

## The Watchman and Southron.

Published Every Wednesday,  
—BY—  
**OSTEEN PUBLISHING COMPANY,**  
SUMTER, S. C.  
Terms:  
\$1.50 per annum—in advance.  
Advertisements:  
One Square first insertion.....\$1.50  
Every subsequent insertion..... 50  
Contracts for three months, or longer will be made at reduced rates.  
All communications which subserve private interests will be charged for as advertisements.  
Obituaries and tributes of respects will be charged for.

### STATE LICENSE ACT VALID.

#### THE STATE SUPREME COURT REVERSES ITSELF.

**Case of British and American Mortgage Company, After Rehearing, Won by Attorney General Lyon—State Would Have Been Deprived of Large Revenue Annually Had First Decision Been Sustained.**

Columbia, Aug. 2.—The supreme court has reversed itself in the case of the British and American Mortgage Company and Attorney General Lyon has won a distinct legal victory. The court several months ago rendered a decision which in effect declared the franchise license act of 1904 unconstitutional and would have deprived the State of a large revenue annually. Attorney General Lyon, representing Comptroller General Jones, filed a petition for a rehearing, which was granted, and upon this hearing the court has filed a second decision sustaining the position taken by Mr. Lyon and holding the act of 1904 valid. The first hearing of the case, when the State lost its case, was before Mr. Lyon entered the attorney general's office.

The case was brought by the British and American Mortgage Company, a British corporation, to secure an injunction restraining the comptroller general from collecting the tax of one-half of one mill upon the property of the company in this State, it being alleged in the petition that the company did not transact its business in this State, the contracts being perfected in New York. This was the main point upon which the company's attorney, Mr. John P. Thomas, Jr., of Columbia, expected to win the case. He was one of the legislative commission which framed the act of 1904 and he had no idea of upsetting that law. But the court decided the case upon another point, holding that the act of 1904 discriminated between foreign and domestic corporations, whereas in a previous act under which foreign corporations were licensed they were given all the privileges and immunities of citizens of this State.

It was held, however, that the supreme court had interpreted the act of 1893 erroneously in that the said act does not, in licensing foreign corporations, confer upon them all the rights and immunities of private citizens of this State, but confers upon such foreign corporations the rights and immunities enjoyed by private citizens of other States and of foreign countries doing business in this State. It was also pointed out that the license issued to a foreign corporation under the act of 1893 expires after twelve months and is renewed for each year, and that the court overlooked this point, which differentiated the case of the British and American Mortgage Company from the Colorado case on which the supreme court had relied; in this case the license granted by the State to the Smelter Company being for a term of twenty years.

The attorney general on the rehearing contended that in renewing the license each year the company did so with the restrictions and qualifications of the laws of this State in force at that time; consequently when the license was taken out for 1904 it was subject to the provisions of the franchise tax act of that year, which had been enacted before the license for that year was granted. The supreme court now sustains the contention of the attorney general on both these points, which had not been taken into consideration in the former opinion.

The case, as stated above, was argued for the State by Attorney General Lyon and his assistant, Mr. M. P. Debruhl.

Denver, Colo., Aug. 5.—William D. Haywood arrived here early today with John H. Murphy, head counsel for the Western Federation of Miners. Murphy is ill and may not survive the week. The early arrival of Haywood did not permit the demonstration the miners had prepared for his home coming, but they may hold it later.

### PROHIBITION IN GEORGIA.

#### BILL PASSES HOUSE BY A LARGE MAJORITY.

**Druggists May Sell Pure Alcohol on Prescription of Reputable Physician is Provision of One Amendment.**

Atlanta, Ga., July 30.—The Hardeman prohibition bill, passed by the Georgia senate some days ago, was adopted by the house this evening by a vote of 139 to 39. Two amendments added to the bill by the house will necessitate the bill going back to the senate for concurrence, of which there is no doubt and the bill will then go to Gov. Hoke Smith for his signature, which has been practically pledged and prohibition will become a law in Georgia.

The amendments today permit the sale of pure alcohol by retail druggists on the prescription of a reputable physician, and also allow wholesale druggists to carry pure alcohol in stock for sale only to retailers.

