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RECORDING OF DEEDS.

Senators Discuss Proposed Amendment Regarding Titles to Property.

Columbia, Jan. 23.—There was an extended discussion in the senate yesterday upon the second reading of Senator Carlisle's bill to amend Section 2,458 of Code of Laws of South Carolina, 1902, so as to do away with the forty days' limit after delivery or execution of deeds or instruments required to be recorded in order to constitute notices to subsequent creditors or purchasers for valuable consideration without notice.

Senator Carlisle explained the purpose of the amendment and the good that it would work. He was of the opinion that under the law, as it now stands, it is hard to tell whether a title is good or bad until the forty-day limit has expired. A man may get several mortgages upon the same property, and the man taking over the second and third mortgage has not any redress in the knowledge that there has been a previous mortgage when the one mortgaging his property has forty days in which to record the transaction. Senator Carlisle argued that this would do away with fraud to a large extent.

The effect of the amendment, as explained by the author of the same, is to give to the first man who reaches the clerk's office the first lien upon the property so recorded. The result of this revision in South Carolina's recording law would be to make mortgages cheaper. Upon a certain security large concerns would be willing to loan money here on lower rates of interest, as they would be sure that property is not mortgaged. They would be able to find out immediately by looking in the clerk's office just what liens are upon the property, upon which they are to risk their loans. Now these lenders of money go to other States, where the recording laws do not provide such archaic requirements as in this State. There was argument to the effect that a man in the lower section of a county far away from the court house would be at a disadvantage under the proposed amendment doing away with the forty days' limit.

When the matter came up today for discussion, the senate finally passed the bill to third reading, after some talk on both sides. Senator Graydon explained the good points of the proposed measure, saying that as the case now is one has to trust a man for forty days to record the papers, while under the proposed bill the time limit would be cut out, and there would be no chance of fraud. The matter would be left entirely to the diligence of the person accepting the mortgage.

By a vote of 11 to 25 on the motion to strike out the enacting words the motion was lost. An amendment offered by Senator Laney to make the limit ten days was also lost on a yeas and nays vote by 20 to 13, and the bill then passed to third reading.

BANK NAMED AS RECEIVER.

New Orleans Institution to Administer Affairs of Southern Insurance Co.

New Orleans, Jan. 22.—Following the filing of a petition by Secretary of State Michel, the Whitney Central National bank of New Orleans was this afternoon named as receiver by the civil district court for the Southern Insurance Company.

The petition of the secretary of state avers that an examination of the company's finances revealed a condition which rendered a continuation of business dangerous and expressed the belief that the company was insolvent.

Mrs. J. A. Summersett was painfully injured in a runaway accident in Columbia Monday afternoon.

A fire at Chappel's, Newberry County, Monday morning, destroyed \$25,000 worth of property.

It's the under dog that howls for the peacemaker.

JOHN Y. GARLINGTON SUED.

CAROLINA AGENCY COMPANY ATTACHES LAND IN LAURENS.

Seminole Promoter Charged With Having Disposed of Stock and Has Never Accounted For The Amount.

Columbia, Jan. 23.—Papers attaching a number of tracts of land belonging to John Y. Garlington have been served upon Stobo Garlington, his father, at Laurens. The warrant of attachment is issued by the Carolina Agency Company and grows out of the Seminole case, the complaint claiming that Garlington is indebted to them in the sum of \$25,000. The warrant of attachment involves the following:

Undivided half interest in a tract of land, known as the W. B. Young place, in Laurens County, and containing 555 acres, more or less. This land is described in Jack's township, Laurens County. An undivided half interest in a tract of land in Jack's township, Laurens County, containing 500 acres, more or less, known as the Owens place; a tract of 312 1-4 acres, more or less, bounded by lands now or formerly owned by John Y. Garlington and lands known as Bank funds, formerly of L. P. W. Riser; also such portions of these certain tracts of land situate in Laurens County, heretofore conveyed to John Y. Garlington by Mary Y. Garlington, by her deed under date of January 1899, described as tract of 1,000 acres, more or less, known as tract No. 2 of the Keyser survey; tract No. 3 of Keyser survey, containing 555 acres, more or less; tract of 1,389 acres, more or less, of Keyser survey made in 1833; all of the above being known as the Samuel Young estate, situate partly in Laurens and partly in Newberry Counties, except such portions as have been conveyed by John Y. Garlington to William S. Hatton, C. C. Riser and R. H. Benton, respectively, 292, 600 and 331 acres, respectively. Also all of that tract of land situated in Laurens County partly without, containing 70 acres, more or less, with certain boundaries, excepting such lots and portions of tract of land heretofore conveyed by John Y. Garlington as per certain deeds recorded.

