

NO WAREHOUSE FUND.

STATE TREASURER SAYS HE HAS NO MONEY TO PAY EXPENSES OF SYSTEM.

Commissioner McLaurin Thinks General Funds Available to Meet Warrants Drawn by Comptroller.

Columbia, Nov. 11.—Taking the position that the general assembly did not make provision for meeting the appropriation of \$15,000 contained in the cotton warehouse bill, S. T. Carter, State treasurer, yesterday refused to honor a warrant presented by John L. McLaurin, State warehouse commissioner. Mr. Carter ruled that there were not funds in the treasury to meet the demand. He said that the money would be paid out of the general State fund, if an opinion authorizing the step should be given by the attorney general. After the refusal of the treasurer to pay the warrant, Mr. McLaurin issued a statement.

A. W. Jones, comptroller general, took the position that there was \$17,500 unexpended balance in the State treasury. An opinion by the attorney general held that the unexpended balance would be available for the operation of the State warehouse system. Mr. Carter said that he knew of no such balance in the State treasury as that referred to by the comptroller general.

The attorney general will be asked to decide whether the State treasurer has the right to pay out of the maintenance of the cotton warehouse system money borrowed for the general expense of the State government.

Yesterday Commissioner McLaurin gave out the following statement:

"I presented a warrant to the comptroller general this morning for \$12.10, with an itemized statement as required by law, for expenses incurred in putting into operation the State warehouse system, and the comptroller general drew his warrant upon the State treasury. State Treasurer Carter refused to pay the warrant, upon the ground that there was no money in the State treasury. Comptroller General Jones informed me that there was an unexpended balance of \$17,500 in the State treasury, which could be used for the payment of the expenses of the commission. Mr. Carter denies that this sum is in the treasury. The legislature which convened last January authorized, under the act, the governor, State treasurer and comptroller general to borrow \$500,000 to meet the amounts appropriated by the legislature. Comptroller General Jones says that this money can be used to pay the expenses of the State warehouse system to the extent of \$15,000, the amount appropriated by the act.

"The following is a certificate from the comptroller general's office:

"Nov. 10, 1914.
"This is to certify that the statement of State treasurer made to this office for the month ending October 31, 1914, shows the following balances:
"General account . . . \$149,558.39
"Special accounts . . . 137,349.92

"Total . . . \$286,908.31
"I do not know that any more careful man than Mr. Jones has ever been comptroller general of South Carolina and I am unable to see by what authority the State treasurer refuses to honor a warrant from the comptroller general.

"I have been endeavoring, with the very small appropriation, to get this system in operation. I have been paying the expenses out of my pocket. If Mr. Carter assumes the responsibility of shutting off this avenue of relief to the people, I can not help it. It is certainly a very grave responsibility, in the face of the warrant of the comptroller general and the opinion of the attorney general, which I herewith make public, calling special attention to the following excerpt from said opinion: 'And that if there are any funds on hand whatsoever in the State treasury which are available, those funds should be paid out by the State treasurer upon proper warrants drawn by the comptroller general, as provided in the warehouse act.'

"I am making this statement so that the public may understand some of the difficulties which I am experiencing in getting this system into operation."

Following is the opinion of the attorney general:

"Nov. 9, 1914.
"Hon. John L. McLaurin, State Warehouse Commissioner, Columbia, S. C.

Dear Sir: I am in receipt of yours of the 9th inst, in reference to appropriation for the expenses of what is commonly known as the warehouse act, approved on 29th day of October, 1914.

"This act makes an appropriation of \$15,000 for the putting into operation of this act. There is no appropriation made in the general appropriation act which was passed by the extra session of the general assembly. My opinion is that the warehouse act makes an appropriation of \$15,000

and that if there are any funds on hand whatsoever in the State treasury which are available, those funds should be paid out by the State treasurer upon proper warrants drawn by the comptroller general, as provided in the warehouse act.