The bill prohibits the manufacture or keeping on hand in any place of business, the sale or giving away to induce business within the State of any liquor that may produce intoxication.

The new law is to become effective January 1, 1908.

After the first fight on the bill last week, in which the opponents showed their ability to keep the act from its third reading, and which culminated in a personal encounter on the floor of the house between members of the house at the end of a 14-hour session, an agreement was reached making the bill a special order for today, with the provision that a vote should be taken at 4 o'clock. This programme was carried out. Thirty-one amendments were offered, 13 of them by the prohibition forces. Only two were allowed, and both of these were introduced by the prohibitionists. The anti-prohibitionists made their hardest fight to secure the adoption of an amendment to postpone until June 1, 1908, the date when the bill should become effective. This was lost, 123 to 49.

The bill, as amended, was put on the final vote at 6.45, which was completed 45 minutes later, a few of the members taking the opportunity to explain their votes.

#### CHARLESTON GETTING GOOD.

**Various Clubs will comply With Dispensary Law—Lockers to Be Used Hereafter.**

Charleston, Aug. 2.—The Commercial club, Charleston club, Country club and Carolina Yacht club, the leading social organizations of the kind, have determined to comply strictly with the letter of the dispensary law, restricting all sale of liquor at these places. The club members have determined upon this move without pressure, evidencing their interest in the observance of the law and their disposition to aid the authorities in the present movement to have the law better enforced. The system of lockers, in effect at many clubs throughout the State, will be established here, thus dispensing with the sale and the handling of liquor by the clubs. The members will patronize the dispensaries, ordering such stuff as they may desire for their own personal use, through the dispensaries, in cases where the liquors are not actually carried in stock.

The movement on the part of the leading business and social clubs will set an example to the many other clubs of the city and bring all the organizations into line. Many of the so-called social organizations will have no excuse for their existence in the running of bars, for which they were organized and chartered particularly, being unable to point to the more representative and influential clubs of the city, as similar instances of the violation of the law. The police department will then be in a position to give closer attention to these places, and another step will be taken in the enforcement of the dispensary law in Charleston.

#### FRISCO GRAFT CASES.

**Big Grafters Find an Avenue of Escape Through the Courts.**

San Francisco, Aug. 2.—The question of the validity of scores of indictments in connection with the municipal shake up was today brought before the supreme court when an appeal for an injunction restraining the superior court from proceeding with the trial was filed by T. V. Halsey, the Pacific Coast Telephone Co.'s "Outside man," who is on trial charged with bribing Supervisor Lomagan. Attorneys for the indicted officials of the railways announced that they would file similar appeals.

### ROAST FOR ANSEL.

#### MARTIN REFERS TO GOVERNOR AS A POLITICAL SANTA CLAUS.

**State Superintendent Feels That He Had Not Been Consulted Sufficiently About the Matter of Making an Appointment.**

The announcement that Hon. John C. Sheppard would probably be appointed a member of the State board of education to fill the vacancy caused by the resignation of J. E. Bolland of Blackville has caused a decidedly caustic statement to be issued by Mr. O. B. Martin, the State superintendent of education. Mr. Martin says that he has nothing personal against Gov. Sheppard except that he protests on the theory that all members of the board should be educators. Before issuing the statement Mr. Martin sent the following letter to Gov. Ansel:

Gov. M. F. Ansel, Columbia, S. C.  
Dear Sir: I am informed that you have offered the position on the State board of education from the second district to a lawyer and an ex-governor. It such be the case, I wish to serve notice that I expect to make a vigorous protest through the press. Such action will seriously injure the work of this department, as well as have a depressing effect upon the schools and educators of the State. If I am correct as to the second district, this will make two appointments on the State board of education, and the teaching profession has not been recognized. I am sure that they will feel your attitude to them very keenly. I shall not hesitate to speak frankly in regard to this matter.

Sincerely yours,  
O. B. Martin,  
State Supt. of Education.

The statement referred to is as follows:

"I regard the appointment as political rather than educational. While I have an exalted opinion of the appointee, I believe this position was tendered him because of former association in politics and because of his political prominence.

