

NOT A QUESTION FOR COURTS

INITIATIVE AND REFERENDUM ONLY FOR CONGRESS.

United States Supreme Court Declines to Declare Invalid Initiative and Referendum Legislation Adopted in Various States, Deciding Congress Alone May Object to Such Method, Problem Being Political, not Judicial.

Washington, Feb. 19.—Only Congress, and not the Supreme Court of the United States, may object to the initiative and referendum method of legislation in the States, so the Court itself decided today.

That tribunal held that the question of whether a State still maintained a republican form of government, guaranteed by the Federal Constitution, after it adopted the initiative and referendum method, was a political problem for Congress, and not a judicial one for the Courts.

The decision was based on the claim of the Pacific States Telephone and Telegraph Company that a tax upon it, imposed by the initiative and referendum method in Oregon, was unconstitutional. The initiative and referendum provisions in Missouri, California, Arkansas, Colorado, South Dakota, Utah, Montana, Oklahoma, Maine and Arizona hung in the balance. An adverse decision would have affected proposed legislation of the character in many other States.

Chief Justice White announced the decision of the Court. None of the Justices dissented.

LYNCHED IN BROAD DAYLIGHT.

Tennessee Mob Attacks Prisoners Charged with Murder.

Nashville, Tenn., Feb. 19.—Armed with clubs and revolvers, a mob of eighteen or twenty men shot and killed Wait Greer, dangerously wounded Dave Neal and badly beat up Green Bomar, at Shelbyville, Tenn., today. The victims are the negroes charged with the murder of S. W. Everson, special officer of the Nashville, Chattanooga and St. Louis Railway, which occurred near Bell Buckle Saturday, February 10.

The wounded negroes now are in jail at Shelbyville and it is reported that the mob will endeavor to get possession of them and complete its work tonight.

None of the members of the mob wore masks. The negroes were attacked by the mob as they were being taken to jail after the trial, about 2 o'clock. They were in the custody of Sheriff Williams and six deputies and were going down the steps of the court house when the mob attacked them. Greer was shot in the stomach and killed on the steps. Neal and Bomar were beaten up, the former being seriously injured.

The officers rushed the wounded negroes into the sheriff's office, the door of which was locked and the sheriff stationed himself on guard at the entrance.

About 4.15 o'clock the mob returned and captured the sheriff and removed him from the building. One of the mob then broke into the office and fired once at each of the negroes. Neal was shot in the abdomen and seriously hurt, the bullet lodging in a glove in his pocket. Subsequently the wounded negroes were taken from the sheriff's office to the jail, but it is expected that the mob will endeavor to lynch them tonight.

FIRE MONDAY AFTERNOON.

Fire Damages Wash House Belonging to Geo. H. Foxworth.

Monday afternoon about five o'clock the hose wagons were called out to a fire on Haskell street which was found to be in a house in the rear of Mr. Geo. H. Foxworth's residence. The building was one in which Mr. Foxworth had his washing done and was a small frame structure. The damages to the building consisted in part of one side and roof being burned off.

The fire department turned on a stream of water before the fire could spread and the fire was extinguished in short order. All of the apparatus in the house was saved and the building was the only thing to suffer damage.

For a sprain you will find Chamberlain's Liniment excellent. It allays the pain, removes the swelling and soon restores the part to a healthy condition. 25 and 50 cent bottles for sale by all dealers.

County politics are looking up and there are rumors of more candidates.

This is the season of the year when mothers feel very much concerned over the frequent colds contracted by their children, and have abundant reason for it as every cold weakens the lungs, lowers the vitality and paves the way for the more serious diseases that so often follow. Chamberlain's Cough Remedy is famous for its cures, and is pleasant and safe to take. For sale by all dealers.

FISH PONDS IN THE CITY.

Condition on Bee and South Main Streets Very Unsanitary—Other Puddles.

The City of Sumter seems at the present time to be suffering from a bad attack of what the "M. D." in the "Three Twins" would call "wateritis," for on Bee and South Main Streets ponds large enough for breeding fish—or alligators for that matter—and millions of mosquitoes have made the denizens of at least two houses remedy to other quarters and have inconvenienced almost everybody who has been down in that section.

