

JUDGE WATTS'S CHARGE ON THE MORRISON LYNCHING.

He Told the Lancaster Grand Jury, Without Missing Words, that Men who Lynch are Murderers—Sheriffs who Do not Convince Do not Lose their Prisoners—No Need of Militia when Officers do their Duty—Some Illustrative Incidents in Florence, Hampton and Fairfield Counties—The Governor Doing his Best to Enforce the Law.

Lancaster, October 19.—Special to New and Courier: The following is the text of Judge Watts' strong charge to the grand jury this week in relation to the Kershaw lynching, which has made a deep impression on this community and will no doubt have a salutary effect throughout the country when read in The News and Courier, Judge Watts said:

Now gentleman, I come to the most serious part of my charge to you and that is in reference to this lynching down here at Kershaw. It seems, as I gather from the report the solicitor made to the Governor when he went to investigate the lynching, and also from the newspaper reports, that there was a lynching down there and a man was put to death by a mob. Well, that is besmirching and befouling the fair name of your county. I have not the slightest doubt but what there are a great number of law abiding citizens in Lancaster County, as great as in any other county, who deeply deplore and regret that occurrence; but unluckily, and unfortunately for the administration of South Carolina, it is the aggressive mob that runs things for a certain length of time. Whenever you get the law-abiding citizens stirred up and whenever they come to a sense of their citizenship then the tough and the rough, and mob law and those who advocate it have got to disappear, because this is a civilized State and has been for over a hundred years, and whenever the law abiding citizens take an idea into their heads that they are tired of lawlessness and get aroused, then they enforce the law and then they convict all violators and breakers of the law. But, as I said before, until they are aroused then the aggressive and lawless run over them and they have to submit to it. Now that is a very disgraceful thing.

FOUL, INHUMAN MURDER.

There is not a single man actively engaged in that mob that took Morrison's life that is not guilty of a foul, inhuman murder. They have got blood on their hands and they can not get it off. Now, I see by the newspapers that this man Morrison, who was lynched there, is said to have been a bad man; that he was a social outlaw; that he had killed other people. Well, now, gentlemen, I see by the newspapers that he was tried and acquitted at the summer term of Court in Kershaw County. Then I began to scratch my head to recall the case. I tried that case, and tried him for the killing and he was acquitted. The testimony in that case developed the fact that he was in the employment of the Southern Railway Company. Well, as a general rule they do not employ lawless men. They have got friction enough in South Carolina without stirring up the people unnecessarily by employing lawless men; so, knowing that, as

I do, the presumption is that when they employ a man they think he is a law abiding citizen. The testimony, as I recollect it, was this: A lot of negroes swore that they were going along the railroad making some noise and that they met Morrison out on the railroad track and he killed one. They were State's witnesses. Morrison went on the stand and testified, and his wife corroborated him in it—I am not attempting to give all the testimony, but simply the substance of it—he testified a lot of negroes came along in a boisterous manner, using vulgar, profane and indecent language, and he begged them to stop and they fired into his house and covered it with shot, and they lodged against the door and on the wall, and that he returned the fire, and killed one. Well, now, he did not impress me in Court as being an outlaw. It was an ordinary case of a white man killing a negro, in Court, and if the people in Kershaw had gone and furnished the able and fearless solicitor of the 5th circuit, Mr. Thurmond, with testimony going to show that this man was an outlaw and lawless man and helped the law put him up, then the young gentleman he killed would have been alive today and the people who lynched him would have been stainless and free from blood on their hands.

Now there isn't any doubt about it that this lynching business in South Carolina is bringing about anarchy and lawlessness, and I tell you right now I have got common sense, and so have you, and I make this statement and nobody can contradict it successfully. There would be no lynching in South Carolina when the prisoner got into the hands of an officer of the law unless he connived at it or winked at it. Whenever you hear of a man being in the hands of an officer of the law and he is lynched, the mob that took him from him know that that officer isn't going to defend that prisoner; they know he is going to connive at it or wink at it and not going to resist them—so, like the fellow who wants to bring a suit against the railroad when the conductor wants to put him off for not having a ticket or for not paying fare. The conductor says "You must pay your fare or get off." The fellow says "Use just enough of force so as to give me an action; you needn't kick me off, but use just enough force to give me an action against the railroad." And that is the way whenever you hear of a person being taken by a mob out of the hands of an officer; they know that officer is in sympathy with them and they know he is not going to resist.