"The law says the State board of education shall constitute an advisory body with whom the State superintendent of education shall have the right to consult when he is in doubt as to his official duty. There are other statutes which make the duties and relations of this board very close to the State superintendent of education. The law gives the governor the power of appointment, but I think that common decency and courtesy demand that the State superintendent of education be consulted. At least several very distinguished governors, including that delightful and considerate gentleman who adorned that office during the past four years, have taken this view. I know that this is the view held by a very large majority of the educators of this State.

"In the second district I did not even know that the name of the distinguished ex-governor was being considered for the position until after the position was tendered him. I refuse to believe that it was ever intended that the governor should be a political and paternal Santa Claus to tender surprise appointments to a child-like State superintendent. This same chief executive made a similar surprise appointment in the sixth district and I concurred in the result because I realized the necessity of having one excellent lawyer on the board.

"In the name of the schools of South Carolina I insist that an educational board shall consist of educators. What would be said if teachers should be put on the pharmaceutical board or the State board of medical examiners? Or why not let teachers conduct bar examinations? There has been a decided disposition in the south recently to put educators in educational offices. Every southern State superintendent of education has had experience in teaching. A few years ago this was not true. States that have political boards of education are passing laws requiring that experience school men shall constitute the membership of State boards of education. Bills to that effect are now pending in the Georgia legislature. They have had a board of State officers.

"The State board of education prepares all questions for teachers' examinations makes out courses of study, examines reading circle papers, selects books for teachers and children and performs other duties more or less professional.

"Why a man who is really looking for official efficiency and service to the schools does not want people who have devoted their lives to that line of work is more than I can see. It looks to me like an appointment upon

perfunctory association and patronizing politics.

"I am speaking plainly in regard to this matter because it is a luxury so to speak, and because I am convinced that educational progress may be seriously handicapped by gubernatorial obtuseness, stupidity and selfish political persistency."

#### The Governor's Idea.

Gov. Ansel when asked about the matter yesterday had nothing to say in reply to the letter except that he considered Gov. Sheppard a good man and that his idea was to appoint another layman who could assist the board in reaching decisions from a legal standpoint. He said that he had no idea of giving offense and in the appointment had the best interests of the State at heart.

Gov. Sheppard has been in public life for many years and the position was tendered him by Gov. Ansel several days ago. The latter was out of the city Monday, but returned yesterday when the statement from Mr. Martin was given out. It was the cause of considerable comment at the State capitol when it became known.

The singular part of this controversy between the governor and the State superintendent of education is that they were both elected from Greenville county. Maj. J. C. Boyd, adjutant general, and Maj. Jno. H. Earle, railroad commissioner, are also from Greenville. This is the first time that any discontent in the happy family from that county has manifested itself, although it has been known for some time that Mr. Martin and Gov. Ansel have not had the same views on the dispensary question, although this, of course, has nothing to do with the case in point.

Although Gov. Ansel has ignored publicly the fervid statement of Mr. Martin, yet it was talked about the State house yesterday that Gov. Ansel called upon Mr. Martin as soon as he heard that the State superintendent of education was worked up over the situation. Gov. Ansel declined to make any statement at all, although it was stated yesterday that the situation in the second district has been discussed between Mr. Martin and Gov. Ansel, but all names proposed were not acceptable for one reason or another and Gov. Ansel being responsible for the appointment named Gov. Sheppard.

It is stated that the precedent for Gov. Ansel's action dates back as far as Gov. McSweeney's administration anyway, for Gov. McSweeney and State Superintendent McMahan did not agree upon the appointment at that time.—The State, Aug. 1.

#### ELECTION WAS ILLEGAL.

**State Board of Canvassers Declare Kershaw Dispensary Election Was Illegal.**

Columbia, Aug. 2.—The State board of canvassers yesterday decided that the election recently held in Kershaw county, in which the dispensary was voted out, was illegal. The decision of the State board was based on the testimony given, showing that the secrecy of the ballot had not been observed in that there were six boxes for and against the manufacture of liquor, for and against the sale of liquor and for the disposition of the dispensary fund, which showed exactly how each voter cast his ballot.