"I note from your letter that there is \$17,500 in the treasury unappropriated. In my opinion your claims, with proper warrants by the comptroller general, may and can be honored by the State treasurer.

"Yours truly,
"Thos. H. Feebles,
"Attorney General."

"I desire to call special attention to section 18 of the warehouse act:

"To put this act into immediate effect, the sum of \$15,000 be and the same is hereby appropriated to be subject to the order of the State warehouse commissioner. To be paid out on a warrant drawn by the comptroller general accompanied by an itemized statement from the commissioner showing for what and to whom the said money is to be paid."

JAPAN AND BRITAIN.

Congratulate Each Other on Brilliant Issue of Tsing Tau Operations.

London, Nov. 8.—The following telegrams of felicitations have been exchanged by the board of admiralty and the Japanese minister of marine: "The board of admiralty sends its heartiest congratulations to the gallant army and navy of Japan on the prosperous and brilliant issue of the operations which resulted in the fall of Tsing Tau."

The Japanese minister of maritime replied:

"I fully share with you in felicitations of the fall of Tsing Tau. It affords me great pleasure to assure you that the outcome of the efforts of the navy of our ally in cooperation with ours during the investment of Tsing Tau was splendid.

SHERIFF CLEARED OF CHARGE.

Judge Shipp Holds That Hendrix Rector Did Not Violate the Law.

Greenville, Nov. 9.—Sheriff Hendrix Rector, who was cited to appear in court today to show why he should not be attached for contempt in that he scathingly rebuked the grand jury for its investigation of his office, was today declared not in contempt of court by Judge S. W. G. Shipp, who held as in the case of State vs. Young, that the jury had concluded its work and had been discharged for the term, which was true in the present case.

WIDOWS WON'T GET PAY.

Attorney General's Office Rules as to Salaries of Deceased Lawmakers.

Columbia, Nov. 9.—Widows of deceased members of the general assembly will not receive pay for the extra session as provided by a resolution.

Fred H. Dominick, Assistant Attorney General, has given the following opinion upon request by S. T. Carter, State treasurer:

"While your letter does not disclose the fact, I understand that all of these members died before the convening of the extra session of the legislature. Section 32 of Article 3, of the Constitution, provides that the general assembly shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death. Under this provision of the statute I am of the opinion that the payment of these certificates is without warrant or authority of law."

James A. Hoyt, clerk of the house, sent the following letter to the State treasurer: "By resolution of the house I am ordered to issue the pay certificates of the following deceased members for the extra session to their respective widows, and I have done so: E. M. Kennedy, of Clarendon; J. L. Robertson, of Colleton; P. T. Youmans, of Richland." Mr. Hoyt asked an early reply to the letter, "in order that I may notify the parties interested."

FIRST VICTORIA CROSS.

Sergeant Major White Honored for Valor.

London, Nov. 10.—Sergeant Major White of the army service corps is the first man to get the coveted Victoria cross in the present war.

The gallant act for which this soldier was rewarded occurred at Le Cateau, where White, after his corps had been driven back by German cavalry, searched in the face of bullets for his wounded captain. He was successful and carried the officer to safety. The sergeant major was shot in both legs.

White won the distinguished conduct medal in South Africa for carrying from the danger zone before Colenso Lord Robert's son, who was mortally wounded.

Marriage License Record.

Licenses to marry have been granted to J. P. Smiling and Susannah Epps of Tidal; and Cornelius Jenkins, Oswego, and Algie Pierson of Dabzell.

NEW SCHOOL OPENED.

General Sumter Memorial School Takes Place of G. S. M. A.—Speeches by Judge Fraser and Dr. Haynsworth.