Now there is another thing I am going to state. I am not going to hold any Courts under the guns of any militia. I am jealous of the military. I came on after the war when we were under Radical government and had United States troops and United States marshals under them, and they arrested our people and they couldn't give bail nor get a fair trial. I like the military and think it is a good thing. We have got them in South Carolina. I think it is a good thing to put down anarchy; but I don't think any sheriff who is worth a pinch of snuff is going to get hysterical and call in the militia to protect him and to protect his prisoner, and advertise to the world that the county is lawless and the supremacy of the law is being threatened.

SHERIFF JOHN P. HUNTER.

Whenever I hold a Court with such a sheriff as John P. Hunter,

and he and his deputies can't enforce law and order and protect the Court, the officers of the Court and the prisoner on trial, I am going to adjourn the Court and go home and stay there until the county gets calm enough to try the man as the law says a man shall be tried, give him a fair and impartial trial. It is a perfect farce. The sheriff gets hysterical, gets timid, don't want to offend anybody; telegraphs the Governor to send a militia company to the jail to protect the fellow from jail to Court and to protect the court while it is in session. Is that fellow getting a fair trial? Don't the jury trying the case see that public sentiment is high against him, to such an extent that the military has to be called to prevent him from being torn to pieces by the mob like a wild beast? Now, gentlemen, I have this to say. I have all confidence in your sheriff and I know if he had got his hands on that prisoner that night there wouldn't have been any lynching there or somebody would have been hurt. And I know another thing. Whenever a mob finds out that the man who has got the prisoner in charge is going to hurt them—they are not so keen and anxious for it.

There are always one or two leading men in a mob, one or two cool-headed fellows directing the mob, and a lot of hot-headed people do the work, and if you put a man like your sheriff in jail here, with one or two good deputies, I will guarantee that no mob in Lancaster County can take that prisoner. Why? Because they know he is not going to give him up, and they know that somebody is going to be hurt, and if he accidentally hit the leader of the mob and killed him, then there would be a terrible ranning and breaking of necks to get away. Sheriffs who are elected in South Carolina are generally good men and popular men, and the citizens of the county who put them in office don't want to kill them. What is the result of hanging this fellow down here? He was hung last Friday night, two weeks ago. Court convenes today. If newspaper reports are correct he would have been hanged just as certain as he was brought here, I take it, under the testimony. It would have had a very wholesome effect. It would have punished the murderer more than taking him out and killing him in hot blood. If I understand, he had just killed this gentleman and they hung him while he was still mad. He didn't care what they did just then. They took him off kicking, scrambling and fighting and hung him. Well, if they had arrested him and let him cool off and realize what he had done, and let him know for certain he was going to be hung, and brought him here and tried him and hang him legitimately, let the Judge give him about six weeks to get ready in, it would have been a terrible punishment for him to go through—let him know he had forfeited his life and was going to be hung by law.

I will tell you another thing. A gentleman in this State told me once that years ago he was engaged in a lynching; said they lynched a negro for committing rape. He said he was a prominent member of the church at that time and took a great interest in church affairs. That from that day to this he never felt like he ought to take any part prominently in church affairs; that he was an humble fellow and went to church, and tried to repent and be forgiven his sins, but he felt that he was incapable of directing the young boys and girls along Christian lines. He said he had never been the same man since; that they had all the proof against the "darky" and the Court would have hung

him, and that he regretted extremely that he had ever taken any part in it, and that he had never been the same man since.

Well, now, I think it a very terrible misfortune for a man to kill any one under any circumstances, even where he acts strictly in self-defense. We have to do a great many disagreeable things in this world, and it is a very disagreeable duty a man has to do to take the life of another even to save his own. He is a marked man after that. He is apart, as it were, from human nature and the children point their fingers at that man everywhere and say: "That is the man who killed Sealand-So." "Yes," says some man, "he was acquitted, and ought to have been." "Well," says another fellow, "I don't know about that, I heard about the case and I am not so sure about that."

