

ILLEGAL, SAYS GOVERNOR.

BELIEVES LEGISLATORS SHOULD NOT HOLD TRUSTEESHIP.

In Message Governor Blease Maintains Provision of Constitution Relative to Holding of Two Official Positions of Honor or Profit are Being Disregarded by Members of Legislature — Urges Investigation. Refers also to Alleged Practice of Supreme Court.

Columbia, Jan. 28.—The General Assembly received an unexpected message from Governor Blease today. The purport of the communication is to prevent certain office-holders and members of the General Assembly, and perhaps Senator Tillman, from being trustees of certain educational institutions.

The message deals with the Supreme Court and its adjournment, all of which is spicy and interesting.

The message, as submitted, reads: Message No. 7.

State of South Carolina. Executive Department.

Message No. 7—

To the Honorable, the General Assembly of the State of South Carolina—Gentlemen: We hear and read much these days of the obedience to the Constitution and laws of our State; also much as to the enforcement of the laws of our State.

It would seem to me eminently proper that these doctrines should be carried into effect as far as it is possible by all of the officers and citizens of our State. Beginning, however, at the top, it would seem to me that those who are in power and authority should first, themselves, be obedient and endeavor to carry into effect, and to uphold the Constitution and the laws of our State, in order that a proper example may be set to the others of our citizens.

It is intimated by some that our Supreme Court extends one of its sessions or terms, into or up to the very day of the beginning of the next, in order that they may hold their decisions and hand them down when it is convenient, without any interference from a constitutional or statutory provision.

Sitting in each of your bodies there are those violating not only the spirit, but the wording of the Constitution, in my opinion, by holding two official offices at one and the same time. I can call the names of each, and name the positions which they hold; but this might be considered a personal matter, and I leave that entirely for your investigation.

Article 3, Section 24, of the Constitution of 1895, reads as follows:

"No person shall be eligible to a seat in the General Assembly while he holds any office or position of profit or trust under this State, the United States of America, or any of them, or under any other power, except officers in the militia and notaries public, and if any member shall accept or exercise any of the said disqualifying offices or positions he shall vacate his seat."

Members of the board of trustees of all our colleges, members of the board in control of the State Reformatory and members of all other State boards, in my opinion, are officers, and when members are sworn into your body who are on any of these boards, in my opinion, they should resign.

The position of trustee (either life or elected) of Clemson College is declared by our Supreme Court, in the case of Hopkins against Clemson College trustees, 77 South Carolina, to be officers and agents of the State, and gives its reasons for so holding, and, among the reasons which it gives for saying that they are agents of the State and officers, and that under the original Act accepting the Clemson bequest and creating Clemson College, provision is made that the trustees of the institution shall consist of life members and those elected by the Legislature, and that they shall hold the personal property of the State of South Carolina and make annual reports to the General Assembly.

Further, in 1899 the Legislature passed an Act abolishing the department of agriculture, and devolving the duties of that department on the trustees, and, in my opinion, this makes them officers of this State.

Furthermore, a municipality was created by the Legislature in 1824, to be known as "Clemson College," and the board of trustees of Clemson College, and their successors in office, should have provisional control and direct the affairs of said corporation. It is admitted in the Hopkins suit that Clemson College is the property of the State of South Carolina, and that work done, on account of which the suit was brought, was done by said State's trustees, its agents and employees, duly authorized by said State.

Article 2, Section 2, of the Constitution, provides:

"But no person shall hold two offices of honor or profit at the same time; Provided, that any person holding another office may at the same

time be an officer in the militia or a notary public."

Now, gentlemen, these two sections of the Constitution are being openly and flagrantly violated day by day; and, if you permit it as the direct representatives of the sovereign people, and thereby show to the citizens of your State that you yourselves are not complying with the laws of your State, how do you expect to keep the uninformed from following your example? If the father does not want his boy to have bad habits and go in the path of wrong, he should not set the example in the presence of the boy; and, if he does, he should not whip his boy, because it is but natural that the boy should want to do as his father does. If the ministers and the teachers set an improper example, and those to be taught by them shall follow in their footsteps, they should neither condemn nor punish.

