

THE KERSHAW HOMICIDE.

Particulars of the Killing of Thomas Catoe by Jeff. Gregory as Disclosed in the Proceedings for Bail.

Lancaster, August 18.—Special to News and Courier: As published in The News and Courier to-day, bail was granted yesterday by Associate Justice Jones to Policeman A. Jeff. Gregory, of Kershaw, charged with the killing of Ex-Policeman Thomas Catoe, in that town, a few nights ago.

Two eyewitnesses to the killing, J. H. Watson and J. T. Davis, were examined at the inquest, and the testimony, which, of course, is a part of the habeas corpus proceedings, is as follows:

J. H. Watson, sworn, says: "We were at Mr. Catoe's store, Catoe went for a sack for us to go snipe hunting. We had some negroes to furnish music; had gone about 300 yards when it began raining—came back to the store. Catoe went back in the store and came back to the front and set his gun behind the door. When I first saw Mr. Gregory he was coming up in front of Major Arthur's shoe store, Catoe standing with his face down street in the front door. Mr. Gregory walked by; Catoe threw his hand behind door towards his gun and said: 'Hurrah for Kershaw!' Could have reached his gun—he was on outside door when he threw his hand behind door.—Gregory shot him; he fired two shots. Mr. Gregory was about one step above door. Mr. Gregory did not say anything; did not try to arrest him. Mr. Gregory went up street and called for help. Mr. Catoe was holding the door; his foot against the door, holding it open. Mr. Gregory could have seen Mr. Catoe reaching for gun. I was leaning against the other side against the door. The negroes went in the restaurant."

Mr. J. T. Davis, sworn, says: "We had walked up to the store. We had gone to Mr. Wilson's shop; began raining; turned back. We had started to the swamp. Mr. Catoe went in and put his gun up. Mr. Catoe said: 'Let's go to the store and put my gun up and we will go home. We stopped. Mr. Catoe opened the store door. I stopped on the outside, leaned up against the store. Mr. Gregory came walking up the street in front of the store. Mr. Catoe said: 'Hurrah for Kershaw!' When he said that Mr. Gregory shot him. I do not know if Mr. Catoe went in store or not. I did not know where the gun was. Catoe did not have gun in his hand when he hollered hurrah for Kershaw. Mr. Catoe was on the sidewalk when Mr. Gregory shot him. Mr. Gregory shot twice and run. Mr. Catoe fell inside his store. I was standing in the entrance at the store on the upper side. Mr. Catoe between me and Mr. Watson. Mr. Gregory had not made any halt until Mr. Catoe hollered and looked as if he was going to pass. Mr. Gregory was about even with me; and he was past Mr. Catoe when Catoe hollered hurrah for Kershaw. Mr. Gregory stepped back and shot him. Mr. Gregory is night policeman. Mr. Gregory went up street. Mr. Catoe fell when shot. I asked him was he hurt much; he said he was. I went for help; found Mr. Threat, went up to the store, and I went for Sid Hilton. Mr. Catoe had been carried to the guard house when I returned."

The following is the affidavit

of the defendant himself, made before Notary Public Paul Moore, of Lancaster:

THE DEFENDANT'S STORY. Before me personally came A. Jeff. Gregory, who, being duly sworn, says: That he is charged with the shooting of W. T. Catoe, in the town of Kershaw, county and state aforesaid, on the night of August 8, 1905, from the effects of which wound it is claimed that said W. T. Catoe died on the 9th day of August, 1905; that, at the time of said shooting, deponent was the night watchman or policeman of the said town of Kershaw, and was, at the time, engaged in the discharge of his duties as such policeman; that the authorities of said town had placed at various places within its limits keys to a clock which deponent was required to carry with him at night, and it was his duty to make regular rounds and punch said clock with said keys; that one of said keys was located at the store of J. M. Carson & Co. and, in order to reach this key, it was necessary that deponent pass by the store occupied by W. T. Catoe; that on the night of August 8, 1905, between 9.30 o'clock and 10 o'clock, deponent made his regular visit to the store of J. M. Carson & Co, punched said clock, and was proceeding along the street as usual; about the time he arrived at a shoe shop run by one Major Arthur, which shop was one or two doors below the said Catoe's store, a very hard shower of rain came up; deponent stopped in said shop for protection from the rain; that a very few minutes after entering the shop, and while standing in the door of same, W. T. Catoe, J. H. Watson and J. T. Davis passed along on the pavement, going in the direction of Catoe's store; that said Catoe carried a double barreled gun (deponent will say here that before punching the clock at the store of J. M. Carson & Co, as above stated, he noticed said Catoe with others, sitting on the steps of J. M. Carson & Co's store and that Catoe then had a gun in his hands); that deponent left the shoe shop in a few minutes after Catoe and his companions passed, for the purpose of continuing his regular rounds; that as he reached a point on the pavement almost directly in front of Catoe's store door he saw Catoe, Watson and Davis standing in and around the door; that it was deponent's intention to pass on, and he would have done so had not the said W. T. Catoe called out in a loud and boisterous tone of voice, saying: 'Hurrah for Kershaw!' or words similar, at the same time reaching with his left hand for his gun, which was leaning with the muzzle against the upper panel (which was of glass) of the upper or west door, the store door being a double one, and at the same time drawing from his pocket a pistol with his right hand, pointing said pistol at deponent, and deponent distinctly heard the click of said pistol as Catoe snapped same at him; that just as Catoe called out 'Hurrah for Kershaw!' deponent spoke to him, and the two boys, saying: 'Now boys, you must not start any disturbance'; that when said Catoe reached for the gun and drew his pistol, deponent had taken a step or two further, which placed him somewhat past the centre of said store; that as Catoe reached for the gun and presented the pistol at deponent, deponent immediately fired upon him, shooting twice in rapid succession, and, not knowing whether he had hit said Catoe, moved rapidly a little further up the street, so as to get beyond the range of Catoe's gun or pistol and for the purpose of getting help in order to arrest Catoe and the Watson and Davis boys; that when deponent fired upon Catoe, he did

so solely in self-defence, and he believed at the same time, and now believes, that had he not fired when he did he himself would have been shot by said Catoe and either killed or received serious bodily injury; that deponent well knew Catoe was his bitter enemy, and that he had frequently made threats against deponent's life; that frequently during the past few years the said Catoe has sought difficulties with deponent, deponent always endeavoring to, and, up to the time of the shooting herein mentioned, has avoided any personal difficulty; that deponent has time after time gone out of his way to avoid meeting said Catoe, and since he has been on the police force of the town of Kershaw has actually allowed said Catoe to violate the ordinances of said town rather than arrest him, his deponent's, course, in such instances being to report Catoe to the intendant, while at the same time he realized that his duty demanded that he arrest Catoe, but in his anxiety to avoid coming in contact with him, deponent adopted the course above stated.

AN INCIDENT. That as evidence of deponent's desire to avoid conflict with Catoe, deponent relates the following fact: On the night of June 25, 1905, the said Catoe was creating considerable disturbance within the town limits, being drunk and rowdy in his store room, firing his pistol three times, and otherwise disturbing the peace that Catoe was at that time in his store room in company with the boys Watson and Davis, herein before mentioned; that deponent on that occasion sent for G. E. Bateman, chief of police; that, after consultation with Bateman, they agreed not to attempt to arrest Catoe, who was armed with a shot gun, for deponent felt sure Catoe would resist arrest, and such attempt would result in deponent or Bateman, one or the other, either being killed or having to kill the said Catoe; and, rather than have such trouble, deponent and Bateman refrained from making the arrest, notwithstanding said Catoe had fired his pistol upon the public streets of the town of Kershaw; that on the 27th day of June, 1905, Catoe appeared before the intendant and wardens of the town of Kershaw pleaded guilty to the charges and was fined in the sum of forty-five (\$45) dollars; that deponent was severely reprimanded by members of the town council for his failure to arrest and imprison said Catoe on the occasion named, some members of the council even threatening to have him removed if he continued to allow said Catoe to act as he had been acting and failed to arrest him; that a number of the most prominent citizens of the town also condemned deponent for his lenient treatment of Catoe. Deponent admits that he was at times derelict in his duty by failing to arrest Catoe, but in his earnest desire to avoid trouble he failed to make the arrest when he should have done so; that the said Catoe harbored malice against deponent before deponent went upon the police force of Kershaw, which malice was result of an unfortunate difficulty between himself and Catoe, about four years since, at which time deponent was forced to shoot said Catoe in self-defence, and for which shooting deponent was tried in the Court of General Sessions for Lancaster County, and a verdict of "not guilty" was rendered; that since that time deponent has made frequent efforts to adjust the differences between himself and Catoe, but all of his overtures have been rejected by Catoe. Deponent further says that he avoided going in that part of the town where Catoe's store is located, and only went there when required by duty so to do. Further, deponent says that for some months past the said Catoe has been frequently under the influence of liquor and when in such condition he invariably creates

some disturbance and is in the habit of walking the streets in the night time, armed with a shot gun; deponent further says that the said Catoe, up to the time of his death, cherished animosity toward the said G. E. Bateman, on account of the fact that the said Bateman had imprisoned him during the Christmas holidays for violating an ordinance of the town of Kershaw.