The complaint made by the Carolina Agency Company states that it is and was a duly incorporated company with a capital stock of \$150,000, divided into 1,500 shares, with a par value of \$10 each; that John Y. Garlington, treasurer and general manager of the company, held 7,550 shares. Among his duties was receiving and caring for funds of plaintiff and keeping books and accounts relating thereto. It is alleged in the complaint that he, acting on a resolution passed by the board of directors, sold and disposed of about 5,000 shares of stock at \$10 each, collecting about \$50,000; that he received for plaintiff on premiums on insurance policies issued by the State Mutual Insurance Company of Rome, Ga., through plaintiff, its general agent, about \$70,000; that, although frequently called upon by plaintiff to account for his actions and doings as general manager and treasurer and to account to it for moneys received by him, less the sum authorized to be paid out by him, the defendant has never done so, but on the contrary has departed from the State and continues to absent himself therefrom for the purpose of defeating and defrauding plaintiff.

Mr. W. A. Clark, president of the Carolina Agency Company, makes an affidavit that to his personal knowledge the defendant is indebted to the plaintiff in such a sum mentioned (\$25,000) and that defendant has left the State and can not be served with a summons and complaint.

All of this grows out of the proceeding in the Seminole case, for which receivers have been appointed, and which is now in litigation in the courts.

MRS. LEAVITT SEEKS DIVORCE.

Daughter of William J. Bryan Files Suit For Dissolution of Marriage Tie.
Lincoln, Neb., Jan. 22.—Ruth Bryan Leavitt, daughter of William J. Bryan, today filed suit for divorce from William H. Leavitt.

T. S. Allen, brother-in-law of Mr. Bryan, is the attorney for the plaintiff. Leavitt is now in Paris.

The reason given in the petition is alleged non-support. To minimize publicity, the attorney took advantage of a common law provision of taking back into possession the documents in the case.

Plague in Caracao.

Willemstad, Island of Curacao, Jan. 24.—Four cases of bubonic plague are reported at Caracao.

PROHIBITION IS DENOUNCED.

THE NATIONAL MODEL LICENSE LEAGUE IN SESSION.

Resolutions Adopted Deploring Intemperance to the Extent of Intoxication, "Treating," and Violations of Laws by Saloon Men, and Also Denouncing Prohibition Measures and Methods—Mention of Roosevelt's Name Enthusiastically Cheered.

Louisville, Ky., Jan. 22.—Denunciation of prohibition as insincere and fallacious gave way today to a taking of the sense of the delegates to the second annual convention of the National Model License League upon the question of regulating properly the liquor trade of the country. This resulted in the adopting of resolutions by the several hundred delegates present from all parts of the United States. The resolutions in part follow:

"First, that as representatives of the brewing, wine-making and distilling trades, and of wholesale liquor dealers, saloon-keepers, inn-keepers and members of collateral trades, we protest against all intemperance in the use of alcoholic beverages and against all lawlessness of every sort whatsoever in the sale of such beverages.

"Second, that intemperance is a curse, and every man who becomes intoxicated should be arrested and prosecuted.

"Third, that 'treating,' which is responsible for so large a per cent. or involuntary intemperance, should be opposed by public sentiment and by every member of our trade.

"Fourth, that the licenses of all retail liquor dealers who violate the law should be cancelled.

"Fifth, that prohibition is Un-American; that it is opposed to the idea of individual sovereignty and to the spirit of our institutions; and furthermore, it must continue to be merely a costly absurdity as long as it prohibits only the manufacture and sale of alcoholic beverages.

