

### Lee County Bill Passes The House.

#### ONLY TWENTY MEMBERS WASHED TO VOTE THE MEASURE DOWN.

If the senate regards the almost unanimous vote of the house of representatives taken yesterday, there will soon be 41 counties in the State. The latest is Lee, composed of portions of Darlington, Sumter and Kershaw counties, with Bishopville as the county seat. The bill establishing this county has been passed. Practically the whole of the morning session was devoted to the consideration of this bill yesterday. Mr. Bacot of Charleston was in the chair most of the time during the discussion.

#### LEGISLATIVE APPROPRIATIONS.

When the house got ready for work the legislative appropriation bill was called up and took the right of way over everything. It was being slowly proceeded with, when the debate was adjourned in order to give time for the preparation of amendments.

Mr. Timmerman called for the county government bill, and Mr. Skinner asked that the Lee county bill be taken up. He moved to discharge the special order on the county government bill for one hour. There was some discussion over the matter of taking up the Lee county bill. Mr. Blythe thought that they should consider the bill; the committee had made a careful investigation; if it was left to the next house, that body would have to go all over the matter again.

Mr. Meares objected to the bill's consideration. Both sides should have a fair show.

#### LEE COUNTY BILL.

The bill, the title of which was as follows, was then taken up: "To create the county of Lee from portions of Kershaw, Darlington and Sumter counties, with boundaries as herein-after described, and to provide for the erection of court house and jail, for the holding of courts and for the election of county officers."

There were majority and minority reports. Mr. Sturkie wanted the speeches limited to 15 minutes each. Mr. Ferritt and Mr. Stevenson were opposed to any limit. Finally one on each side was about to be allowed un limited time and the others were to be held down to five minutes, when Mr. Rogers protested against any limitation. After some further discussion the debate went ahead with out a time limit on speeches.

Mr. Meares moved to strike out the enacting words.

Mr. Ferritt opened the debate. He did not propose to give any ex parte statements. He lived in the old county. He felt it was his duty to try to hold the balances of justice evenly. The new county advocates would say the old county people had the right to appoint commissioners of election. There were only two precincts to be cut out from Darlington. He gave the votes of these two precincts. The total "yea" votes lacked only 14 of having the required two-thirds majority. He believed in leaving all such things to the people; he was at neither election. The election at Ashland precinct was held in a small back room with two windows and a door. There were three new and two old county men in there. There was some question about two or three votes, but that was all. He argued that the election and the count must have been perfectly fair. The box was locked and sealed and given into the custody of a new county man. There was no question as to the vote at this box at that time; they appeared to be satisfied. It was alleged that some of the old county people had tried to make the custodian of the box drunk in order to steal the box. When the custodian found the box gone, he went to a lawyer and the statement of the figures was inserted in a skeleton form. He did not propose to impugn the motives of any man.

When they came here they found affidavits on the other side. No copies had been served on them. Affidavits there said that people were not allowed to vote; that was not evidence that they voted and their votes were not counted. He complained of the short time allowed those on his side of the question to get up their evidence. The evidence before the committee corroborated what he had said. He didn't believe they would render a verdict on ex parte statements.

Mr. Patton was going to vote for Lee county. As a member of the committee he wished to have his say before the heated part of the entertainment began. He wished to tell the house how they could brush away preliminary questions. The attorney general had advised the governor that he had the right to order the election.

Mr. Winkler wished to know if the opinion came from Mr. Barber or from the assistant attorney general, who was the counsel for Salem county.

Mr. Patton said every opinion that came from that office, if the office was run as he thought it was, had the sanction of the attorney general himself.

Mr. Patton went on to detail the

facts as to the defeat of Salem county. He cited the constitutional provisions and said that the county of Lee was in no sense the same as Salem. On this legal question the members of the committee, with the single exception of the gentleman from Spartanburg, agreed with the attorney general. The minority reported on the ground of the count in the Darlington boxes. Sumter's vote was unquestioned. The same thing was true as to Kershaw county. The single issue was as to Darlington's two precincts—Ashland and Cypress. There was an admission before the committee that there was no contest as to the Cypress box. Take Ashland box. There were 196 votes returned; the managers stated that "yes" received 114 votes and "no" 82—which was not quite two-thirds. The box at Ashland was stolen. The managers met the next day without a single scrap of paper before them and arranged a paper that was not a return, on which the figures were given as above. This paper was signed by two members—advocates of the old county. The new county manager had refused to sign. The whole issue centered about the missing box. One of the opponents of the election had said the old county had got "about 60 votes." The number of votes they claim, according to the affidavits, gave the old county exactly 61 votes, what the man who had kept tally had said. One hundred and thirty-four sworn affidavits of men who had voted for the new county were presented to the committee; there were three other votes. One of these voters had moved away from the State. An affidavit of a man who saw the ballot certified it to be for the new county. Two were dead; their votes were also certified to. If these votes were given the other side Lee county is still carried by three votes. The affidavits that these men had not voted for Lee did not say the affidavits had been read to the signers—three of them could not read.

