitioner has ever since the establishment of the said Club paid a fixed monthly sum toward defraying the expenses of providing for the rental of the rooms of said Club and the attendance thereon, and that the servants employed in said Club are in fact and effect his servants and subject to his instructions, and that in holding the said liquor for him and adding ingredients for the making of said "cherry bounce," the butler of the Columbia Club was acting as his personal agent and employe, without the intervention, the instruction or even the knowledge of the management of the said Club, and without the cooperation or agreement of any other of its members; that the said package of liquor was openly received by your petitioner, and as openly sent to the rooms of the Columbia Club, with reliance upon your Honor's order in the case of James Donald vs. J. M. Scott et al., such order enjoining interference with liquors imported into the

State of South Carolina from other States while in the hands of the consignees, and the said liquor remaining, as hereinbefore stated, in the original package of importation, and in the hands of the consignee, your petitioner.

5. That on Saturday, the 17th day of August, 1895, J. E. Morehead and F. S. Strickland, policemen of the City of Columbia, and S. G. LaFar, J. T. Speed and A. T. Davis, State Constables, raided the rooms of the Columbia Club aforesaid, and notwithstanding your Honor's order of the 8th of May, 1895, in said case of Donald vs. Scott et al., and in direct violation thereof, seized and took and carried away the said package aforesaid; that at the time of the taking of said keg by the said parties, they were informed by the butler of the said Club that the same belonged to your petitioner, and was kept there for his own personal use, and were shown the address and label on said original package, and said parties were fully cognizant of the fact that the same was imported into this State, and had no reason to believe or suspect that the same was being sold or disposed of contrary to any law of this State; but notwithstanding such knowledge, and acting apparently on the principle of "seizing everything in sight," they took possession of the same and carried it out of and away from the Club, and, as your petitioner is informed, delivered it to one F. M. Mixson, State Liquor Commissioner, who holds the same now in his possession against the consent of your petitioner, and has made no offer to return the same into the possession of your petitioner.

Wherefore, your petitioner asks the protection of this Court in his rights under your Honor's order aforesaid, forbidding the seizure of imported liquors in any place in the hands of the consignee, and that the liquor be returned to him.

That a rule do issue of this Honorable Court requiring the said F. M. Mixson, S. G. LaFar, J. T. Speed, J. E. Morehead, A. T. Davis and F. S. Strickland to show cause before your Honor on a day certain why they should not be attached for contempt of this Court in violating said order of injunction, and for such order and further relief as may be just.

H. C. PATTON,
Petitioner's Attorney.
United States of America State of South Carolina.

N. G. Gonzales, the petitioner above named, being duly sworn, saith on oath that the facts set forth in the foregoing petition are true to his knowledge, except as to those matters therein stated, which are derived from the information of others, and as to those matters he believes them true.

N. G. GONZALES
Subscribed and sworn to before me this 28th day of August, 1895.

HENRY F. JENNINGS,
Notary Public of S. C.
THE RULE ISSUED.

Judge Simonton issued the following rule to show cause:

The United States of America District of South Carolina—In United States Circuit Court.

In Re: James Donald, Complainant, vs. J. M. Scott et al., Defendants.
Ex-Parte: N. G. Gonzales. Rule to Show Cause.

On hearing the sworn petition of N. G. Gonzales in the above-entitled case, and on motion of H. C. Patton, Esq., Petitioner's Attorney:

It is Ordered, That F. M. Mixson, S. G. LaFar, J. T. Speed, A. T. Davis, J. E. Morehead and F. S. Strickland do show cause before this Court at 10 o'clock a. m. on the 4th day of September, 1895, or as soon thereafter as counsel can be heard, at Greenville, S. C., why the said liquor so seized should not be delivered to said petitioner as prayed for, and why they should not be attached for contempt in violating the order of this Court.

Let copies of this order be forthwith served on the parties named.

CHARLES H. SIMONTON
29 August, 1895. Circuit Judge

THE HEARING
The hearing of this case, and the similar case brought by Messrs. A. E. and W. E. Gonzales, is to take place in Greenville on Wednesday morning next. Attorney General Barber states that he will be on hand to appear in behalf of the constables. City Attorney Thomas will doubtless be on hand to represent ex-Police Sergeant Morehead and Officer Strickland—Columbia State.

Mexico's First Hanging.

St. Louis, Aug. 27.—A special to the Chronicle from Jimenez, Mex., says that Estanislao Tamarez, a noted chief, who for the past ten years committed robberies and murders in the mountains west of there, and who was recently captured by government troops, was hanged at Barrale yesterday. This is the first execution by hanging that has occurred in Mexico, the usual manner of death being by shooting.

The yacht Defender has been formally selected to sail against the Valkyrie III

Charleston and Railroads.

