

### AN UNPLEASANT SURPRISE.

#### The Omnibus Constable Injunction does not Hold.

Columbia, S. C., February 2.—The State authorities have found on examination of the decision in the dispensary case that the omnibus injunction against constables does not hold. This phase of the decision is brought out in the equity case decided in the United States Supreme Court. The decision requires Judge Simonton to modify his decree of injunction to conform to the decision, making it apply only to the constables named in the original action. The State, however, does not propose or intend to antagonize the principle laid down it is stated.

The anti omnibus injunction principle is said to be of much import, and the decision of the United States Supreme Court says on this point: "But while we think that the complainant was entitled to an injunction against these defendants who had despoiled him of his property, and who were threatening to continue so to decree in this case. The theory of the entire case is that the plaintiff is one of a class of persons whose rights are infringed and threatened, and that he so represents such class that he may pray an injunction on behalf of all persons that constitute it. It is, indeed, possible that there may be others in like case with the plaintiff, and that such persons may be numerous, but such a state of facts is too conjectural to furnish a safe basis upon which a Court of equity ought to grant an injunction. We prefer to accept in this respect the views expressed by Justice Nelson, in the case of Cutting v. Gilbert, (5 Blatch, 259.) Extracts are cited from the decision. Similar views prevailed in the case of Baker vs. City of Portland (5 Sawyer, 566.) The decree is also objectionable because it enjoins persons not parties to the suit. This is not a case where the defendants named represent those not named. Nor is there alleged any conspiracy between the parties defendant and other unknown parties. The acts complained of are tortious, and do not grow out of any common action or agreement between constables and sheriffs of the State of South Carolina. We have, indeed, a right to presume that such officers, though not named in the suit, will, when advised that certain provisions of the Act in question have been pronounced unconstitutional by the Court to which the Constitution of the United States refers such questions, voluntarily refrain from enforcing such provisions; but we do not think it comports with well settled principles of equity procedure to include them in an injunction in a suit in which they were not heard or represented, or to subject them to penalties for contempt in disregard of such an injunction. (Fellow vs. Fellow, 4 John Chan, 25; citing Iveson vs. Harris, 7 Vesey, 257.) The decree of the Court below should therefore be amended by being restricted to the parties named as plaintiffs and defendants in the bill, and this is directed to be done, and it is otherwise affirmed. Mr. Justice Brewer did not hear the argument, and took no part in the decision of this case. The full text of the decision was given out to night, but the extract given is the new and important part not published heretofore. The official dispensary bill will probably be introduced to-morrow.

WASHINGTON, Feb. 2.—The Anglo-Venezuelan arbitration treaty was signed by Sir Julian Pauncefote, the British ambassador and Senor Jose Andrade, the Venezuelan minister, in the office of Secretary Olney at the state department at 4:30 o'clock this afternoon, signaling the amicable termination of a controversy that has lasted nearly a century, as well as the resumption of diplomatic negotiations between two countries which had been suspended for 10 years.

The British ambassador, accompanied by Mr. Henry Outram Bax-Ironside, attache of the embassy, reached the department just before 4 o'clock and a few moments later the Venezuelan minister appeared with Mr. Manuel M. Poote, Jr., secretary of the legation, and Mr. Jas. J. Storrow, the counsel of Venezuela before the arbitral tribunal. Senor Andrade brought with him a magnificent pen with which the important document was subsequently signed. It was sent to him by his brother, who, it is universally conceded, will be the next president of the Venezuelan republic, and to whom it will be returned as a souvenir. It consisted of a gold pen fastened in a holder made from an eagle's quill, bearing midway from its tip a gold heart thickly encrusted with diamonds.

### Two Judicial Divisions.

#### Representative McLaurin Helping Senator Tillman in his Pet Scheme.

WASHINGTON, Feb. 2.—Representative McLaurin was granted a hearing to-day before the House judiciary committee in support of Senator Tillman's bill providing for the establishment of two judicial districts in South Carolina. Mr. McLaurin explained to the committee the well understood circumstances surrounding the question, and recalled in substance what he said when this subject was under consideration in Congress two years ago. He took occasion to say that he is not antagonizing the present marshal and district attorney now performing the duties of the Eastern and Western districts. He said, he hoped the incumbents would be allowed to serve out their terms, as they are a valuable and efficient officers. He contended that the bulk of the judicial business of South Carolina comes from the western part of the State, and, therefore, two districts should be established.