Stateburg, Nov. 7.—Yesterday was a day to be remembered in this locality. Since the Acton Mansion which was the home of the Gen. Sumter Memorial Academy was destroyed by fire (March 16, 1911) we have had nothing to compare with this in interest and enthusiasm. It was the opening day of the new school which is to be known as the General Sumter Memorial school, in their pretty new and commodious building on a part of the Acton tract and as lovely a spot for a school as can be found in the world. The trustees had gotten up a barbecue dinner at their own expense and the ladies made liberal contributions to the table of delightful edibles and with excellent arrangement in every detail all were abundantly supplied and served in comfortable seats, even the colored carpenters, still present, completing their work, were not overlooked and after the regular feast was over they were given a full and fine dinner.

The trustees deserved and had hearty congratulations on their success. And the addresses of Judge T. B. Fraser of our Supreme Court, and our County Superintendent of Education, Dr. Haynsworth, were suitable and helpful to their earnest listeners and we made them shoot both barrels of their guns loaded for the occasion, one speech from each in the morning hour and one after dinner. The first an appeal to the spiritual and intellectual side of our lives that the school reaches, and the other to our physical well being. The latter, Judge Fraser's talk reached in an effective and impressive manner and this was enforced by the few remarks of the Superintendent of Education as an special appeal to the local board of trustees to be carried into practical effect by the school under their management. Great work may be looked for from this school under its new management. The experiences in the work here by the old members of the board will stand them well in hand in their new work, and the new member, Mr. E. C. Lee, is showing that his recognized business ability in his private affairs is soon to be made conspicuous in his public service. Starting out with 5 acres of land, as choice as choice can be for school house grounds, all paid for and title clear and in their own hands a fine new school building paid for in full is promise enough for future success to encourage us all who live here and supremely desire an up-to-date school for neighborhood advancement in all good lines of life. So I write you this with a heart full of hope and happiness.

John J. Dargan.

A MUSICAL PROGRAM.

Mrs. S. O. Plowden to Sing at G. S. M. A. on Sunday.

Editor Daily Item: Please announce that Mrs. S. O. Plowden, of Clarendon, formerly a teacher in the G. S. M. A. will sing one or more solos at the "Song Service" which will meet in the General Sumter Memorial school on next Sunday afternoon, 15th, at 4 o'clock. Music Lover. Stateburg, Nov. 7, 1914.

TURK THREATENS REVENGE.

Says Three British or French Will Die for Every Mussulman.

Washington, Nov. 19.—The commander of the Turkish forces at Beirut, in a formal note addressed to the American consul general and intended for the British and French governments, declares that for every Mussulman killed in the bombardment of any open and unfortified port three British or French subjects will be immediately executed.

The Turkish note says, moreover, that the commander declined to take the responsibility for any uprising against Christians which might ensue from such a bombardment.

CLOSE SECRET PLANT.

Mexican Authorities Find Wireless at Work.

Washington, Nov. 19.—The navy department was advised today that a secret wireless station at Ensenada, B. C., had been ordered closed by Mexican authorities.

The station, erected on Mexican territory near the American border, in one of several from which, according to British officials here, German cruises have been receiving information of English vessels.

The Sumter Cotton Warehouse Co. is putting up the third of its big sheds on the Dingle-Washington street corner and is preparing to put up a fourth. Cotton is still coming in for storage and there are now nearly 15,000 bales in storage.

NEW POINT IN MALLOY CASE.

Attorneys For Convicted Murderer Say Additional Witnesses Make Punishment Greater.

Washington, Nov. 10.—Contending that an increase in the number of spectators at a legal execution of a criminal in South Carolina is an added punishment, attorneys for Joe Malloy, convicted of murder in that State, today filed with the supreme court a brief calling upon the court to hold the South Carolina electrocution law unconstitutional as to Malloy.

Malloy was charged with having murdered Prentiss Moore in Marlboro county, South Carolina, on Thanksgiving day, 1910. At that time the death sentence for murder was inflicted by hanging. Before his trial the State passed a law changing the manner of imposition from hanging to electrocution. Malloy's attorneys contend that he can not be hanged now because that method of punishment was abolished, and that he can not be electrocuted because that would be imposing an additional punishment on him and, therefore, would make the law "ex post facto" within the meaning of the constitution.