One of the ponds is on Bee street near the corner of South Main and covers something like half an acre. It is said to be at least two feet in depth—the reporter did not have a boat so took the word of his informant—and extends up to the door of an negro house and under two others. The occupants of the latter two places have moved to other quarters until the flood stage is abated and the water goes back into its regular channels. A very much smaller mud puddle than it is at present, as the reporter for the item was reliably informed, stays in this section after every rain and generally lasts between rains.

The next pond, one that some of the negroes living near it stated they would raise ducks on later in the summer if it remained long enough, as they had reason to believe it would, was farther on down South Main street apparently and extended across the street and covered as large an area as the first pond, though it was reported to be not quite as deep.

Still another puddle, which after hard rains expands itself to the size of a pond, is that in front of the cotton platform. There is a sink here which needs to be filled up, or it will prove a very convenient breeding place for mosquitoes later on in the year as will the other two places mentioned.

Besides being breeding houses for mosquitoes, however, these mud puddles make the vicinity extremely unsanitary and the city, the board of health, or whoever has charge of such matters, should take the matter up at once and have such nuisances abated. The work of hauling dirt to these holes would not cost a great deal nor would it consume a great amount of time. It is true that the Bee and South Main streets places are in that portion of the city inhabited mostly by colored people, but at the same time these negroes have to live somewhere and it is the business of the city to make everywhere in it as sanitary as possible.

NEGRO ARRESTED FOR HOUSE-BREAKING.

Willie Jones, Released at Recent Term of Court, Held on Same Charge.

Willie Jones, the negro who was arrested several months ago for breaking into the Boston Candy Kitchen, and released by the jury at the recent term of court, was again caught Monday night in Shaw's stable, which he entered with the evident purpose of committing theft.

Mr. D. C. Shaw, the proprietor of the stables, has suspected some one of taking things from the stables for some time and for the past few nights he had one of his employees hiding in the office of the building for the purpose of watching and catching the thief. Monday night the thief entered the building through the window and went into the office, but failed to turn on the light as he had been in the habit of doing. The two young men who were on the look out for the thief waited for some time and then turned on the light and had the man in the office. He was later turned over to the police on the charge of housebreaking.

The negro is a young man of slightly more than twenty years of age. He is the same person caught in Dr. S. C. Baker's residence several years ago and sentenced to serve a term on the gang. He had only recently been released from the gang when he was arrested for breaking into the Boston Candy Kitchen. It seems, however, that neither his term on the gang nor his recent release from jail has taught him a sufficient lesson against theft. Mr. Shaw stated Tuesday morning that he would have him prosecuted to the extent of the law when court again convenes, and it is probable that it will be some time before he will again have a chance to commit his depredations upon the houses in the city.

W. N. Todd has been appointed A. C. L. yard master in this city to take the place of T. J. Sult, who was promoted to a position in the general superintendent's office some time ago. Mr. Todd comes to Sumter from Huntington, Indiana, and is recommended as a man fully competent to give satisfactory service in his new position.

JUDGE JONES IN WASHINGTON.

On Personal Business, Refusing to Discuss Politics.

Washington, Feb. 19.—Judge Ira Jones, who resigned the Chief Justiceship of the South Carolina Supreme Court in order to run for the Governorship against Governor Blaise in the Democratic primary, is at the Willard Hotel here, and will probably remain until tomorrow afternoon.

Judge Jones spent a large part of today at the Capitol and took lunch with Senator and Mrs. Tillman and Representative Legare in the Senate dining room. Among the other members of the delegation seen by Judge Jones during the day were Representatives Finley and Johnson. When met in Senator Tillman's office, Judge Jones refused to say anything about his visit to Washington, except that it was on matters of personal business. He declined courteously, but firmly, to discuss State politics or to say anything about his candidacy.

MEMBERSHIP CAMPAIGN OF CHAMBER OF COMMERCE.

Two Teams Known as Reds and Blues to Start Campaign March 4th.

A rousing membership campaign is to be started by the Chamber of Commerce on Monday, March 4th at 9 a. m. Last year a membership committee made a canvass of the city for securing subscriptions to the chamber and it was afterwards decided that those who had subscribed should be considered members. These subscriptions ran in all amounts from \$10 to \$100. Under the constitution as now adopted no membership will be considered for less than \$10 for individuals or less than \$20 for firms or corporations. Every individual subscribing \$10 or more will have one vote only and every firm or corporation as many votes as they have members of the firm or executive officers, provided and only to the extent that they have subscribed \$10 for each member or executive officer.