I therefore, most earnestly beg of you to appoint a committee, or to have one of your standing committees, thoroughly investigate all of the departments of your Government and see who is violating these two sections of our Constitution; and let those who are violating them resign, one or the other of their positions, and not be openly violating the law, under the cloak of a technicality, a technicality like that which we so often hear condemned by the press and public, when it is used to advantage in our Courts of justice.

I feel that I have done my duty in calling this matter to your attention, as I often hear it commented on by others, and not favorably, I assure you. If you shall do nothing, I have done my part. I have absolutely no personal interest in the matter, and some of my very close personal and political friends are involved, but I believe in enforcing the Constitution and laws of our State alike to all—officials and private citizens; rich or poor; high or low; white or black.

Very respectfully,

Cole L. Blease, Governor.

IT PLEASES ALL.

So Says Mayor Gibbs of the Commission Government.

Rock Hill, Jan. 27.—Mayor W. H. Gibbs of Columbia was the guest of the local chamber of commerce here tonight and delivered an address on "Commission Government." The occasion was the annual banquet of this body of business men, served at the Carolina hotel.

Mr. Gibbs was introduced by Alexander Long, the newly elected president of the chamber and his address was an intensely interesting one, delivered with an amount of human interest, showing that he was thoroughly alive to the possibilities and advantages of this form of government as he finds it in Columbia.

He illustrated to his hearers how absolutely necessary it is to have real brains in all departments of a city government and that cities must be not only willing but able to hire the right kind of brains to run their business.

He likened Rock Hill to any large business corporation and showed how necessary it is to have the men of right experience. He depreciated the tendency of citizens everywhere to complain of poor government by men who get little or nothing for their services, holding that it always lies in the hands of the people to better their system of government.

Naturally he was a strong advocate of the commission form and claimed that it had raised Columbia out of what amounted to an abyss of financial despair and had given the capital city of the State the very best government she had ever had.

He claimed that in the nearly 100 cities which had adopted commission government in the past few years not a single allegation of graft had ever been made, much less sustained, and that in every case each city had shown a signal clear net gain in financial resources.

He explained in detail how commission government is worked out in Columbia and said that the only citizens there who are not satisfied are a few "soreheads," a type to be found in all communities which try to stand for progress.

Mr. Gibbs' address was listened to with deep interest and he was warmly applauded upon its conclusion.

MULE HAD GLANDERS—KILLED.

Vigorous Efforts to Stamp Out Disease in Lee.

Lynchburg, Jan. 30.—A valuable mule, belonging to John T. Tallon, was today killed by State Veterinarian Feeley because it had glanders. The stabling and fences were burned and the rest of the stock on the place rigidly quarantined and all the premises disinfected.

Dr. Feeley informs The News and Courier correspondent that this is the thirteenth case of glanders discovered in Lee County during the past six months, and vigorous measures are being taken to stamp it out.

MCCURDY BREAKS RECORDS.

MISSSES SUCCESSFUL FLIGHT TO HAVANA BY TEN MILES.

However, Mark Set by Curtiss Birdman is the Best for an Over-Water Flight in an Aeroplane—Picked up by U. S. S. Paulding—Termination of Flight Caused by Lack of Sufficient Lubricating Oil—An Account of the Trip.

Key West, Fla., Jan. 30.—Six days of anxiety and waiting for a favorable turn in weather conditions ended this morning for J. A. D. McCurdy, the aviator, who today crossed the starting line at 7.32 o'clock on his journey across the Florida Straits to Havana, the longest over-water flight yet attempted in the history of aviation.

He passed from the sight of those on this side of the channel within fifteen minutes, and the next heard of him was that he had been forced to descend in the water ten miles from Havana by a shortage of oil. McCurdy and his machine were uninjured and were picked up by the torpedo boat destroyer Paulding and taken to Havana.