In the other affidavits it was sworn that the notary read the affidavits before the marks were affixed. As to the registration it seemed the voting was regular. The fact the two old county managers let these parties vote is the best evidence of their right. McKenzie and an old county manager went home together—in different buggies. It was generally admitted that McKenzie was generously drunk.

The matter should be settled now, and save a great deal of expense to all parties.

Mr. Winkler said seven members of the judiciary committee had not approved the majority report. The election was held on the 20th of July. The whole question was as to Ashland's vote. One manager, the doorkeeper and the clerk were new county men and the two other managers were old county men. These were all in the room and they agreed on the vote. The vote was not then challenged.

Mr. Stevenson said the counsel for the new county was challenged at once.

Mr. Winkler said that a new county man said the box would be in Lynch's river before night. Mr. McKenzie said he did not know the box was gone until he went to get it to take it to the court house. He put it in the piazza room. His family was at home. No one slept in that room. The return had been signed three days after the election. The box was the crucial point. The return had not been challenged. Why, if the box contained votes in favor of the new county, would a new county man say it would be in the bottom of the river before night? He was willing to do what had been done in the case of Pee Dee county yesterday.

Mr. Stevenson answered Mr. Winkler's question. Why would the new county man sign the return against the new county if he had stolen it? Would not this be nullifying the effect of the destruction of the box? There was no question as to the election at Cypress, yet the commissioners had thrown out the box. Was that the act of a partisan board or not? The managers have a mere general recollection of the vote. Each man who voted recorded his personal exact knowledge in his affidavit.

Mr. Gadsden thought Mr. Patton had understated the position of the minority of the judiciary committee as to the constitutional question. It was a question as to "the same" new county. The provision applied, as he saw it, to an election and practically the same proposition. The idea was to keep the people of a community from being stirred up more than once in four years. If this were not so the people of a proposed county could leave off one little township and have no end of elections on practically the same question. When one election is held all see how each man votes. When the second election comes on the friends of the new county can carve out the "no" votes and win. The thing could finally be reduced to an absurdity. Four fifths of the county was the same as it was last year.

Mr. Rogers—Was not this a question that the governor should decide before he ordered an election?

Mr. Gadsden said that the general assembly had the right to pass upon all preliminaries to the forming of the new county. Suppose they came here leaving out one plantation. Would not the same principle apply?

Mr. Stevenson—Suppose they took away everything but that one plantation, wouldn't your argument make that plantation the "same" county?

Mr. Gadsden said he was not for laying down any iron clad rule. It

was the general principle he was discussing.

Mr. Wilson wished to explain his position. When he introduced the bill he reserved the right to vote as he pleased. He had attended all the meetings of the committee and heard all the arguments. He had reluctantly come to the conclusion that he must vote for the formation of this county. It was no easy matter to stand here and see his county cut in two.

The previous question was ordered. The roll call was demanded on the vote. The house refused to strike out the enacting words by a vote of 20 to 83. The vote was clinched.

The debate on the bill was then adjourned until 8:30 in order to allow amendments to be put in.—The State.

There was considerable debate on the amendments to the general appropriation bill as made in the Senate. The House generally insisted on its appropriations notably those to the South Carolina College and the State board of health, and in its refusal to make any loan to the State Fair. Repeated efforts were made to pass a county government bill but final action was avoided as often as it was approached.

The Senate would not consent to repeal the anti-free pass law, and it killed Mr. Mayfield's dispensary bill, refusing to do anything with the law Senator Pettigrew's dispensary bill went the others.

#### Glance at the Condition of Things in the Lower House.

Fin de session proceedings will be the order of the day in the house of representatives for the next three days and nights, but there are in sight absolutely none of the big fights over important matters that have to be disposed of. In fact, so far as the important bills are concerned, the house has about ended its work; every thing is out of the way save for the consideration of conference committee reports and senate bills of no great importance.

Practically no legislation of a general character has resulted from the session for the reason that many bills of consequence passing the house have been killed in the senate and vice versa. It looks as if the new county government bill will become an act, changing the system considerably, but whether it will result in stopping the usual flood of bills relating to county government matters that come in every year remains to be seen.