The Port Royal and Western Carolina railroad is to be sold, and it is admitted that a great benefit would result to Charleston could it be controlled and operated in the interest of that city. Charleston could buy the road, but she won't. Charleston could do a great many things that she don't, and therefore the dry rot has all but taken the city. The humidity of the climate has had a saving effect, perhaps, otherwise we are at a loss to understand the partial preservation of the city. We form our opinions from what we have read at various times in the Charleston papers, which we believe is reliable information—*Sumter Item*.

The *Sumter Item* has read nothing of this kind in the *Charleston Post*. There are croakers in Charleston, but the *Item* does Charleston an injustice to quote them or form an opinion from them.

We do not know that Charleston will obtain control of the Port Royal and Western Carolina railroad, but this we do know: that Charleston will have better railroad facilities, that the need of them is appreciated, and that a company has been organized by many of the business men in Charleston who are determined that the city shall have them.

The *Post* earnestly hopes that its suggestions for the purchase of the P. R. and W. C. will be adopted. It is meeting with the approbation of business men. But it may be that the terms under which this road is to be sold will greatly embarrass bidders, and it may not be to the interest of Charleston to endeavor to buy it. However we can assure *The Item* that the matter will be the subject of careful investigation and that if the road can be had on advantageous or even reasonable terms it will become Charleston's property.

We trust that the *Sumter Item* and other papers in the State will cease to mourn for Charleston. Charleston is all right. Charleston is doing splendidly. We have had no failures, no fires, and no calamities lately in Charleston, and the *Item* should not listen to the howlers. When *Sumter* people or Abbeville people or the people of any other part of the State want money for a bank or a mill they will of course, and as usual, come to Charleston for it. And they will go away pleased and "healed."

The *Item* ought to know that to the assistance of Charleston the financial prosperity of the State is largely attributable. The *Item* ought to appreciate it. And further: The *Item* ought to discourage people from coming to this prosperous city for capital for banks and mills so long as they ship their cotton to Norfolk and Wilmington—*Charleston Post*.

Editorial of The Item, in Reply.

The *Charleston Post* takes the *Item* severely to task for what was said concerning the improbability of the purchase of the Port Royal and Western Carolina Railroad by Charleston capitalists and the general neglect of opportunities for increasing the business of the city that has characterized Charleston for so long a period of time. We will exonerate the *Post* at the outset. That paper has been like a voice crying—perhaps bawling would be a better word—"Progress" always. The *Post* deserves all praise for its attempts to awake the sleepers, and we are satisfied that the praise will be well bestowed, for we think there are signs that its cry is beginning to be heard and there are signs of an awakening. The *Post* is all right and we hope it will succeed in making Charleston all right, in time.

The part that Charleston capital has taken in developing the State we know and admit, but this is not a case in point. What we were talking about was what Charleston fails to do for herself.

And the shipment of cotton to Wilmington and Norfolk illustrates the point excellently well. Why does cotton go to those points from Sumter and other places in this State instead of Charleston, notwithstanding Charleston is much nearer? Why? Simply because Wilmington and Norfolk make greater efforts to get the cotton. They have a force of buyers in the field who are there to get the cotton and they obtain what they are out for. Charleston is the natural port of this entire section and at one time had the entire trade, including cotton and everything else. But with changing conditions, railroad combinations, long and short haul freight rates and differential tariffs, the geographical location of a place ceased to be omnipotent, and trade no longer

had to go to Charleston whether Charleston exerted herself to get it or sat complacently on Oyster Point dangling her gentle toes in the lapping waves of the deep blue sea. Charleston seemed to think that bustling was incompatible with dignity, therefore she did not hustle; and while she was sitting around clothed in dignity other towns, Wilmington and Norfolk for instance, were hustling and hustling all day long all the year round. Consequence—Charleston lost a large part of the trade that was her's naturally, but which she did not exert herself to keep.

We do not criticize Charleston with ill will or malice; on the contrary we have nothing save the best feeling for Charleston and her people and no one, not even a Charlestonian, would be more gratified to see the city prosper and grow through the exertions of her people and the utilization of the advantages and opportunities that are the rich heritage of the place. But even the best of friends sometimes grow impatient from waiting and disappointed expectations.

A Road That Would Pay.