Some of the members of the committee, while appreciating the force of Mr. McLaurin's sentiments and disposed to elect two sets of judiciary officers, hesitate about creating two districts in the State. It was suggested that the creation of two districts would necessitate an additional United States Judge and appropriate Court officials. The latter proposition does not seem popular with the committee. There is a disposition to create an eastern and western "division" in the State, with two district attorneys and two marshals to divide the line between them as provided in the Tillman bill. The committee adjourned without reaching any conclusion.

Tom Johnston will not press his contest against Dr. Stokes in the present Congress. T. H. Moss, of Orangeburg, attorney for Dr. Stokes, arrived here to-day and informed his client, and also the committee on election, that Johnston has abandoned his contest in the present Congress, and will use the testimony already taken in his contest against Dr. Stokes in the next Congress. It was evident that the House was not disposed to consider favorably the case against Dr. Stokes during the present session, hence Mr. Johnston's abandonment of the case.—News and Corrier.

President Geo. B. Roberts, of the Pennsylvania Railroad, is dead.

### Treaty Signed.

#### Controversy Between England and Venezuela Ended.

WASHINGTON, Feb. 2.—The Anglo-Venezuelan arbitration treaty was signed by Sir Julian Pauncefote, the British ambassador and Senor Jose Andrade, the Venezuelan minister, in the office of Secretary Olney at the state department at 4:30 o'clock this afternoon, signaling the amicable termination of a controversy that has lasted nearly a century, as well as the resumption of diplomatic negotiations between two countries which had been suspended for 10 years.

The British ambassador, accompanied by Mr. Henry Outram Bax-Ironside, attache of the embassy, reached the department just before 4 o'clock and a few moments later the Venezuelan minister appeared with Mr. Manuel M. Poote, Jr., secretary of the legation, and Mr. Jas. J. Storrow, the counsel of Venezuela before the arbitral tribunal. Senor Andrade brought with him a magnificent pen with which the important document was subsequently signed. It was sent to him by his brother, who, it is universally conceded, will be the next president of the Venezuelan republic, and to whom it will be returned as a souvenir. It consisted of a gold pen fastened in a holder made from an eagle's quill, bearing midway from its tip a gold heart thickly encrusted with diamonds.

While the two plenipotentiaries were formally exchanging their credentials, the copies of the treaty, which was printed, were carefully prepared by Mr. Bax-Ironside and Mr. Cridler, chief of the diplomatic bureau of the state department, who had made all the drafts of the document and printed the copies. These were in the English language, Spanish not being used, although the tongue of Venezuela, the only difference being that in the Venezuelan copy that country is mentioned always first and the British vice versa. The British ambassador signed "Julian Pauncefote" to both copies; Senor Andrade, following, affixed his signature, and Mr. Cridler affixed their respective seals. The formalities having been quickly completed, there was a general exchange of congratulations which were pressed upon Secretary Olney with particular cordiality, and before 5 o'clock the negotiators had returned to their official residences.

### State's Condition.

#### Governor Ellerbe Sounds a Note of Warning.

Below is given the full text of the first important message of Governor Ellerbe presented to the general assembly last night. That the message is one of the utmost importance goes without saying; it brings officially to the attention of the general assembly a matter which has been presented an officially heretofore through the medium of an interview with Comptroller General Norton. Here is the message: Gentlemen of the General Assembly: After thorough investigation I find that the finances of the State are not in a very favorable condition, and I deem it my duty to call your attention to the following facts: There was in the State treasury on Jan. 26, 1897, \$413,958.34. Bal. due State on general act, 92,000.00 Insurance license fees (estimated), 10,000.00 Fees Secretary of State's office, 5,000.00 Uncollected taxes (estimated), 83,000.00

Making, \$605,958.00

The above includes all the revenues of the State available for current expenses for the fiscal year 1897. Estimating the current expenses of the State government at \$30,000 per month for ten months, beginning January 1st, 1897, and ending November 1st, 1897, we have Current expenses, \$300,000.00 Legislative expenses (estimated), 45,000.00 Special appropriation for militia, 10,000.00 Pensions, 100,000.00 Public printing, 20,000.00 Total, \$640,000.00 Making a deficiency in the general fund of \$34,401.66 unprovided for. I have counted the expenses to November 1st, because the books are not opened for the collection of taxes until October 15th and the State treasurer will not receive remittances from the county treasurers until November 1. We estimate the expenses at \$30,000 per month on the basis of last year's appropriations. Of course, if any of the appropriations be increased or additional ones are made for special purposes the deficiency will be increased in proportion.