"Sixth, that when prohibition, whether for State or county, is submitted to the people, it should prohibit, not only the sale, but the purchase, possession and use of wine, beer and whiskey.

"Seventh, that the county should not be the unit in local option contests, as it does not represent the American people of local self-government.

"Eighth, that, where prohibition is adopted by a legislature or a people, the manufacturers and dealers in wine, beer and whiskey should be compensated for investments made prior to the passage in obedience to demand and under the sanction of existing laws."

Mention of the name of Theodore Roosevelt as the greatest force for law in the nation, despite the criticism of congress and the abuse of the many, evoked the greatest enthusiasm in the convention during the address of Dr. Nathan A. Cole, of Peoria, Ill., who said that in half a century the greatness of Roosevelt would stand fourth above his detractors.

Mayor David S. Rose, of Milwaukee, spoke.

"We cannot reject prohibition as the remedy unless we can offer something better, and I believe regulation is the remedy," said Mr. Rose.

Dr. J. F. Callen, of Pittsburg, Kan., took up the line of argument at the opening of the afternoon session, dealing with "prohibition versus temperance."

EARTHQUAKE NOT LOCATED.

Definite Place of Seismic Disturbance in Turkestan Not Yet Fixed.

St. Petersburg, Jan. 24.—Although all reports from the various observatories in Russia locate the earthquake, the shocks of which were recorded yesterday, somewhere on the Russian side of the Pamirs, Turkestan, no direct news has been received that would serve to fix the disturbance in any definite place.

Russian Turkestan, in the region indicated, is sparsely settled and details of an earthquake there would be very slow in reaching St. Petersburg.

Slight Shock at Smyrna.

Smyrna, Jan. 24.—A slight earthquake shock was felt here this morning.

Disturbance at Yakertinburg.
Yakertinburg, Russia, Jan. 24.—The magneto-meteorological observatory at this place recorded a violent seismic disturbance at 7 o'clock this morning.

The universe is but one vast symbol of God.—Carlyle.

GREAT STEAMERS COLLIDE.

DAMAGED STEAMSHIP REPUBLIC GOES DOWN.

Drama of the Sea Drawing to a Close—Marine Collision Off Nantucket, Saturday, Results in Loss of One Ship and Six Lives—Captain and Crew Stayed With it to the Last.

New York, Jan. 24.—The palatial ocean steamship Republic of the White Star Line, which was in collision with the Italian liner Florida early Saturday morning off Nantucket, Mass., went down at 8:30 o'clock tonight. No one was lost. Her passengers are on the steamship Baltic, which was off Sandy Hook at a late hour, making for this port.

The Republic was in tow of the revenue cutter Gresham and the derelict destroyer Seneca, proceeding to New York. On board was Capt. Sealby, with a volunteer crew of fifty. The crew was taken off by the Gresham, which stood by until she sank beneath the waves.

The Gresham and the Seneca will land Capt. Sealby and his brave crew at Gayhead, Mass., or Newport, R. I. The Florida is slowly steaming towards New York, conveyed by the American liner New York. Her passengers also are on the Baltic.

The Baltic is nearing the harbor of New York late tonight. This in brief is the situation late tonight in the stirring story of the sea, following the first wireless flash on the collision of the two big ships in the early dawn of Saturday morning off Nantucket, Mass.

That there was loss of life attending the collision was not known until an early hour Sunday morning. Then the wireless, which has had its first great trial and proved its utility, brought the news that Mrs. Eugene Lynch, of Boston and W. J. Mooney, of Langdon, N. D., had been killed, and Mrs. M. M. Murphy, of Grand Forks, N. D., and Eugene Lynch, of Boston, injured. It was reported further that four members of the Florida's crew had met death.

The bodies of the dead and the injured persons were transferred to the Baltic.

Mr. Mooney and his wife were bound, with Mr. and Mrs. Murphy, on a pleasure trip from the West to the Mediterranean, and occupied state rooms on the top deck aft on the port side. Mr. and Mrs. Lynch occupied an adjoining state room. The company cannot understand how the passengers were killed or injured in that part of the Republic, which it is understood was struck amidships.