Until the senate acts no one can say whether Lee county will be formed this year or not. The house passed the bill by an overwhelming majority. The senate committee has given the bill majority reports also. The house has also passed the resolution allowing a new election for Pee Dee county. The Senate has yet to act upon this.

The house during the past week devoted much time to these new county matters, and they were most exhaustively discussed before final action was taken. The consideration of the county government bill and the senate anti-liquor and liquor measures consumed practically the entire attention of the house during the past week. The supply and legislative appropriation bills were also disposed of.

The house stuck to its determination to let everything relating to the liquor question severally alone. It declined to have anything to do with any matter bearing upon the general subject of liquor, save the Verner bill exempting the counties of Pickens, Oconee and York from the provisions of the dispensary act. That was a surprise, and a big fight was made against it.

The house worked hard during the week, and the all-day sessions were exhausting to the members and employees. None of them will be very sorry when it is all over and they can go home.

To day the house will perhaps take up its untouched bills and rush them through quickly. The rest of the time will very likely be consumed by the consideration of reports of conference and free conference committees and messages from the senate. The elections of college trustees will come off to-morrow no doubt. To-morrow also the bids for the public printing will be opened by the committees on printing of the two houses, and they will report the lowest bid to the general assembly.

No doubt the usual number of concurrent resolutions will be introduced and considered.

But so far as the work of the house is concerned, it is practically done, and the remainder of the session will doubtless witness many brief recesses while the body is waiting on the senate.

The heaviest work will now fall upon the engrossing department. It looks as if the department will be flooded with work in the next two nights. The final adjournment resolution merely fixes Wednesday as the time for the adjournment sine die. That legislative day could be spread over several calendar days if the necessity arose, but it is thought that all who remain here can get away by Thursday morning's trains.—State.

Damaging documentary evidence against Captain Carter is promised to be introduced at the court-martial in Savannah to-day.

### Spaniards in Cuba Ready to Surrender.

#### Radical Wing of Autonomists Propose to Stop the War on Any Terms.

Habana, via Key West, Fla., Feb. 12.—The radical wing of the Autonomist party, formed of Senors Eliso Giberga, Arturo Amblard, Leopold de Sola, Carlos Font, Minguel Genor, Eduarde Dolz and others, assembled in secret meeting to-day to discuss the situation, which is considered very serious owing to the continuance of the insurrection despite the fact that autonomy has been granted to Cuba. Senor Antonio Govin, colonial secretary of the interior, did not take part in the deliberations, but sent his assent to the resolutions adopted.

The following propositions will be formally tendered to the insurgents: First: The volunteers will be dissolved and a Cuban militia formed.

Second: The insurgent colonels and generals will be recognized.

Third: Cuba will be called upon to pay only \$100,000,000 out of the \$600,000,000 indebtedness of both wars.

Fourth: Cuba will pay \$2,000,000 a year.

Fifth: Cuba will make her own treaties without interference by the Madrid government.

Sixth: Spanish products will have 10 per cent margin of protection over similar products from other countries.

Seventh: No exiles or deportations will be made, even in war time to Spain, Africa or to penal settlements whatever.

Eighth: Sentences for rebellion shall be abolished.

Ninth: Martial law cannot be ordered by the captain general without the assent of both the house and senate if those bodies are in session, or without the assent of a majority of the cabinet if they are not in session.

Tenth: The archbishop of Santiago de Cuba shall always be a native Cuban.

Eleventh: The actual insurgent party shall have three seats in the first cabinet.

Twelfth: Armistice of 15 days shall be granted for the discussion of the terms of peace.

These terms are accepted by the autonomist party in full with the exception of Senors Galvez, Montero, Zayas and Delonte.

The annexation sentiment is growing stronger among the Spanish residents and if it were not for the strict censorship exercised this sentiment would be manifested through the newspapers. Several merchants and planters—native Spaniards and members of the conservative party—upon being interviewed declared the situation in Cuba is terrible and if the war continues another year the island would disappear from among the producing countries of the world. One of them said:

"Only the firm hand of the United States can save us from the abyss into which this most fertile island is sunk. Spain has been unable to subdue the insurgents, in spite of Weyler's campaign to reconquer the island. All Spaniards ask with pain what had become of the army of 200,000 men. Next summer 35,000 soldiers will go to the hospitals and 25,000 will return to Spain as useless and inside of six months we will have only 70,000 men in the island. Autonomy has not brought, neither will it bring peace to Cuba."