To the Editor of The State:

In an editorial to-day, discussing the probable purchase of the Roanoke and Southern, and the Cape Fear and Yadkin Valley railroads by the Baltimore and Ohio, you say that the Cape Fear and Yadkin Valley now extends to Cheraw, and the Palmetto line from Cheraw to Columbia, might then be built as a link in the great Baltimore and Ohio system. As a matter of fact the Cape Fear and Yadkin Valley does not extend to Cheraw, but it has a branch to Bennettsville. A railway from the latter point to Columbia, however, would have many advantages over the other route; and moreover, would be much more likely to be built. Instead of running through an expensive, almost barren, and sparsely settled sand hill country, touching only one town between its terminal points, it would traverse the best farming section in South Carolina, and pass through the thriving towns of Society Hill, Hartsville, Bishopville and Camden, and without encountering any construction difficulties. This line should be built whether there is any prospect of its becoming a through line or not. It would be of great value to its territory, and to Columbia in particular, as a local road only. But, if through future deals, it should become a link in the Baltimore and Ohio system, or even one terminating at Roanoke, the distribution point of the great Virginia coal fields, its value to the State would be incalculable.

It is not likely, however, that the construction of the road will be undertaken by the Baltimore and Ohio or any other railway system; but if commenced by local capital, it might find substantial assistance in that quarter and finally be operated by them. The doctrine that you have been preaching so ably, that "self help is the best help" finds application here.

In spite of some recent indications to the contrary, I cannot help thinking that the Cheraw-Columbia extension of the Palmetto Railway will never be built; but that the Seaboard Air Line will eventually extend its line from Cheraw to Sumter, and thence, possibly, to a connection with the Plant System at Yemassee, with a line also into Port Royal.

Ransom Reappointed.

WASHINGTON, Aug. 27.—The uncertainty concerning the case of Hon. Matt. W. Ransom of North Carolina, was ended to-day by the announcement of the ex-Senator's reappointment to the position of minister to Mexico, which was declared vacant by the decision of Acting Attorney General Conrad that Mr. Ransom's nomination to the mission during his Senatorial term was unconstitutional. It was known pretty generally in official circles that the commission of Mr. Ransom would be received at the White House yesterday, and some surprise was expressed by those cognizant of the facts that it had not then been received, because their information was that the commission had been signed on Saturday. That this understanding is correct is borne out by the date of the document, which came in to-day's White House mail, and is dated August 24.

It is stated at the Treasury that Mr. Ransom will lose one month's pay as minister to Mexico at \$17,500 a year, that being the period intervening between Auditor Holcomb's opinion in his case to the date of his reappointment. Auditor Holcomb would not pass his July account holding that while he was de facto minister to Mexico he was disqualified from holding the position by having been a member of the same Congress, that increased the pay of the Mexican mission to which he was subsequently appointed. Mr. Ransom will have to look to Congress for his salary and expenses during the interim.

The Dignity of Travel.

There was just one seat in the passenger coach not occupied by two persons, and the man who was holding that down gave me my legal half so grudgingly that I determined to totally ignore his existence during the afternoon, says the *Detroit Free Press*. As near as I could make out he figured that I ought to have taken another train or gone in the baggage car, and was therefore determined to make it unpleasant for me. For the first hour we crowded each other to show our spite. During the second we let up a little and each one was busy with a newspaper. At the beginning of the third hour we threw our newspapers away, and sat there looking at the bald head of a man in front of us. At the end of the sixty minutes we had begun to forgive each other, but pride kept us from making any advances. The fifth hour was thirty-five minutes old when my fellow-traveler yawned and pretended to go to sleep. Not to be outdone by a mean man in playing a mean game, I followed suit. Ten minutes later he woke up, hunted around for pencil and paper, and wrote and passed over to me the inquiry:

"Were you born that way?"

"Yes; were you?" I wrote and handed back.

"You make me tired!" was his next message.

"Ditto!" was mine in answer.

Then he looked out of the window at the fading day, and I looked at the cowhide boots of a farmer thrust out in the aisle. Five hours and twenty minutes had passed since I sat down when he suddenly turned and held out his hand, and said:

"Say, I have to ride a hundred and fifty!"

"Then, let's talk."

And we talked, and talked, and I found him so well posted and intelligent and entertaining that when he finally got off I took him by the hand and said:

"Come down and stay a week with me this summer."

And he made my whole arm ache as he squeezed my hand and heartily replied:

"Come up with your whole family and cat and dog and put in a month with us."

He was from Macon. He had heard that there was to be an exposition in Atlanta and dropped over a day to see what was going on. When he stepped from the car at the main entrance his mouth dropped wide open in wonderment, for there were a few things about the place not dreamed of in his philosophy. He wandered into the grounds and strolled about in reckless amazement. At the scenic railway he was overjoyed and declared that he would like to ride all day, it felt so good.

He had inspected the various buildings and was standing in front of the classical structure of fine arts, along the ledges of which are carved the names of the world's great artists. Only one name on the corner seemed to have caught his eye. He read it over carefully.

"Fanny name," he said, spelling it over; "funny name. Must be a foreigner. Was he the architect for all these buildings out here? Michael Angelo—pretty good fellow, ain't he?" And the wind sighed lugubriously through the empty chime tower—*Atlanta Constitution*.