Despite the many disappointments to the public, Mr. McCurdy did not lack for spectators when he started and gave every one who witnessed his flight the sensations they were expecting. When satisfactory reports on the weather had been received, the aviator climbed into his Curtiss biplane and waved the signal to release him, the aeroplane glided gracefully down the field for a hundred feet or more, and then rose into the air.

After reaching a height of about 500 feet, McCurdy turned his machine and circled over the city. The ocean front was lined with cheering thousands as he passed, while other thousands filled roofs, open fields and other places of vantage. He then made another circle of the city, while flying 1,000 feet in the air, and on returning to a point above the aviation field, was given the signal to start on his flight to Havana.

Acting on instructions from the navy department, Lieut. Commander Sterling, in command of the torpedo destroyer fleet here, has rendered every possible aid to the aviator and seven naval vessels were stationed along the course when McCurdy started. As soon as he was sighted by the crew of a boat, the vessel steamed ahead, but McCurdy, maintaining a speed of nearly 60 miles an hour soon outstripped them all and it then became a race to see which would reach Havana first. This afternoon, McCurdy's camp here was dismantled and his equipment will be shipped at once to Havana.

Capt. Wilz, of the marine corps, proceeded to the railroad terminal, from which the start was to be made. An order was posted to raise the American flag to the top of the wireless mast, over 200 feet high, as a signal that the weather conditions were such as to permit of the flight. At 6:40 a. m. there was not enough wind to move the flag. McCurdy had been notified and was soon at the terminal ready to start.

While the last details were being looked after McCurdy stood about calmly smoking a pipe. He looked cool and confident. At 6:45 the machine was rolled into place, and five minutes after the big steam whistle at the ice factory woke up the town with a tremendous blast, and almost the entire population rushed through the streets for the starting point. It is estimated that fully 10,000 people saw the start. Mayor Fagarty, with the entire police force, had great difficulty in keeping an open space of 500 feet so that a start could be made.

McCurdy took his place in the machine, an assistant oiled the propeller and then gave it a number of whirrs. Four men held the machine while McCurdy tested the motor by starting and stopping it. McCurdy adjusted his headgear, his assistants whirled the propeller, the motor was started and the machine was off at a fast gallop, running along the ground. It ran nearly the length of the open space, and then arose in the air toward the east.

The flight is for a prize of \$5,000 offered by the Havana Post and \$3,000 appropriated by the Havana council. As soon as the aviator had disappeared from view the crowd rushed about the wireless station and awaited reports by wireless. When the news came that he had passed the third station a vigorous cheer went up. As the moments flew and no further reports came, the crowd grew anxious, and gathered about the cable office to wait for reports from Havana.

It was estimated that McCurdy should have reached Havana by 10 o'clock, and when that hour passed and still no news great uneasiness was expressed.

Then came a wireless that the intrepid bird-man had fallen into the sea, and a groan went up from the crowd. Finally came the news that McCurdy had been forced to alight

on the water because of a shortage of oil, and that neither he nor his machine had been injured, and the cheering was renewed, mingled with expressions of regret that the attempt had failed when McCurdy was within sight of his goal.

A CHASE AFTER TWO CENTS.

Small Amount Lost Causes Much Trouble, But is Found After Long Search.

Sometime ago, when the time came for sending in his report to the proper State official, one of the county officials found his books out of balance with another county official with whom they should balance, if they had made no mistake in their book-keeping.

Both officials went over their books very carefully, but the error was still there undiscovered. What made the matter worse was that the error was only two cents, which, in itself, did not amount to anything material, but did make a difference in the book-keeping. Again and again were the books compared and gone over, and still the error was there; a difference of two cents kept the books from making the desired balance. Nothing was found wrong and at last, after both of the officials had spent much of their own and the county's time searching for the missing funds, it was decided to mark the difference to undiscovered error and pass the report on up to the State official.