The trustees of the Winthrop Normal and Industrial college have asked for an additional appropriation of \$30,000 to build another dormitory. They now have room for 240 students, while the attendance is 403, 163 having to board in the town. It would be infinitely better for all the students to board in the college and if we knew that the attendance would remain as large as it is now, you would take no risk in making the appropriation. But as we can have no guarantee of this after the ephemeral favor which generally bubbles up around a new college subsidy, we may have here, as we had at Clemson, decrease in the number of students. When Clemson college was first opened many boys out of curiosity and without serious purpose, rushed in and there was not sufficient room to accommodate them, but after running a year or two, the attendance as might have been expected dwindled down to normal numbers and the dormitory is large enough for present uses.

Should you decide to build another dormitory for Winthrop I would respectfully suggest, owing to the unfavorable condition of the State's finances and the financial condition of our people that you have all the brick necessary for the construction of the dormitory made by the convicts of the penitentiary. This could be done in the summer after the crops on the State farm have been "laid by" and before harvesting time begins. You could then at the next session of the general assembly make a small appropriation to have the work completed.

The deficiency that I have called your attention to should be provided for and the question for you to decide is whether it should be done by increasing the levy or by increasing by some other means the revenue of the State. This can be done by a graduated income tax and a graduated license tax. Every legislator should be commended for his efforts to give the people a low rate of taxation, but it is unwise and unbusiness like to levy a tax insufficient to meet the current expenses of the government and thereby incur a debt. I believe in the principle of paying as you go. In my opinion there is extravagance in the management of county affairs which should be thoroughly investigated. The county government act is objected to by many on the ground that it is too cumbersome, and that the work of the chain gang costs more than it is worth. I would recommend that you examine these matters thoroughly before making any radical changes in the law.

### Pennsylvania's Capitol Burned.

#### Harrisburg, Pa., Feb. 2—A fire which started in the rooms of Lieut. Gov. Lyon some time this morning swept through the ancient capitol of Pennsylvania and within an hour and a half after the breaking out of the flames the structure was in ruins.

The senate and house were about to reconvene for their afternoon session when the fire burst through the walls and the law makers were driven for their lives to the open air. As far as known no one was killed, but a number of people were in the building trying to save furniture and other effects when the dome fell in, and it is possible that some one may be buried under the ruins. Quite a number of people were cut and bruised or smothered by smoke, but no one was seriously hurt. The most valuable of the State and legislative records which were in the building were saved, but the records and statistics of the department of public instruction, which included much valuable information bearing upon the public schools of the State were destroyed.

### The Ships Will Come In.

#### Admirable Bunce Tells The Good News.

The warships are coming to Charleston. They are coming into the harbor and, in the words of Admiral Bunce, "all on board will be glad to meet the citizens of Charleston and to afford them every facility to visit the ships." See Herbert is coming also, and will be the honored guest of the Charleston Chamber of Commerce.

Late yesterday afternoon Mayor Smyth received the following letter from Admiral Bunce: Flagship New York, First Rate, FORTRES MONROE, VA, January 29, 1897.

Dear Sir: I forward by same mail an acknowledgment of the resolutions of the City Council of the City of Charleston, received at the same time with your letter of the 27th inst., and thank you most heartily for your expressed intention of entertaining me. As I have stated in my reply to the City Council, it is impossible for the heavier ships of the force under my command to enter the harbor of Charleston, and the flag ship has the greatest draft of water of all, which, combined with other circumstances, may preclude the possibility of my visiting the city.

On the conclusion of the exercises at sea off the port of Charleston such of the ships as can enter the harbor will do so, and all on board will be very glad to meet the citizens of Charleston and to afford them every facility to visit the ships.

Very respectfully, F. M. Bunce, Rear Admiral, Commander-in-Chief, U. S. Naval Force on North Atlantic Station.

His Honor, J. Adger Smyth, Mayor of Charleston.—The News and Courier.

### Beauty Hath Charms

and all the charms which beauty likes best to don are shown in our grand display of fashionable jewelry for this season. Jewels like these would enhance the charms of the most fascinating belle, and surely no fair one would despise such brilliant aids to her beauty. Like personal loveliness, they conquer admiration on sight; they score new victories at every inspection. Those who look over our stock do not willingly stop with examination. Beauty may now be made easily irresistible by a few judicious purchases from our display of up to date jewelry.