The electrocution law authorized the attendance of from 2 to 14 more persons than under the preceding law. "One who is going to his death in disgrace and contumely naturally wishes the shameful spectacle to be witnessed by as few as possible," declared the attorneys, "and shall this court say that an increase in the number of curious onlookers is not a decided increase in his punishment?"

GERMAN SPY SHOT.

First Execution in Generations Under Such Charge.

London, Nov. 10.—It is officially announced that Carl Hans Lody, alias Charles A. Inglis, who was found guilty by a court-martial of espionage on November 2, has been shot as a spy.

When arrested today Lody claimed to be an American, but later confessed he was a German. He had lived in New York and Omaha. In the latter city he married the daughter of Gottlieb Storz, a brewer, who later divorced him.

Lody met his death in the tower of London after he was found guilty by court-martial, on charges of having communicated with the enemy. The statement concerning the execution is brief, merely saying:

"Sentence was duly confirmed. It is understood Lody refused to the last to reveal the name of the superior officer from whom he received his instructions to spy on the British army."

This was the first execution in the Tower of London since 1700. The scene of the execution was the Tower barracks, not far from the spot where Anne Boleyn and other persons famous in English history were put to death. Lody was about 28 years old.

Carl Hans Lody, the first man in generations to be shot as a spy in England, once was employed as a guide by a New York tourist agency and also worked for the Union Pacific Railroad in Omaha. He was arrested in London late in September charged with espionage and at his trial testified that he was a former lieutenant in the German navy, but that he had been transferred to the reserves.

Lody said he was ordered to go to England and keep track of the British fleet, but was warned not to do any spying. He was told to travel as an American citizen and "in consequence of that I received an American passport," he said. He claimed membership in several New York societies. Last year Lody served on Emperor William's racing Yacht Meteor.

The prosecutor, summing up, said Lody had admitted being an alien enemy, posing as a civilian—at times as an American—meanwhile communicating important information to Germany. He described the prisoner as one "upon whom the international law against spies should be imposed."

The defence admitted that Lody was a German lieutenant and said he had taken the risks because he thought it was his highest duty to do so. Lody's attorney asked for a sentence less severe than death, but said if the full penalty were exacted Lody would face it like a man.

TICKET OFFICE ROBBED.

Robber Breaks Window and Gets Money at Rock Hill.

Rock Hill, Nov. 10.—The local ticket office of the Southern Railway company was robbed of a considerable sum of money Sunday morning, between 5 and 6 o'clock. The policeman on duty in that neighborhood passed by the window at 3 o'clock and everything was right, but about 6 o'clock found the window broken. Mr. Carley, the agent, was away from the city and his substitute, Ernest Ballard, who did not know the combination of the safe lock, left the money in the cash drawer.

CARRANZA GRANTS DEMAND.

Said to Have Acceded to Proposals for Evacuation of Vera Cruz.

Vera Cruz, Nov. 10.—Carranza has acceded to all the demands of the United States government in connection with the American evacuation of Vera Cruz, according to private advices received here.

CARRANZA REMOVES GENERALS.

Relieves Them of Commands Because of Refusal to Nullify Action of Convention.

Mexico City, Nov. 10.—Generals commanding 50,000 men in this city were relieved of their commands today by Gen. Venustiano Carranza because they refused to nullify their action in signing an agreement to obey the Aguascalientes convention.

It is reported here that Gen. Villa's advanced guard of 15,000 men is marching south of Encarnacion de Diaz on its way to the capital, which it is said to have been ordered to take in the name of Eulalio Gutierrez. Between these troops and their goal is Gen. Pablo Gonzales, loyal to Carranza, with 40,000 troops disposed about Queretaro City. A clash is expected there.

In the capital here are 27,000 men, according to official figures. Fighting of a severe character continues in the suburbs of the capital. Persistent attacks are being made on Nochimilco and San Angel by Zapata followers.