About six months later a third county official was comparing his books with one of the other officials and he found that they lacked two cents of balancing. This time it was decided to thresh the matter out for good and all and to find the error if it were possible to find it by hard and diligent search, so after they had gone over the books a couple of times without results tending to straighten out the error, they called in the third official and asked him to join in the search for the elusive "brownies." He was quite willing to comply and vindicate his former bookkeeping record, but the three of them went over the books with no better satisfaction than did the first two. Finally the first two officials gave up the search and the official whom they had called in to help them got the son of one of these officials to go over the books with him. They had finished the first page and were turning over to the second page when there right before their eyes was the error that had caused so much loss of time and so much worry to the officials. In carrying the amount forward it had been changed from forty-two to forty-four cents and all this time it had remained there undiscovered, and a thorn in the flesh of the officials, so to speak.

The same thing has happened recently in the office of the county superintendent of education. In straightening up the affairs of the office before it passed from the retiring superintendent to the incoming one and in getting the books of the office balanced with the treasurer's office, it was found that there was a difference of \$1.80 which could not be traced.

The new superintendent was anxious to get the error corrected before he took charge of the books, while the old superintendent was equally anxious to get the books to balance before he turned them over to the incoming official. As it was they went over the books and compared the checks given out with the check stubs in the check book, but nowhere was the error found. It seems a case like the other one. The matter will be closed up for the present, probably to be heard from again in the future, but until then it is simply one of those unexplainable mistakes that happen to the best of accountants sometimes during the course of their work.

HARTWELL AYER RESIGNS.

Gives Up Place on Board of Florence Reformatory.

Columbia, Jan. 30.—Mr. Hartwell M. Ayer, editor and owner of the Florence Times and member of the house of representatives from Florence county, has resigned as a trustee of the South Carolina Industrial school at Florence, according to a note given to reporters at the governor's office. Mr. Ayer's successor has not been appointed. No announcement was made as to the reason for the resignation. Mr. Ayer is in Florence.

RAN CONFEDERATE BLOCKADE.

Ante Bellum Charleston Citizen Dies in Connecticut.

Cheshire, Conn., Jan. 28.—Eimer Green Dobbie, for many years owner of a stock farm here, died during last night.

At the time Fort Sumter was fired upon, Mr. Dobbie was in business in Charleston. He, with friends, chartered a vessel laden with cotton and, under the British flag, ran the Confederate blockade and sailed north. Afterwards he served in the Union army,

SPECIAL SESSION NOT WANTED.

TAFT HOPES FOR QUICK ACTION ON RECIPROCITY.

Is Confident, Nevertheless, That Present Congress Will Look Favorably on Agreement.

Washington, Jan. 31.—President Taft refuses to discuss "extra session" in connection with the reciprocity agreement between the United States and Canada which he has recommended. He hopes that the present session will act favorably on the question.

In conversation today he emphasized his belief that reciprocity would be a good thing for both countries, declaring that it would establish currents of commerce which would benefit both the United States and Canada.

The fears which were being expressed in some quarters, he said, were ghosts which would melt away as soon as the agreement went into effect.

The president declared that he had not talked with any one about the possibility of an extra session in case the present congress fails to ratify the agreement. He said he had not and did not intend to hold out any threats but that he was placing confidence in the present session. "Sufficient unto the day is the 'good' thereof," is the motto he had adopted in the case.

THE DRY GOODS MARKET.

Irregular Volume of Trading in Cottons—Jobbers Doing Better Than Last Year.

New York, Jan. 29.—An irregular volume of trading is going on in cotton goods with jobbers showing more interest than converters or the manufacturing trades. On several lines the buying has been good but prices have been most unsatisfactory to the sellers because of the sustained high cost of production.

Curtail of production is being forced because of inability of mills to take losses on goods and their unwillingness to go on selling spot goods at low prices as the goods accumulate.

Jobbers have placed good orders for future deliveries of napped cottons which they were able to buy very close to the prices of a year ago. On flannel, opened during the past week, the prices were substantially the same as a year ago, the exceptions being on fancy numbers which advanced 1-4c a yard and the orders already placed will take up a large proportion of the possible output of leading mills. There has also been a good business in staple ginghams, dress ginghams to retail under 12 1-2c and percale to retail at 10c. Staple prints are in steady request and wash goods sell well.