As nearly all memberships expire on April 1st a complete canvass will be made by the two opposing teams. Membership applications will be placed in the hands of these teams and hereafter an applicant will be considered a permanent member until he shall resign or be dropped for non payment of dues. The campaign will be carried on for five days and each applicant signing the membership blank will immediately become a member of that team which secured his membership and it will be his duty to aid in securing new members which will be credited to his team. The teams will wear the regular booster button with a small red, or blue, ribbon, as the case may be. If he does not wear the ribbon or join one side or the other, he will be subject to solicitation by the members of the two teams until he does join. The winning team will be the guests of honor at the annual meeting on March 26th and the losing team will serve them with the supper.

The Blue team are as follows: Mr. Bartow Walsh, Captain; Messrs W. B. Upshur, W. S. Jones, R. S. Hood, Lucian Strauss, J. D. Shirer, D. M. Dick, S. R. Chandler, J. R. Clack, Julius Wescot and S. M. McLeod, lieutenants.

The Red team: Henry Moses, Captain; Messrs. D. R. McCallum, Jr., A. J. Stubbs, W. B. Boyle, E. D. Witherpoon, J. H. Chandler, J. A. McKnight, J. F. Glenn, J. W. Jackson, C. M. Hurst and George Ricker, lieutenants.

Held For Theft of Bicycle.

Robert Kennedy was brought back to the city Tuesday morning from Greeleyville by Deputy Sheriff Sykes, who arrested Kennedy Monday afternoon at that place on the charge of stealing a bicycle from one Frank Johnson on the night of February 17. The evidence against Kennedy is said to be strong and he will probably be bound over for trial at the court of General Sessions. Both parties are colored.

Marriage License Record.

Only one marriage license was issued Monday. The colored couple securing the license were Harkless Naplus and Nona Evans of Sumter.

The work on the Y. M. C. A. building seems to be coming to an end. At present the only remaining work is the painting of the woodwork in some of the rooms and the completion of the concrete flooring in the basement. The bath tubs also have to be installed in the dormitory quarters. The furniture is being placed in the building and preparations are seemingly under way for the opening on the first part of March.

There is no better medicine made for colds than Chamberlain's Cough Remedy. It acts on nature's plan, relieves the lungs, opens the secretions, adds expectation, and restores the system to a healthy condition. For sale by all dealers.

GAMBLING IS WRONG.

Simon Preach'd Sunday, February 18, by Rev. J. P. Marion.

The sermon that Rev. J. P. Marion delivered at the Presbyterian church Sunday morning dealt with a question of so general importance and in which so many people are directly interested that it was the belief of a number who heard it that it should be published for the benefit of a larger audience than was present when it was delivered. At their request Rev. Mr. Marion furnished the manuscript of the sermon and we willingly comply with their request to print it.

"For even when we were with you, this we commanded you, if any would not work, neither should he eat." 2 Thes. 3:10.

At a meeting of the pastors of the various churches of the city, on last Monday morning a week ago, a resolution was unanimously adopted suggesting that each pastor preach on the subject of gambling as it touches local conditions.

In following this suggestion it is not my purpose to deal in insinuations, using my profession, and this pulpit to hide behind, for that I deem would be the height of cowardice.

It is not my purpose to make specific charges, realizing that then the proof must be in my possession and forthcoming on demand, and from my own knowledge I could not testify.

My purpose is simply to raise in your minds certain questions and points. If I may, to certain duties we owe as Christians.

The words of the text are chosen not because they refer specifically to gambling; but I hope to show that gambling is one form in which this divine injunction is violated.

I. Is Gambling Wrong. Gambling has been defined as "the staking of property upon chance in the hope of winning."

The essence of its wrong is that there is no "quid pro quo."

Mr. Herbert Spencer says it is "Pleasure obtained at the cost of pain to another. The happiness of the winner involves the misery of the loser."

Gambling is seen to be wrong from the following facts:

1. Some surface facts. The universal enlightened conscience of man has always put its condemnation upon gambling and branded the gambler as an injurious person in human society. Gambling has been outlawed by the nation that has advanced farthest in civilization.

It is against the laws of Sumter, of South Carolina and of almost every State in this Union, to gamble. The gambler must ply his trade behind locked doors and under the cover of secrecy.