Shells rushed to the front from the citadel here are said to have been loaded with saw dust instead of powder. It is reported, however, that Carranza forces have everywhere been victorious in the suburban fighting.

FIRE ON NACO.

Villa's Troops Bombard Town Held by Carranza's Men.

Naco, Ariz., Nov. 10.—Gov. Maytorena's Villa troops opened the renewed siege of the Carranza garrison in Naco, Sonora, early today. For 30 minutes the attackers threw shells into the town, doing little damage.

Gen. Hill, commanding the garrison, sent out a skirmishing party in the afternoon, which was sent scurrying back to cover by Maytorena's Yaqui Indians.

Five hundred fresh troops arrived at Nogales on their way to reinforce Maytorena. Hill is credited with the intention of bringing 800 men from Agua Prieta for a rear attack on Maytorena.

HERE'S THE BIGGEST CHEESE.

Utica, N. Y. Dispatch. The largest cheese on record, weighing nearly 7 tons, has just been completed at West Martinsburg, Lewis county. The cheese has been made for exhibition at the Panama-Pacific exposition in San Francisco next year, and its manufacture required 106,000 pounds of milk. It measures 4 feet 7 inches in height and over 25 feet in circumference.

NEGROES INTERVIEW WILSON.

Demand That Segregation of Negroes in Departments Be Abolished.

Washington, Nov. 12.—In a heated and sensational manner the negro delegates from the National Independent Equal Rights League today demanded from President Wilson the abolition of segregation in the government departments and received a sharp and pointed rebuke from the chief executive. President made a lengthy address to the negro delegations, beginning by rebuking them for dragging politics into the question, and telling them that if they had made a mistake in voting for him they ought to vote against him. He said it was a human and not a political question that confronted them.

FRANCE GENTLE WITH TURKS.

In Formal Declaration of War Recalls Old Friendship.

Paris, Nov. 10.—A dispatch from Bordeaux to the Havas Agency dated November 9, says that a formal declaration of war signed by the five allies was issued Monday against Turkey.

The French declaration is remarkable. After mentioning the Black sea episode as the direct cause of war, it says that since Turkish warships commanded by German officers, without due cause, had bombarded Russian ports a state of war existed between Turkey on the one hand and the five allies on the other. It then continues:

"It is not the French republic's intention ever to forget the cordial friendship, which, for many centuries has linked France with the Ottoman empire. In view of this fact it will not consider the many Turkish subjects at present residing within the French borders as hostile enemies, but in the light of true friends."

WHISPER OF PEACE.

Germany Said to Have Made Overtures to Russia.

London, Nov. 11.—Coincident with the news that every German soldier has been swept from Russian soil comes a whisper of peace negotiations in the report from Petrograd that Berlin has approached Russia with overtures looking toward a cessation of hostilities.

Contrary to the German report that the Russians had been checked on the frontier of East Prussia, Petrograd declares that a brilliant success in that region has been succeeded by an actual invasion of German territory. An equal triumph is reported from the other end of the long Russian battle line. With Cossacks raiding within 20 miles of Cracow, the commandant of that fortress has ordered the civilian population of the city to leave. Przemysl is said to be fully invested again and the reduction of this fortress is likely to precede any further advances by the Russian left wing.

Our Lady Patrons

Will find that in the arrangement of our NEW HOME we have made special provisions for their comfort. In addition to a cozy corner of the lobby, provided with writing tables and comfortable seats, we have a special rest room for the ladies, and we cordially invite them to make use of it.

The First National Bank OF SUMTER

The Bank of South Carolina SUCCESSOR TO THE FARMERS' BANK & TRUST CO.

CAPITAL - - - \$200,000.00
SURPLUS - - - \$150,000.00

Interest at 4 per cent compounded quarterly in Savings Dept. 5 per cent on time certificates of deposit.

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