#### A STORY ABOUT LINCOLN

##### Wished to Go and Persuade McClellan Not to Surrender.

Lebanon, Ind., Feb. 13.—President Lincoln's birthday was celebrated here last night, and among the prominent guests at the banquet was General Lew Wallace. During his address he referred to the dark days of the war when Gen. McClellan had been driven back to Harrison's Landing by Gen. Lee. At this time Gen. Wallace said: "I was near Washington and went there with a party to see the President. I noticed that Mr. Lincoln's face was unusually sad. I thought he was sick and was solicitous. I kindly asked him if he was unwell, but he said he was well enough but that he was anxiously waiting for the time to arrive when a boat would start for Harrison's Landing, that he wanted to go and persuade Gen. McClellan not to surrender the army to Gen. Lee."

Gen. Wallace said he had never told this story before except privately to friends.

A special from Bonham, Texas, says that in an attempt to arrest William Green and Bob Hunter near there, both men were killed and Officer Tom Alstead and Charles Hill were so badly injured that they will likely die.

Washington, Feb. 10.—The official confirmation of the assassination of President Barrios came to day to the State department in the following cablegram from United States Minister Hunter at Guatemala City, dated yesterday: "President Barrios was shot and instantly killed last night at 8 o'clock walking with two military officers, near the palace. The assassin, while attempting to escape, was immediately killed by the president's staff."

### New County Day in the Senate.

#### Leo and Pee Dee Both Win After Warm Fights.

Columbia Feb. 14.—It was new county day in the senate to-day, and as a result Lee will join the sisterhood of counties and Pee Dee will have another opportunity to do so. The principal fight was made on the concurrent resolution authorizing the governor to order a new election to determine the question of establishing Pee Dee county. The result was a big victory for the new county. By a vote of 23 to 13 the senate declared that the people should have, in view of the alleged frauds in the first election, a second chance to vote on this new county question.

Up to the time of the debate on this matter very little had been done except to give a number of bills a final reading.

A house concurrent resolution passed by that body yesterday morning and providing for the appointment of a committee of one senator and two representatives to investigate what disposition is made of liquor samples received by the State board of control, was received and on motion of Mr. Mayfield indefinitely postponed. There was not time for this investigation the present session, Mr. Mayfield said.

The conference committee on the appropriation bill reported that it had agreed to the senate amendment placing the appropriation of the South Carolina college at \$25,000; the committee failed to agree on the amendment authorizing the loan of \$2,400 to the State Agricultural and Mechanical society. A committee of free conference was ordered appointed for this last item.

There was quite a wrangle on which of the special orders should be taken up first. The chair ruled that the bill to establish Lee county took precedence and it was immediately taken under consideration. Mr. Hay moved an indefinite postponement. He did not propose, he said, to make any capacious objections to the establishment of the new county. The two thirds vote for the new county had been received in the counties of Sumter and Kershaw but not in that portion of Darlington included in the proposed county. The senate committee on privileges and elections had heard day after day arguments pro and con and had unanimously reported unfavorably on the bill. The matter was then taken up in the house and the bill gotten through that body. He maintained that the senate could not pass such a measure as this which was in direct contravention of the constitution. The two-thirds vote, for the new county had not been received in that portion of Darlington which it was proposed to incorporate in Lee county and hence the constitution had not been complied with.

Mr. Moses asseverated that could he be persuaded for one moment that this election was not carried fair and square he would be only too glad to vote against the establishment of Lee county. Sumter was a loser by the formation of this county, for over 300 square miles of her territory would be cut off.

The speaker then lucidly reviewed the facts in the case and declared that no doubt could exist of the county having honestly won in the election.

Speaking of the oft repeated charges of fraud, Mr. Moses said it was time for a message to be sent to the people of South Carolina in no uncertain terms, that fraud and cheating at the ballot box must be stopped. From the Revolution to the War of Secession he did not believe there was cheating in an election. Now in some portions of the State not even a primary election could be held without the charges of fraud.

Mr. DuBose of Darlington said he had tried in vain to find some flaws in the facts to justify him in voting against the formation of the county. There was nothing which would justify him in such a vote, and much as he disliked to see Darlington county dismembered he should vote for the bill. The bill then passed its second reading by an almost unanimous vote.

A concurrent resolution to require the holding of a new election to determine the question of establishing a new county, to be known as Pee Dee, out of portions of Marion caused a heated debate.