COURTS OPEN AND READY.

The Courts are open and ready to do the work and, as a general rule—this is the fifth time I have been going over the State and I have tried a great number of cases in that time. The jury and Judge and solicitors all make mistakes now and then, but the general result is that the juries generally give correct verdicts and we are a heap better off than we were years ago, but if we go on this lynching and besmirching and befouling the fair name of the State, directly we will have anarchy; directly some fellow won't want to adjudicate his property rights in court and will want to take the law in his own hands, or a fellow will kill another in self defense, probably, and the dead man's friends be there and take them apart and hang up the murderer. If a lot of friends heard what they are saying that they try to stop another and blood will pour out. The great trouble is, a white man starts out killing a negro and winds up killing a white man, and a mob starts out lynching a negro and winds up lynching a white man.

The whole thing is wrong. While a jury may not convict them, yet in their consciences they know that they have done wrong and know that they have committed murder. If this man had killed these people, the courts had acquitted him, and would have hung him for killing the third man. He had a clean bill of health. He stood trial and was acquitted, and was entitled to a fair, impartial trial again.

Now, I held court down here at Florence and there were two parties charged with rape, who had been transferred to the State penitentiary for safe keeping, and the grand jury returned a true bill for attempt to commit rape, and they had to be brought back there for trial, and I sent for Mr. Burch, the sheriff of the county, told him I was going to have the se parties brought back for trial and safe keeping, and I was not going to have any military; you have got to take care of them, and I will give you an order for all the deputies you want, and he said if I would give him an order for ten he would guarantee there would be no lynching. I did so. He played a bold game, but it worked. He knew the leaders of the mob who were going to lynch these fellows. Then he goes and has them sworn in as peace officers and hid them in Court, and brought the prisoners into Court under guard of the men who had threatened to lynch them. The men were tried and convicted and I gave them the extreme penalty of the law and they were back in the penitentiary that night.

A HAMPTON INCIDENT.

I was down at Hampton and two men were charged with ar

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NOTICE! To The Taxpayers of Lancaster County. In accordance with the act of the Legislature to raise supplies for the fiscal year beginning January 1st, 1904, notice is hereby given that the Treasurer's office will be open for the collection of taxes without penalty from the 15th day of October, 1904 until the 31st day of December, 1904. The levy is as follows: State Tax 5 mills, County Tax 4 1/2 mills, Const. Bond School Tax 3 mills, Local County Tax (1st on) C & R Bonds 3 mills, Total 15 1/2 mills. Interest on Township Bonds C & R R: Cane Creek 4 1/2 mills, Hills Creek 5 mills, Pleasant Hill 3 mills. Local School Tax: Van Wyck 2 mills, Lancaster, including interest on bonds 6 mills, Heath Springs 3 mills, Oakhurst 4 mills, Kershaw 4 mills, Jones X Roads 2 1/2 mills, Russell Place 2 mills. Total Levy by Townships and Districts: In Van Wyck 15 1/2 mills, " " Van Wyck 17 1/2 mills, " " Van Wyck 17 1/2 mills, Cane Creek 20 mills, " " Lancaster 26 mills, " " Jones X Roads 22 1/2 mills, Hills Creek 24 1/2 mills, " " Lancaster 26 1/2 mills, " " J X R 24 1/2 mills, Buford 16 1/2 mills, Flat Creek 16 1/2 mills, " " Kershaw 16 1/2 mills, Pleasant Hill 16 1/2 mills, " " Kershaw 16 1/2 mills, " " Oakhurst 22 1/2 mills, " " Heath Springs 21 1/2 mills, " " J X R 20 1/2 mills, " " Russell Place 20 1/2 mills, Cedar Creek 16 1/2 mills, " " J X R 17 1/2 mills, " " Russell Place 17 1/2 mills. Respectfully, J. HARRY FOSTER, Attorney at Law, LANCASTER, S. C. Collections a specialty.