Other than the brief wireless messages from Capt. Ransom, of the Baltic, no news was received. The feeling of elation among the steamship officials early today when Capt. Ransom wired that there was an excellent chance to save the Republic, gave way to regret when the news came that there had been loss of life.

Details of the collision at sea in the dense fog came by wireless today from many receiving stations along the New England coast line. The story told in brief, but potent messages, how the passengers of the Republic and the Florida spent many anxious and uncomfortable hours following the wreck. Not until all were safe and sound on the Baltic did they have a feeling of security.

After the transfer of the passengers from the Republic to the Florida, which had no accommodations for the 400 and more additions to her already heavy list, Capt. Voltolin, of the Italian ship, gave orders to stand by until further help arrived. An examination of the Florida showed that her cut-water and bow had been crumpled as if she had crashed into a stone wall, and her two forward compartments were filled with water. However, she showed no signs of sinking. But it was deemed best, at a late hour, to transfer not only the Republic's passengers, but all those on board the Florida as well to the Baltic, as Capt. Voltolin believed his passage to New York would be slow and there were insufficient accommodations and supplies for so many passengers.

Shortly before midnight the re-transfer of the passengers began. Fortunately the sea was placid as a lake. The ships boats, working in the flare of night lights, made their way back and forth between the steamships in the fog. Meanwhile the Republic drifted away in the murk and was lost to sight.

All night long the transfer of passengers was in progress. There was little alarm among the passengers. Early today the transfer was completed. As the morning advanced the fog lifted and the disabled steamship was picked up. The gored liner seemed to be floating easier and Capt.

NOT FOR PROHIBITION.

LOCAL OPTION SENTIMENT IS STRONG IN HOUSE.

Many Representatives From So-Called "Dry" Counties Will Vote Against The Prohibition Bills.

Columbia, Jan. 24.—It now seems likely that the fight will not be in the senate, but in the house of representatives. There had been much talk to the effect that the house would pass the bill as a matter of form and "put it up" to the senate to kill it. However, the latest news is to the effect that "noses have been counted" and that if the bill gets through the house at all it will be only after a hard fight.

One member of the house, who is the chairman of a very important committee and ranks high in the membership, said Saturday that he believes that the local option people have a majority of 15, but local optionists who have been taking a poll of the house say that it will be closer than that.

There are humbers who are teetotalers and are prohibitionists, too, at heart who are said not to be enthusiastic over passing legislation now as it would give political prestige to individuals rather than promote the interests of a great cause. The prohibition leader of the State, Mr. C. C. Featherstone, who made a gallant fight before the people in 1898 when the cause seemed almost hopeless, and the leaders despondent, and yet missed election as governor by only a few hundred votes, has not, it seems, come out in a flat-footed demand for an iron-clad prohibition bill to be passed at this session. Some of the legislators seem to think that he prefers a referendum, to let the people themselves vote on the question.

Some who have been studying the situation have seemed to think that because a county once voted out the dispensary its representatives will vote for a prohibition bill. This is said to be a mistaken idea. A prominent representative from a Piedmont county who remained in the city yesterday said:

"My county voted out the dispensary—yes; but it was largely due to the disclosures of rottenness in the State dispensary made by Mr. Lyon and Mr. Christensen and the other members of the committee. We were unalterably opposed to the continuance of the State dispensary."

It was stated Saturday that a representative from Aiken had declared that his county would have to pay no taxes this year—unless the dispensary should be removed, for out of the profits of the North Augusta dispensary the revenue has been large enough to run the fiscal affairs of Aiken county. On the other hand it is declared that the schools in Edgefield, where there is prohibition, must suspend this month because of an insufficiency of funds to run them. Of course such arguments are specious when applied to the question of morals but there has been liquor sold in Edgefield, according to recent reports.

"I believe in no 'dog in the manger' politics," said one representative from a county on the North Carolina border, which long ago voted a severance of connection with the old State dispensary. "We have no dispensary; although we have a good and sufficient express company service, and the quantity of liquor that is shipped in there from Baltimore and other cities would astound any one not acquainted with the facts. If we had a dispensary in our town we could sell enough liquor in nearby North Carolina cities to remove all taxes from our county, and there would not be so very much more sold at home than now comes in by the express company."