Mr. Mower, as chairman of the committee of privileges and elections, moved an indefinite postponement of the concurrent resolution, and said he did so because that committee had carefully examined into the facts of the election, and while there were some trifling irregularities, there were none which in any way would have changed the result.

The vote was finally taken on Mr. Mower's motion to indefinitely postpone the resolution. The senate refused to do so by the following vote: Yeas 13; Nays 23.

The senate met again last night and remained in session until 11:20 o'clock. Last year there was considerable complaint of errors in the printed acts of the general assembly and Code Commissioner Breszeale was censured by some of the officials. To insure against a repetition of such errors a joint committee of the house and senate to investigate and report upon the work of the code commissioner recommended in their report last night that

the commissioner read the proofs of the enrolled acts which he gives to the public printer before the same is finally put in permanent shape for publication.

A flood of discussion was let loose in the senate last night over the report of a conference committee on a bill to provide for the cancellation of fertilizer tags. A substitute bill was adopted by the senate for the house measure. The senate representatives on the conference committee recommended that the senate recede from its amendments. Mr. Buist objected to the adoption of the report made by a committee inimical to the bill. This opened the door for a discussion of a subject on which most senators go loaded to the muzzle, though they all protest they know nothing of the question. After a debate of fully an hour, in which nearly every senator had something to say, the senate receded from its amendments.

The Jim Crow car bill was taken up at 35 minutes to 9 and by previous agreement the vote was taken at 10 o'clock.

#### HOUSE PROCEEDINGS

There was something lively, spicy and interesting in the proceedings of the house of representatives yesterday and liquor samples were at the bottom of the little breeze that created for the time being a ripple on the calm surface of the fin de session legislative sea. Mr. Verner called to the attention of the house the reports that he had freely heard that dispensary sample liquor was being given away and that senators and representatives had been drinking such stuff. He followed it up with a concurrent resolution that created some lively and peculiarly interesting debate and was then passed, providing for an immediate investigation of the reports. Then it went over to the senate and that body put an end to it with all its possibilities. During the day session the house gave the county government bill a final reading and then considered only senate bills—a number of them were killed. No afternoon session was held.—The State.

### Mr. Wesley Wants His Past Due Rent.

#### Fifteen Thousand Dollars the Sum Claimed by Him for It.

As time goes on the situation of the agricultural hall case, with the effects which will follow the decision of the United States court, becomes more and more interesting to the public. It now seems practically certain that the relation of landlord and tenant which has been established between Mr. E. B. Wesley on the one hand, and the South Carolina dispensary on the other, will be of short duration, and that ere 30 days more shall pass the big gin mill will be moved to a section of the city more in keeping with its nature than it now occupies.

At least such was the conclusion reached yesterday morning when Mr. Wesley, called on the dispensary officials and informed them that \$15,000 must be "coughed up" for back rent, at once, or new quarters must be selected and moved into within the next 30 days. Mr. Lyles was acting under advice of his client, who is now the possessor of the building. The figure looked a little big to the dispensary people and they at once began to look up new quarters. The warehouse below the Union depot is being negotiated for and the probability is that it will be secured.

Those in charge of the dispensary are taking things, to all appearances, very philosophically, and are talking about the great amount of drayage which will be saved by the change. At the same time, it is said that they are now willing to pay \$175 rent per month for the building, which at first was regarded by them as too steep. The amount charged for back rent is where the shoe pinches most, and the matter of \$15,000 will be referred to the courts before it is paid.—The State.

Not only is the tobacco market high, but current tendencies justify even greater advances in the near future. This is not as satisfactory a situation as could be desired, owing to the fact that a main factor in the situation is the partial failure of the last seed leaf crop and deficiency in Kentucky tobacco. The effect of this has, however, been intensified by the increased use of domestic tobacco in the place of the imported leaf of which the Cuban war has cut off the supply. Not only has the immediate consumption of Havana tobacco decreased, but it is now believed that more or less of a permanent change has been inaugurated in the manufacture of cigars, and the even if Cuba is once more in position to supply its usual quota the ground gained by the domestic variety will not be surrendered.

Mrs. Arthur Levy, wife of a member of the firm of Hays, Goldberg & Co., of New York, was killed in the elevator of the Holland House last night. She fainted and falling to the floor of the elevator her head was crushed by coming in contact with the coiling of the second story as the elevator ascended.

Newberry, Feb. 14.—The residence of Mr. Brooks Reeder at Garys, this county, was burned last night. Miss Fannie Reeder, an insane sister, aged 52, was burned to death, her body being totally consumed. Estimated loss about \$2,000.