It was also held that citizens were allowed to vote on the certificate of the clerk of court and without registration certificates, which is a violation of the law. An appeal will be taken from the decision of the State board of canvassers, and the supreme court will be asked to settle the matter on a writ of certiorari. This was stated by both the prohibitionists and the dispensary people at the hearing about two weeks ago when the case came up on an appeal from the Kershaw county board and before a decision had been rendered.

#### MILLIONAIRE MURDER TRIAL.

**Fred Magill, of Chicago, and Bride Indicted by Grand Jury for Murder.**

Clinton, Ill., Aug. 2.—Fred Magill, the millionaire cashier of the Warner National Bank, and his 19-year bride were indicted today by the grand jury on six counts, charging them with the murder of Magill's first wife. Arguments in reference to setting the time for the trial will be heard this afternoon or tomorrow. The defense wants the trial held within two weeks, but the State wants time to secure evidence. Although the prosecution has circumstantial evidence against the Magills it is said the report of the Chicago physicians that they could not find the pathological cause of death of Mrs. Magill, the State advanced the theory that Magill smothered his wife.

### TERRIBLE CRIME IN N. Y.

#### LITTLE EIGHT-YEAR-OLD GIRL MEETS CRUEL DEATH.

**Killing Rivals in Atrocity Those of Last Week—She Was Assaulted, Slain and Her Body Horribly Mutilated—Discovery of the Crime and Arrest of Suspect Almost Causes Riot.**

New York, Aug. 1.—The "grave yard," as the foreign populated neighborhood on First Avenue, between 13th and 14th streets, is known locally, gave up today a fresh crime, rivalling in atrocity the mysterious butcheries of last week. The latest discovered victim was an eight-year-old girl, and, like the two young women murdered, she had been shockingly mistreated before death and the body mutilated when life was extinct.

The three murders are strikingly similar. Last Thursday night a woman was strangled in a 22d street boarding house; the next morning the body of a still unidentified woman, who had been choked to death, was found in an areaway in East 90th street. Katie Pritschler, daughter of a restaurant waiter, disappeared a week ago today and was killed that night. A ribbon placed about the throat and drawn so tightly that it cut the flesh showed how she died. Her body was found today.

If the brutality of the murderers can be qualified, that of the Pritschler girl ranks first. She was assaulted, murdered and then her lifeless form was horribly mutilated.

"The grave yard" takes its name from the proximity of the old thirteenth street cemetery, and the locality has been the scene of several revolting murders.

The majority of the residents are foreigners. Carl Pritschler, the father of Katie, is a hard working, respectable citizen. He has several other children, all younger than Katie. The girl left home at 349 East 13th street last Thursday night to play in the street. When she failed to return the father notified the police and a general alarm was sent out. The body was today discovered within a block of her home and scarcely a hundred yards from the location of a placard placed by the father, calling attention to the fact that his child was lost. How the body could have remained undiscovered for a week is not explained.

The girl's body was stumbled upon by a woman who visited the basement of the house at 203 First Avenue. It lay upon a berry crate with seemingly no effort at concealment.

"You can say for me," Coroner Harberger declared, "that the crimes in Berlin, of which the newspapers have told, have not been one thousandth part as bad as the murder of this little girl."

The coroner would not permit the body to be photographed.

At the coroner's direction Gaetano Rippolano, whose cobbler shop adjoins the girl's home, was arrested and asked to explain his absence from his shop on last Friday. He established the fact that he had spent the day at Bristol, Conn. The girl is said to have frequented Rippolano's place and a search of the shop brought to light a man's shirt which bore red stains. The cobbler was arraigned and remanded to the coroner. Giuseppe Bafanto, Rippolano's partner, was questioned, but threw little light on the case and was not detained.

The police also began a search for a woman who is said to have formerly roomed at the Pritschler house, but who left there after a quarrel and took lodgings in the house where the girl's body was found.