The jobbers in this vicinity are doing a better business than a year ago at this time. On drills and sheetings, fine combed yarn goods, duck, several lines of colored cottons available for working suits, etc., trade is poor although prices are distinctly in favor of the buying.

Fall River sold 135,000 pieces of print cloths during the week, 45,000 being for spot delivery. Stocks are reported to be generally low.

SAN FRANCISCO WINS.

House Votes for That City for Panama Canal Exposition.

Washington, Jan. 31.—The house today by a vote of 188 to 159 decided in favor of San Francisco and against New Orleans as the city in which an exposition to celebrate the opening of the Panama canal in 1915 shall be held. This vote was taken on a roll call to determine whether the San Francisco resolution or the New Orleans bill should have consideration in the house. On a final vote the San Francisco resolution was passed by a vote of 259 to 43.

The advocates of San Francisco are claiming tonight that their fight is won and that the senate will ratify the action of the house.

San Francisco won by capturing the Republican vote in the house. New Orleans' support came from the Democrats. Only 30 Republicans voted for New Orleans. Thirty-six Democrats voted for San Francisco. The San Francisco resolution does not ask for government aid in any form. It simply authorizes the president of the United States to invite foreign nations to participate in the fair.

An effort to amend the resolution to include provisions for an international naval parade from Hampton Roads through the Panama canal and up the west coast to San Francisco was defeated on a parliamentary point of order.

*You are probably aware that pneumonia always results from a cold, but you never heard of a cold resulting in pneumonia when Chamberlain's Cough Remedy was used. Why take the risk when this remedy may be had for a trifle? For sale

MARRIAGE LICENSE BILL PASSED.

Nicholson Bill Engineered by Nicholson and Opposition Led by Fraser.

Columbia, Jan. 31.—Those who have for 20 years vainly tried to secure the enactment of a marriage license law today succeeded, the House passing the Nicholson bill and substituting therefor the identical measure already passed by the Senate. The law goes into effect next July, a license will cost a dollar. Strict penalties for violation are provided. Nicholson led the argument for the measure and Fraser of Sumter, who has fought licenses for 10 years, led the opposition. Ayer, Stevenson, Watson, Osborne and Cary spoke for the bills. Those heard in opposition were: Fraser, Belser and D. L. Smith. Test votes were taken upon Fraser's motion to strike out the enacting words and lost 66 to 51, and Dixon's motion to continue the bill to next session was also lost 64 to 48.

*When her child is in danger a woman will risk her life to protect it. No great act of heroism or risk of life is necessary to protect a child from croup. Give Chamberlain's Cough Remedy and all danger is avoided. For sale by all dealers.

Jerry Going Along.

Columbia, Jan. 30.—Jerry Moore, of Winona, is slated to join the boosters for the corn show, to leave here Wednesday. The advance guard left today for Columbus. The object is to get the National Corn Show for Columbia.

*How to cure a cold is a question in which many are interested just now. Chamberlain's Cough Remedy has won its great reputation and immense sale by its remarkable cure of colds. It can always be depended upon. For sale by all dealers.

Little did South Carolina suspect a few years back that it could have been worse.—Wilmington Star.

*A piece of flannel dampened with Chamberlain's Liniment and bound on to the affected parts is superior to any plaster. When troubled with lameness or pains in the side or chest give it a trial and you are certain to be more than pleased with the prompt relief which it affords. Sold by all dealers.

W. K. Tavel
CIVIL ENGINEER
and
LAND SURVEYOR
Office over Bank of Sumter.



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Resolutions are in order. The best resolution for you to make is to be on time for business, engagements, etc. during 1911, and the best way to do this is to purchase a Howard Watch. Absolutely dependable.

W. A. Thompson,

6 S. Main St. Jeweler and Optician