"We have gone on record as opposed to the dispensary system, we have declared against its operation in our county, but if the people of Richmond and Sumter and Georgetown are satisfied, I feel that so long as it does not interfere with my constituents I will have to vote for local option, unless it should be proved, and I have waited for the proof, that the county dispensaries are going the graft route as did the State dispensary.—The State.

The cheapest source of nitrogen is the cowpea and crimson clover. One bushel of cowpeas sown on land is worth \$5 to \$7.50 an acre when the vines are cut off.

Sealby and his boat crew went aboard. The wireless operator, who had stuck to his ship until ordered off by the captain, obtained some new storage tanks and also returned to the disabled liner.

JAPAN'S ATTITUDE OUTLINED.

PRIME MINISTER AND FOREIGN MINISTER WANT PEACE.

Francis B. Loomis Brings Back From Japan Important Information Touching the Main Questions at Issue Between the United States and the Empire of the Mikado.

Washington, Jan. 24.—Marquis Katsura, the prime minister of Japan and Count Komura, the minister of foreign affairs, recently explained in Tokio to Francis B. Loomis, commissioner general to the Japanese Exposition, in a series of interviews of uncommon interest and of present importance, the attitude and position of the Japanese government in respect to the main questions at issue between the peoples and the governments of the two countries.

"I was deeply and agreeably impressed," said Mr. Loomis to an Associated Press representative, "with the direct, explicit and what seemed to me, satisfactory statements of Count Komura, the minister of foreign affairs, respecting the United States. Count Komura said Japan's aspirations were for peace and that, so far as the United States was concerned, his government most heartily desired to preserve, unimpaired and unbroken, the historic friendship between Japan and the United States.

"In the matter of the emigration of Japanese laborers," said Count Komura, "we are doing our utmost to work in harmony with the government of the United States. We are energetically discouraging emigration to the United States and elsewhere, except to Korea, Formosa and parts of Manchuria. It is now Japan's definite policy to concentrate its surplus population—that part which is disposed to emigrate—in these parts of the Orient which I have mentioned. There is opportunity for a large number of our people in Korea. They can be of great assistance in modernizing and developing that country. We desire to consolidate our interests in the Orient. We are doing our best to carry out this policy, but a governmental policy cannot always be made fully operative in a day or a year. We must have sufficient time to work out, scientifically and satisfactorily, the solution of the problem. I think there will be little complaint concerning the emigration of Japanese laborers in the future, on the part of any government in America!

"Count Komura then made it plain that while his government would do its best to restrict emigration, he hoped that on our part there would be no discrimination made against Japanese subjects, and that in due time the public sentiment in this country would be as favorable to his countrymen as to other foreigners residing in the United States."

"Marquis of Katsura, the prime minister, was at the head of the cabinet during the war with Russia. He is a versatile, highly intelligent, forcible man of great influence. He talked in a most engaging manner about Japan; its future, and its relations with the United States. He lost no opportunity to explain that his government heartily desired peace not only with the United States, but with the whole world, and that it would not permit any small differences or misunderstandings to embarrass its harmonious relations with this country.

"The prime minister has embarked upon a policy of great importance to Japan and to the rest of the world. The large reductions he has just made in Japan's military budget," continued Mr. Loomis, "indicates the purport of these new plans. He stated, upon more than one occasion, that Japan's progress had not been symmetrical. He does not, if I interpret him truly, want the military spirit considerably over-developed at the expense of the artistic, industrial and spiritual side of the Japanese people.

"He thinks that Japan must become a great industrial nation and be able to supply, cheaply and promptly, the markets of the Orient with manufactured products, and seemingly has undertaken the task of converting Japan from a military nation into an empire of trade, industry and commerce.

"The whole civilized world," said Mr. Loomis, "should sympathize with these aspirations upon which the prime minister's new policy is based.

Clincher on Anti-Race Bill.

Sacramento, Cal., Jan. 22.—The motion to reconsider yesterday's vote by which the anti-race track bill passed the assembly by a vote of 67 to 19 was lost this afternoon by a vote of 57 to 19.