When the news of the finding of the little one's body spread through the neighborhood excitement rose to such a pitch that the removal of the body and the arrest of Rippolano almost caused a riot. Many thousands of persons were in the nearby streets when the wagon from the morgue arrived. At sight of the covered body the crowd vented its grief and rage in a babel of tongues. The police were compelled to use force to get through the street. Soon afterwards the arrest of the cobbler became known and the crowd charged the prisoner's shop. Rippolano had been safely removed to the Station House, but his shop windows were smashed and only the determined front of police reserves, who clubbed right and left, prevented greater damage.

John Kysmich, the Russian watchman under arrest as a suspicious person and who is said to have been in the company of the girl whose body was found in the areaway on East Ninetieth street, was today remanded without bail until Saturday. No clue to the murder in Twenty-second street was secured today.

Later it was decided to hold Bofan-

to for examination tomorrow. Dora Mesner, who is said to have been seen in the company of the cobbler, was arrested as a witness. She was arraigned in the night court and held for the coroner.

#### AMERICAN DELEGATES PLEAD FOR ARBITRATION COURT.

**Joseph Choate Proposes the Establishment of an International Court, Composed of 17 Judges, and Supported by All Nations, to Which all Nations Desiring Peaceful Solution of Disputes May Refer Them.**

The Hague, Aug. 1.—The general opinion expressed tonight is that the real peace conference began today with the initiative of the American delegates, who for their speeches today on arbitration, are praised for their determination to carry a logical proposition, that is believed to be the most important effort towards the pacification of the world. Jos. H. Choate and James Brown Scott, of the American delegation, before the special committee on arbitration, reviewed the American proposition, dealing with arbitration from the standpoint of humanity as well as of international law.

Prof. De Martens, of Russia, declared that the principle of arbitration now under discussion was proposed by Russia in 1899. Germany, Great Britain and Mexico in general supported the American proposition. Dr. Drago, of Argentine, supported the Argentine proposition.

Mr. Choate in his speech explained that the instructions given to the American delegates were to see that the judges of this court be selected from different countries, and that they should represent the different systems of law and procedure, and the most important languages of the world. The court was to be of such dignity, consideration and rank that the best and ablest jurists could accept appointment thereto. The cause of general arbitration as a substitute for war in the settlement of international differences, has advanced with leaps and bounds since the call of the first conference. Nothing more strongly demonstrates the utility of the great work of that conference than the general resort of nations to arbitration agreements among themselves, as sure means of securing justice and protection.

"Our hope is to preserve and perpetuate the excellent work of the first conference, carrying it on to its logical conclusion.

"The work of that conference, however, has not proved altogether adequate to meet the progressive demands of nations.

"The plan proposed by the United States," said Mr. Choate, "does not depart from the voluntary court compelled to come to it, but it will be compelled to come to it, but it will be open to all who desire to settle their difference by peaceful methods."

Mr. Choate described the project, article by article, in eloquent terms, dwelling on every salient point.

The United States proposed that the expenses of the new court and the salaries of the judges be borne by the powers in common. This would make the court free to whoever appealed to it. Mr. Choate proposed that a suitable committee be appointed to form a constitution for and decide upon the powers and character of the projected court, saying he thought it would be well to have 17 judges instead of 15 so that the country representation be more general. In conclusion Mr. Choate said:

"It is six weeks since this conference first formed and there is certainly no time to lose. We have done much to regulate war and very little to prevent it. Let us unite on this great pacific measure and satisfy the world that the second Peace Conference really desires that in the future peace and not war be the normal condition of civilized nations."

#### ANOTHER GIRL VICTIM.

New York, August 3.—Frieda Tieub, aged 18, today fell a victim to the fiend, who has been claiming a child victim nearly every day for the last six weeks. The young woman was strangled to death after being beaten and mistreated in a vacant room next to her parents' apartments. The brute tied a rope tightly around her neck and left her dead. It is thought the girl was seized as she stepped from the door of her father's apartments. Her assailant escaped.

A hundred infuriated Brooklynites today attempted to lynch Martin Sallo, who seized Annie Rigers in a busy thoroughfare. The crowd had a rope all ready, after beating the man into unconsciousness when the police interfered. It was the nearest attempt at a lynching ever known in New York. The girl suffered only slight injuries.