Deponent is informed that said Catoe attempted to shoot said Bateman in the back at a time when Bateman was not expecting any trouble, and was only prevented from so doing by the interference of Mr. J. R. Belk; that on the night of August 8, 1905, Catoe was very drunk, which fact deponent noticed when he saw him sitting on the steps of J. M. Carson & Co's store, as above stated."

MR. TRUESDEL'S AFFIDAVIT.

An important affidavit was made by F. L. Truesdel, as follows: "That he was present the night of August 8, 1905, when A. Jeff. Gregory arrested and placed W. T. Catoe in the guard house in the town of Kershaw, S. C., and that at the time said Catoe was very drunk. That the arrest was made a very short time after the shooting. That while said Catoe was being carried to the guard house by said Gregory and S. F. Hough, deponent was walking immediately behind them, as they crossed the street, and noticed that Catoe had a pistol in his right hand pants pocket. That deponent took said pistol from Catoe and a very few minutes afterwards examined same and found that one of the cartridges had been snapped, said cartridge showing an indentation made by contact with the plunger."

Dr. J. E. W. Haile, a practicing physician, of Kershaw, also makes affidavit that Catoe was very drunk the night he was shot.

An affidavit in yesterday's proceedings by J. H. Watson, one of the eye witnesses, contains fuller particulars of the killing than he gave in his testimony at the inquest. It is as follows: "That on the 10th day of August, 1905, deponent testified before the coroner's jury, at the inquest held over the dead body of W. T. Catoe, as follows: 'We were at Mr. Catoe's store, Catoe went for a sack for us to go snipe hunting'—that was between 8 and 9 o'clock at night. That deponent went to Catoe's store on that occasion for the purpose of getting a musical instrument he had left there. That Catoe was very much under the influence of liquor, and insisted that deponent and J. T. Davis drink with him, which they did. That Catoe had frequently before this time been at Catoe's store at night, when he, Catoe, would be under the influence of whiskey, and had at Catoe's invitation and insistence taken too much whiskey. That some time during the week previous to the shooting deponent heard Catoe say to J. T. Davis that he, Catoe, intended to kill A. Jeff. Gregory, or Gregory would finish him, Catoe. That when deponent found that Catoe was taking his gun with him the night of the shooting, he asked him not to carry it. Catoe replied, 'Yes, I will take it, as I might have to shoot a snipe.'

FEARED TROUBLE.

"That deponent wanted to go home, fearing trouble between Gregory and Catoe, but when he said to Catoe he was going home Catoe said, no, and deponent was actually afraid to attempt to leave, fearing Catoe would shoot him. That deponent is 18 years of age. That he has been with W. T. Catoe on several occasions while under the influence of whiskey, and knows that he was in the habit of acting in a disorderly manner, frequently going upon the streets of the town of Kershaw, armed with both a gun and pistol, and otherwise acting in a dangerous manner."

WHAT BATEMAN SAYS.

Chief of Police Bateman also

made affidavit as follows: "That he is now, and has been for some time past, chief of police for the town of Kershaw, S. C. That A. Jeff. Gregory has been for four months past night policeman for said town. That deponent has read the affidavit of said A. Jeff. Gregory, made herein, and in so far as the same relates to the conduct of W. T. Catoe, his feeling towards said Gregory and this deponent, that said affidavit is true. That said W. T. Catoe has for some months past been in the habit of getting drunk and, while in that condition, has frequently gone about the town of Kershaw armed with a double-barrelled gun. That said Catoe has for six or seven months past caused the town authorities a great deal of trouble, by firing his pistol, either in his store room or upon the public streets. That said Catoe has been before the town authorities more than once in the past six weeks, charged with shooting a pistol within the town limits or upon the public streets, and in every instance he has either pleaded guilty, or was found guilty and fined. That shortly after the difficulty between Catoe and Gregory on the night of August 8, 1905, deponent examined the gun carried by Catoe and found that it was loaded with buck-shot."