Its evil power has been confessed by the gambler himself. One illustration, given by another, must suffice. "I would a thousand times rather see him (said a gambler of his only child, a son) in his coffin and follow him to his grave, than see him live the life that I daily live before him."

2. Obtaining goods wrongfully. So pure and discriminating a mind as Dr. B. M. Palmer declared that gambling is simply robbery.

I shall go no further than this, that gambling is obtaining goods wrongfully. There are only two ways in which a man can rightfully come into possession of property. 1. By gift. 2. By purchase. Clearly the goods obtained by the gambler in the game of chance is not a gift. There is no desire upon the part of the loser to bestow, at the cost of self-sacrifice, a gift upon the winner. Certainly it is not a purchase for he has something for nothing. There is no fair exchange.

But, it is argued, those who stake their property have of their own accord agreed to the chance. Surely no intelligent man will hold it to be a principle of sound ethics that any agreement can make a wrong right. On such a principle, as many writers have shown, a suicide pact or the duellist agreement would be right.

Again, it is argued that a man's goods are his own and he may do as he pleases with them. I deny it, for outside of the moral claims of wife or child or community, his goods are God's and a man is only the trustee.

3. Violates God's fundamental law of labor.

"In the sweat of thy face shalt thou earn bread, till thou return unto the ground." "If a man will not work neither shall he eat."

God has placed us in this great world work shop under this law, the honest obtaining of property is dependent upon honest toil.

We must toil with mind or hand. Does the gambler not work? No, for "nothing is worthy the name of work that does not produce some benefit." You might shuffle cards, play the "ponies," roll dice or turn the wheel until dawn's day and no man will ever wrong you by calling you a worker. The gambler is not a pro-

ducer—he is a parasite, a leech on the body—politic—a harpy at the board of the world's happiness—a drone in the bee hive of the world's activity—an idler—a subject for the vagrant law, without the finer and nobler instincts of a man.

No man can say of the gambler, no matter his social standing, no matter his family connections, no matter how he struts and brags, "there stands a Man."

4. Judged by its fruits. The Master has left us this test. "By their fruits ye shall know them." This certainly is a just, a fair test. If one case can be shown where a gambler or gambling has produced moral uplift in a person on a community, as far as I know, no record has been kept of it.

What is the effect of gambling on the gambler? He is ruined for any honest labor. He is hardened against all the finer, nobler sentiments of the human heart. Breaking one law he becomes indifferent to all laws, whether of God or man. Like a dope fiend his will power is broken and he will sell the roof from over his children's heads and take the food from their mouths to satisfy his passion. His soul is closed against all spiritual influences. He seldom attends church—he cares for no man's soul.

He walks in a way that leads to the defaulter's shame and a suicide's grave.

What is the effect of gambling on a community? The influence of such a man can not but be evil. Gambling lowers the moral and social standards of a community. It creates an atmosphere in which spiritual life can not exist. It weakens the commercial standing of any community.

II. Is Gambling Carried on to Any Extent in Sumter?

It is currently reported here and in other parts of the State that there is a great deal of gambling going on in Sumter.

That this gambling is not confined to the usual "crap game" of negroes but reaches much higher in the social scales.

That there are certain gambling places in Sumter and in the county easily accessible.

That the holy Sabbath day is constantly broken by these gambling meets.

Are these reports true or are we slandered as a people? Do they deserve our investigation or are they idle tales? Is it the fancy of alarmists—is it the far-cry of over-zealous preachers?

III. Is there a Duty We Owe as Christian Men Touching This Evil?

If this moral evil does exist in Sumter, then it is my honest conviction that the Christian manhood and womanhood has a duty, God given, to perform.

One man may say: "It is none of my business." Of course if you deny that in any sense you are your brother's keeper; if you are determined to go with the Priest and Levite and pass unheeding your neighbor's need I have no word for you.

But I believe the Christian manhood will say heartily: It is our duty to do all in our power to stay this evil. For the sake of our young men—your boy and your boy. When your boy, trained by experts, is seized with the gambler's fever it will be too late to wring your hands and shed tears. When men have turned him into their dens it will be too late, so far as he is concerned, to set fire to that den. We have a duty for the sake of the moral and spiritual life of our homes and city.