Violent Quakes in Mexico.

MEXICO CITY, Aug. 29.—Four violent earthquake shocks are reported from Pinotpa and Nacional, in Oaxaca, causing widespread terror. Each shock had a violent effect upon buildings. Walls were rent and roofs caved in. The inhabitants of the stricken towns have taken refuge in the open country in fear of other formidable shocks, as a comparatively slight trembling continued. The severe shocks were preceded by a loud roar, coming from the sea, and it is believed in the stricken locality that a subterranean volcano is on the point of eruption.

News from Cuba confirms the report of the landing of two expeditions for the insurgent. The village of Barajagua was entirely destroyed by fire caused by the retreating rebels setting fire to buildings after a fight at that place in which they were defeated.

Booklet's Arctic Saver.

The Best Saver in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Letter Chapped Hands, Chills, Burns, and all Skin Eruptions, and positively cures Piles or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by Dr. J. E. W. DeLorme.

Highest of all in Leavening Power.—Latest U. S. Gov't Report

Royal Baking Powder

ABSOLUTELY PURE

Without a Parallel.

At West Point, Va., the other day a negro was hanged for attempting to feloniously assault a six-year-old white girl.

We have no hesitation in declaring it the most remarkable case that ever occurred in this country, or perhaps in any other.

The negro's guilt was undoubted. He offered to pay the girl's two older brothers if they would not report his crime, which they had discovered, to their father, but the two boys made the fact known.

Then the father, who is a deputy sheriff, and also jailer of the county, made the arrest, and on his way to the jail protected the prisoner from the threatened violence of the mob. The Richmond Dispatch states that this singular father is an old Confederate soldier, and says he must have had a high sense of honor and duty under such extraordinary circumstances to protect the villain who had sought to ruin his child. He warned off the would-be lynchers, and told them that as an officer of the law it was his duty to see that the law took its course.

We read of such stern devotion to public duty among the old Romans, but never before was such an instance recorded in our annals. It would be interesting to know more about the personality of this wonderful deputy sheriff.

From the lofty standpoint of the law this man did his duty, but it is hard to see how he could have forgotten that he was the girl's father and remembered only that he was an officer. Ninety-nine men out of a hundred would have slain the brute with their own hands, or they would at least have allowed the mob to wreak vengeance upon the prisoner.

Roman virtue is a rare thing in our day, but this Virginian seems to have it.—*Atlanta Constitution*.

Deadly Weapons.

In North Carolina the judges of the superior courts "rotate"—i. e., ride each circuit of the whole state in regular succession, says the Argonaut. When Judge Shipp of one of the mountain circuits, in regular rotation, came to ride a circuit on the sea coast he was much pleased with clams, which were new to him. He had a claim super with the result that he had a most violent illness, and could not hold court for two or three days. When able to sit on the bench the first case tried was an affray in which one man used a pistol and the other knocked him down with a clam (in a shell). Manly, appearing for the state, introduced a witness to prove that one clam, so used, was a deadly weapon. "Stop there, Manly," said the judge, earnestly. "The court will hear evidence whether or not a pistol is a deadly weapon, but the court knows without further evidence that a clam is."

The Southern Record.

JACKSONVILLE, Fla., Aug. 27.—At the meet of the Jacksonville wheelmen held here to-day, the Southern record was broken by R. V. Connerat of Savannah. Not only was the Southern record, which was held by George N. Adams, of this city broken, but the track record as well, which was also held by Adams. Three years ago Adams made a record for the South and track of 2:19 4/5 on the Jacksonville track. Two weeks ago he lowered the Southern record at Newberry, S. C., to 2:14 2/5. The record made by Connerat to day was 2:10 3/5. In the first half Connerat was paced tandem by Mixson, of Columbia, and Maxwell, of Anderson, S. C., and on the last half by Gross and Williams, of Savannah.

A race between George N. Adams and W. I. Huffstetter, of Orlando, for the State championship was won by Adams. It was a five mile race, paced by tandem for four and a half miles. Adams won by a good half wheel in the excellent time of 12:59 2/5. Fully 2,000 persons witnessed the races.

The Culliver Saved His Life.

Mr. G. Culliver, Druggist, Beaversville, Ill., says: "Dr. King's New Discovery I owe my life. Was taken with La Grippe and tried all the physicians for miles about, but of no avail and was given up and told I could not live. Having Dr. King's New Discovery in my store I sent for a bottle and began its use and from the first dose began to get better, and after using three bottles was up and about again. It is worth its weight in gold. We won't keep store or house without it! Get a true trial bottle at J. E. W. DeLorme's Drug Store."