W. J. Watson made the following brief affidavit: "That some time since deponent heard W. T. Catoe say that he intended to kill A. Jeff. Gregory. That deponent thereupon warned said Gregory to be on his guard and to watch said Catoe."

The case will probably be tried at the approaching fall term of Court, and will attract a good deal of interest.

SICKENING SHIVERING FITS

of Augue and Malaria, can be relieved and cured with Electric Bitters. This is a pure, home medicine; of especial benefit in malaria, for it exerts a true curative influence on the disease, driving it entirely out of the system. It is much to be preferred to Quinine, having none of this drug's bad after-effects. E. S. Munday, of Henrietta, Tex., writes: "My brother was very low with malarial fever and jaundice, till he took Electric Bitters, which saved his life. At Crawford Bros. J. F. Mackey & Co. and Funderburk Pharmacy drug stores; price 50c, guaranteed."

Great Big Difference.

(From the Columbia State.)

The newspapers are anxious, as senior Senator says, to quote him correctly, but suppose they should adopt the happy go-lucky, hit or miss methods of Senator Tillman in chronicling his remarks? He would be quite positive that his enemies had formed a conspiracy to undermine his influence with the people by 'garbling' his speeches.

The News and Courier calls attention to the fact that "for the third time within the last two months Senator Tillman has misstated the figures of the prohibition vote in 1892." And twice since the Higgins letter has the News and Courier quoted the figures from the record, but again are they misstated. As Senator Tillman is endeavoring to make a point against the prohibitionists and as the recorded votes knock the point out of his point the repeated error is serious. He declared that 35,000 voted for prohibition and 25,000 against it, while 32,000 did not vote on it at all. Now the record shows that 40,238 voters were cast for prohibition, 30,197 against prohibition, or 70,335 out of a total vote of 88,474. So less than 18,000, instead of 32,000 failed to vote—making a great big difference and strengthening the position of the prohibitionists materially.

Seined With Cramps And Drowned In Coast.

The State, 12th inst.

Charles Alexander White, a young man 18 years of age, who was on a short stay in this city, was drowned in Columbia Canal yesterday afternoon at the fatal spot where so many other persons have gone to their watery graves.

The young man was out for a Sunday afternoon stroll with his stepfather, J. R. Keller, and Mr. Keller's little son. The water looked inviting and he decided to take a swim and plunged in. He swam up and down the stream several times for quite a distance. As he started back down the stream for the last time the stepfather, who is blind, heard him moan several times and called to his little son to go to Young White as he realized that there was something wrong with him. The little boy, however, was upon the frame work underneath the trestle and could not give any assistance. There were also two colored men on the trestle, who, being powerless to help the drowning boy, were obliged to see him go down to his death.

The saddest part of the story is that the young man had only a few days ago seen his mother, who is blind, for the first time in nine years after they had both spent months traveling from place to place trying to find each other.

Drunk, Killed His Son.

Greenwood August 18.—The jury in the case of Jno Clegg, indicted for murder, returned a verdict of not guilty, being out only thirty minutes. The testimony showed that the defendant was crazed with drink, and knew not what he was doing when he killed his own son last January. The attorneys for the defense made out a strong case.

Speaking of tall corn

Checotah, L. T., Times.

One of our readers, whose veracity is above question, tells the following:

The terrible news comes from the western part of the Cherokee nation that a boy climbed a corn-stalk to see how the corn was getting along, and now the corn is growing up faster than the boy can climb down. The boy is clear out of sight. Three men are undertaking to cut the stalk down with axes and save the boy from starvation, but it grows so fast that they can't hack twice in the same place. The boy is living on nothing but raw corn, and already has thrown down over four bushels of cobs."

BRONCHITIS FOR TWENTY YEARS.

Mrs. Mirgva Smith, of Danville, Ill., writes: "I had bronchitis for twenty years and never got relief until I used King's Honey and Tar which is a sure cure." Sold by Funderburk Pharmacy, also C. O. Foy, Kershaw.

It is easier to tell others how to make money than it is to do it yourself. But few men who attend strictly to their own business get far over work.

The wife of a man who parts his hair in the middle is reasonably sure to be the better two-thirds of the combine.