IV. What Can I Do?

Cast the weight of your influence to create a needed sentiment against this evil and the violation of law.

Our officers are unable to enforce the law against gambling when the citizenship does not back them in their performance of duty. In Atlanta a few weeks ago, a man, prominent in social life, was arrested for disorderly conduct. To the officer making the arrest he said, "this will cost you your job." The Christian men of Sumter can say by word and act to every officer, the performance of duty in enforcing our laws shall not cost you your job. I believe that a social ban should be placed upon the gambler. Society owes it to itself to say to the gambler you are not wanted in our homes and in our social gatherings.

We can see that no games of chance for prizes are played in our homes. How can a wife play cards all afternoon with a five or ten dollar piece of cut glass for a prize and then admonish a husband for playing any gambler's game for ten or one hundred dollars? It seems to me that even a modern moral microscope would have to perform wonderful gymnastic feats to reveal the essential difference.

We can so instruct our boys and girls in the home training that they will look with scorn upon the gambler as a man to be despised and upon gambling as a trade that no self-respecting man can follow. Prepare them for the temptations that are here now.

AVERBUCK WINS HIS SUIT.

Case Decided at Shiloh Tuesday at Hearing Before Magistrate Player.

The now well-known case of Shore vs. Averbuck was finally decided Tuesday at a hearing before Magistrate Player when the jury after being out for only a short time returned a verdict to the effect that Averbuck was entitled to hold the premises for one year.

The case elicited a considerable amount of interest in Sumter and went to its third hearing Tuesday. The suit is one brought by R. I. Manning, Geo. D. Shore and C. G. Rowland to obtain possession of premises on Main street now occupied by Nathan Averbuck. The case resulted in a mistrial at the first hearing and when called for the second hearing was stopped on motion for a change of venue because of relationship existing between the magistrate and one of the plaintiffs in the case. Motion was made that the case be heard at Mayesville, but the case was transferred from that place on an affidavit submitted by the defendant that he did not think he could get justice in a hearing at this place.

Tuesday quite a number of witnesses, lawyers, and others went from here to Shiloh to be present at the hearing of the case. The testimony submitted was practically the same as that taken at the first hearing.

Do you know that more real danger lurks in a common cold than in any other of the minor ailments? The safe way is to take Chamberlain's Cough Remedy, a thoroughly reliable preparation, and rid yourself of the cold as quickly as possible. This remedy is for sale by all dealers.

Negroes Bailed Out.

The negroes held for complicity in the riot and for sale of liquor on the Stuckey place on the night of February 1 have been released on bond by Magistrate Wells. The negroes held for carrying concealed weapons were released on bond immediately after the hearing, while it was not until Monday that bond was furnished for the other negroes, the amount being fixed at \$400 each, on each charge.

Here is a message of hope and good cheer from Mrs. C. J. Martin, Boone Mill, Va., who is the mother of eighteen children. Mrs. Martin was cured of stomach trouble and constipation by Chamberlain's Tablets after five years of suffering, and now recommends these tablets to the public. Sold by all dealers.

WOMEN'S WOES.

Sumter Women Are Finding Relief at Last.

It does seem that women have more than a fair share of the aches and pains that afflict humanity; they must "keep up," must attend to duties in spite of constantly aching backs, or headaches, dizzy spells, bearing-down pains; they must stoop over, when to stoop means torture. They must walk and bend and work with racking pains and many aches from kidney ills. Sick kidneys cause more suffering than any other organ of the body. Keep the kidneys well and much suffering is saved. Read of a remedy for kidneys only that is endorsed by people you know.

Mrs. R. K. Brown, 204 W. Liberty street, Sumter, S. C., says: "For over a year I was greatly annoyed by kidney and bladder trouble and nothing brought me relief until I obtained a supply of Doan's Kidney Pills at China's Drug Store. They were so beneficial in every way that I have no hesitation whatever in recommending them."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other. No. 19

Many a Man Is a critic because he likes to be contrary. You can go contrary to the wishes of your friends and neighbors and sometimes get the best of them; but go contrary to the dictates of nature and you always get the worst of it. If Nature Says Spectacles, Why, Spectacles it must be. Nature won't accept just Spectacles though; they must be right Spectacles. We can give the kind nature demands, and our prices are right, too. Graduate optician in charge. W. A. Thompson, Jeweler and Optician.