L. W. FOLSOM, Jeweler and Optician, SIGN OF THE BIG WATCH, Oct. 16.

### The Largest and Most Complete Establishment South

Geo. S. Hacker & Son,

Office and Warerooms, King, opposite Cannon Street, CHARLESTON, S. C.

Purchase our make, which we guarantee superior to any sold South, and thereby save money.

Window and Fancy Glass a Specialty Oct 16-16-0

**THE MAN IN THE FRONT ROW**  
In the business world is the one who realizes clearly all the advantages which he may derive from any purchase or investment, and he cannot too carefully investigate all points in regard to any building which he may do or have done.

**DOORS, SASH, BLINDS,**  
lumber, shingles and ornamental woodwork of all kinds are the most important items in a building, and as we are manufacturers from first hands the benefit of buying from first hands if you buy from us—and we guarantee out goods of high grade, well made, durable.  
Send for Price List.

**AUGUSTA LUMBER CO.,**  
AUGUSTA, GA.

"Buy of the Maker" and "Buy Sterling Brand"

### STANTON HOUSE.

#### D. J. JONES, Proprietor.

Rates \$2.00 Per Day.

SPECIAL TERMS TO FAMILIES.

Two Minutes Walk From Central Depot.

Chattanooga, Tenn. July 29.

Land Surveying.

H. D. MOISE, will give prompt attention to calls for surveying and platting land. Can be found at his office, next door to office of Lee and Moise, Sumter, S. C. Nov. 18.

THE BANK OF SUMTER, SUMTER, S. C.

City and County Depository.

A Savings Bank Department, Deposits of \$1 and upwards received. Interest allowed at the rate of 4 per cent per annum. Payable quarterly, on first days of January, April, July and October.

W. F. B. HAYNSWORTH, President. W. F. RHANK, Cashier. Jan 13

Money to Lend

ON IMPROVED Farming Lands at 7 per cent interest per annum. Apply to LEE & MOISE, Attorneys, Nov. 11-3m. Sumter, S. C.

### To You Who Use

PENS, INK, Paper, Blank Books.

At H. G. OSTEN & CO'S

You can get everything that you want at the lowest prices. We are so situated that we can afford to make prices closer than any one else.

All Goods are new and of the best quality. No shop-worn goods.

We make a specialty of School Supplies and also keep a full line of Stationery, Blanks Books, Etc. Come and inspect our goods.

H. G. OSTEN & CO., LIBERTY STREET, SUMTER, S. C.

### D. M. YOUNG,

ATTORNEY AT LAW.

Prompt attention to all business entrusted to him. Office on Court House Square, in Blanding office.

### SUMTER RESTAURANT.

Reduced Prices Regular Meals 25cts. Private Dining Room for Ladies. Dec. 30.

### PATENTS

50 YEARS' EXPERIENCE.

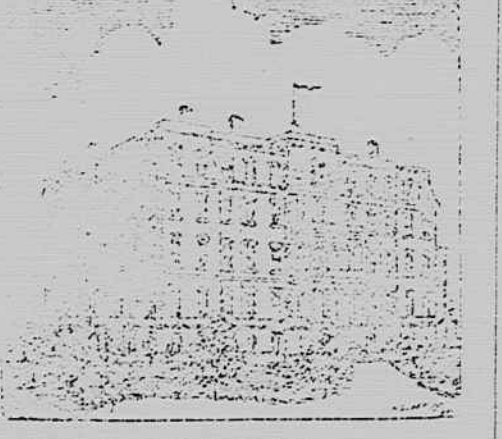
TRADE MARKS, DESIGNS, COPYRIGHTS &c.

AMERICAN PATENT OFFICE, 525 N. O'CONNOR ST., CHICAGO, ILL.

MUNN & CO., 361 Broadway, New York.

### Hood's Pills

Are much in little; always ready, efficient, satisfactory; prevent a cold or fever; cure all liver ills, sick headache, jaundice, constipation, etc. Price 25 cents. The only Pills to take with Hood's Sarsaparilla.



### STANTON HOUSE.

D. J. JONES, Proprietor. Rates \$2.00 Per Day.

SPECIAL TERMS TO FAMILIES. Two Minutes Walk From Central Depot.

Chattanooga, Tenn. July 29.

Land Surveying.

H. D. MOISE, will give prompt attention to calls for surveying and platting land. Can be found at his office, next door to office of Lee and Moise, Sumter, S. C. Nov. 18.

THE BANK OF SUMTER, SUMTER, S. C.

City and County Depository.

A Savings Bank Department, Deposits of \$1 and upwards received. Interest allowed at the rate of 4 per cent per annum. Payable quarterly, on first days of January, April, July and October.

W. F. B. HAYNSWORTH, President. W. F. RHANK, Cashier. Jan 13

### To You Who Use

PENS, INK, Paper, Blank Books.

At H. G. OSTEN & CO'S

You can get everything that you want at the lowest prices. We are so situated that we can afford to make prices closer than any one else.

All Goods are new and of the best quality. No shop-worn goods.

We make a specialty of School Supplies and also keep a full line of Stationery, Blanks Books, Etc. Come and inspect our goods.

H. G. OSTEN & CO., LIBERTY STREET, SUMTER, S. C.

### D. M. YOUNG,

ATTORNEY AT LAW.

Prompt attention to all business entrusted to him. Office on Court House Square, in Blanding office.

### SUMTER RESTAURANT.

Reduced Prices Regular Meals 25cts. Private Dining Room for Ladies. Dec. 30.

### PATENTS

50 YEARS' EXPERIENCE.

TRADE MARKS, DESIGNS, COPYRIGHTS &c.

AMERICAN PATENT OFFICE, 525 N. O'CONNOR ST., CHICAGO, ILL.

MUNN & CO., 361 Broadway, New York.

### STIEFF PIANOS

THE VALUE of a NAME depends upon its reputation, won by deeds, not words. The Stieff Piano has received diplomas and awards without number. But it stands to-day, as it has done for over half a century, upon its own merits. And, whilst this has been true, there has been no prejudice of the makers against new ideas of real merit. The universal verdict by those who are the most competent Judges is that it is impossible to improve upon the richness of its tone.

STANDARD ORGANS. Terms to suit you. Send for Illustrated Catalog.

CHARLES M. STIEFF, Baltimore—9 N. Liberty St. Washington—521 Eleventh St. N. W.

### Estate of R. Harry Baker, Dec'd.

ALL PERSONS holding claims against said Estate will present same duly attested, and all persons in any way indebted to said Estate will make payment without delay to

MARIE C. BAKER, Qualified Executrix. Jan. 20-3t.

### PATRICK BURNS

Informs his friends and the public that he has opened his business in the Tuomey Block, at the late stand of Frank O'Donnell, with a stock of

GENERAL MERCHANDISE, and solicits patronage. Prices as Low as Anywhere. Dec 23-4t.

### FOR SALE.

153 Acres of Land, in Providence Township, Sumter County, near Catchall, formerly owned by Thos. Beenehaly; subject to a lease for 3 years.

70 Acres of Land, in Bishopville Township, formerly owned by O. C. Scarborough, near Lynchess River.

63 Acres of Land, in Spring Hill Township, formerly owned by Mrs. Ada E. English, being Lot No. 2 to plat drawn by O. C. Haile, D. S.

106 Acres of Land, in Kershaw County, on Harbord Branch, formerly owned by J. F. Stokes

Storehouse and Lot in the Town of Bishopville, formerly owned by R. S. Galloway, and now occupied by R. E. Carven. Apply to MIDDLETON & RAVENEL, Charleston, S. C. Dec. 30.

### Money to Lend

ON IMPROVED Farming Lands at 7 per cent interest per annum. Apply to LEE & MOISE, Attorneys, Nov. 11-3m. Sumter, S. C.

### To You Who Use

PENS, INK, Paper, Blank Books.

At H. G. OSTEN & CO'S

You can get everything that you want at the lowest prices. We are so situated that we can afford to make prices closer than any one else.

All Goods are new and of the best quality. No shop-worn goods.

We make a specialty of School Supplies and also keep a full line of Stationery, Blanks Books, Etc. Come and inspect our goods.

H. G. OSTEN & CO., LIBERTY STREET, SUMTER, S. C.

### D. M. YOUNG,

ATTORNEY AT LAW.

Prompt attention to all business entrusted to him. Office on Court House Square, in Blanding office.

### SUMTER RESTAURANT.

Reduced Prices Regular Meals 25cts. Private Dining Room for Ladies. Dec. 30.

### PATENTS

50 YEARS' EXPERIENCE. TRADE MARKS, DESIGNS, COPYRIGHTS &c. AMERICAN PATENT OFFICE, 525 N. O'CONNOR ST., CHICAGO, ILL. MUNN & CO., 361 Broadway, New York.