

THE CHESTNUT CASE

SEVERAL WITNESSES EXAMINED FOR THE STATE.

Names of the Jurors Who Were Drawn to Try and Decide on the Matter.

Wednesday morning about ten o'clock the case of the State against R. Chestnut, charged with the murder of W. R. Sabin, manager of the Dixie Lumber Company, on the morning of April 25 last, was taken up by the Court of General Sessions, Judge J. W. DeVore presiding. It will be remembered that Sabin was shot in his office by Chestnut. When Chestnut first entered the office of Sabin, he was writing a business letter, and the fatal shooting took place a few minutes after.

Sabin was taken to the Knowlton Infirmary at Columbia where he died about two o'clock the afternoon after the shooting, an operation having been performed on him in an effort to save his life sometime before he passed away.

It will be recalled that at the time of the shooting it was claimed that some family trouble was at the bottom of it. Before he died Sabin said he did not know why Chestnut should have shot him. Chestnut was committed to jail, where he has been ever since, no attempt having been made as far as known to get him out on bond.

A brilliant array of legal talent is engaged on both sides. Assisting Solicitor Hildebrand in the prosecution are Messrs. Jas. M. Brailsford, R. A. Brown, of Knoxville, Tenn., Brantley and Zeigler, and Glaze and Herbert. For the defence Messrs. Raynor and Summers, Wolfe and Berry, and Adam H. Moss are engaged.

Relatives of both the deceased, W. R. Sabin and of the defendant, R. Chestnut, were present in the court house yesterday morning. As no other case would be called during the next day or so, the witnesses in the Chestnut case were ordered to be present Friday morning. All yesterday morning was taken up with selecting the jury for the case, and the witnesses for the prosecution.

In the afternoon session, the prosecution brought up additional witnesses. After the defence had challenged ten times, the prosecution five times and six men were excused, the jury was completed as follows:

T. T. Ayers, merchant; S. P. Calvert, farmer; W. F. Cannon, job printer; L. W. Bookhardt, farmer; Thos. D. A. Livingston, farmer; S. A. Dantzier, railroad agent; John Demme, farmer; J. H. Ayers, farmer; S. B. Smoak, farmer; D. H. Weathers, farmer; L. L. Avinger, mill operative; Sam Knight, farmer.

With the jury completed, Judge DeVore excused all other jurors from attendance at court yesterday, and also gave the jurors selected permission to take off their coats, which was promptly done by all of them.

Dr. W. L. Heaner was the first witness for the State lives in Orangeburg, called on W. R. Sabin between 7:30 and 8 o'clock on the 25th of April. He was passing along the street when he called for. He went immediately to the building, and found Sabin lying on the floor with a bullet wound in his left side. Sabin was perfectly rational, and in very little pain. Didn't know how long that was after his being shot.

About this time Dr. Shecut arrived and together they took Sabin home and examined the wound, which was between the sixth and seventh rib. Upon noticing that Sabin was vomiting blood, the two doctors decided to carry him immediately to Columbia, and did so on the eleven o'clock train that day. After a brief examination, Dr. Knowlton declared that Sabin was in bad shape and an operation was necessary at once. Witness saw operation, but left before Sabin had recovered from its effects.

Witness stated that he did not hear Sabin make any statement as to the shooting. On cross-examination by Mr. Raynor witness described wound—little round hole about 3-16 inch in diameter, the party shooting was close, and the shot went downward.

Dr. L. C. Shecut testified that he was called over the telephone from his residence and went from there to Dixie Lumber Co's shed in automobile. He substantiated Dr. Heaner's testimony in regard to wound. Said Sabin did not relate how the shooting occurred as far as he heard. The prosecution here reserved the right to recall Dr. Shecut later if desired after some preliminary facts were established.

Solicitor Hildebrand here asked that the witness for the two sides be separated, and it was so ordered by the judge, who warned both sides that all witnesses not excluded would not be allowed to testify.

J. B. Kelly was next called. He first knew of the shooting when the hand, Frazier, ran to him telling him about it—he did not hear the pistol shot. Went immediately to the scene. Found Sabin flat on back. Chestnut nowhere to be seen. Here witness attempted to tell what Sabin said, but this was ruled out as the prosecution had not yet shown that these remarks would properly come under the head of res gestae—in other words that these remarks were made sufficiently near the shooting; to be considered a part of the transaction. Witness stated that Messrs. Westbury and Cunningham were there when he arrived, and a negro, Adam Smith. No cross-examination.

Willie Kelly, son of J. B. Kelly, was then called. Said he saw Chestnut and L. K. Blewer going past his wood shop about 6:30. Did not see Chestnut after that until he saw him running in a slow trot past him after the shooting. He heard three shots. One first, followed by two more. Last two closer than the first and then went to shed. Father was

already there. Did not hear Sabin say anything in regards to shooting. Did not notice anything in Chestnut's hand when he passed him running. At this point the witness who had been excluded were allowed to return.

The next witness was Leon Westbury, who was engaged in Jennings and Smoak's warehouse when the shooting took place. He heard the shots but thought it was boys shooting at sparrows. Heard Cunningham say "Come here" and ran to the Dixie Lumber Co. As he ran in one door, Chestnut ran out the other. Witness left Sabin to phone for the doctor. After waiting about fifteen minutes went to phone for the doctor again and met Dr. Shecut coming. Did not hear Sabin say who shot him until after his brother (Mr. A. S. Sabin) came. No cross examination.

Court here adjourned for dinner after cautioning the jurors not to discuss the case with anyone.

After dinner the first witness was Edward Hawes, city engineer, who testified that he made a plat of the scene Tuesday night and this plat was received as evidence, although objected to by the defence.

C. E. Cunningham, grand-uncle of Sabin was the next witness. He was on platform loading a car, and Sabin was at his desk engaged in writing a letter. Heard pistol shot but did not think it was in office. But started to look in, and saw Chestnut standing at Sabin's desk with pistol in his hand; Sabin then rose very deliberately, and Cunningham says Chestnut said to Sabin: "I'll teach you how to observe signs when you approach a gentleman's house after 7 o'clock at night." Witness said he tried to retrace with Chestnut who replied that if Cunningham did not get out of the way he would shoot him. The witness felt back over some lumber Sabin on top of Chestnut. Then Cunningham hurried to his nephew's side, and Chestnut ran away "with all the power that was in him." It was also brought out that Chestnut owed the Dixie Lumber Co. about \$50 or \$60, which has since been paid. Mr. Cunningham said he was not excited, although the second shot nearly hit him. Chestnut he declared was greatly excited and wrought up. Sabin was unarmed.

The next witness was A. S. Sabin, brother of the slain man, and who has been running his business since his death. Mr. Sabin related how he was phoned by his uncle of his brother's injury and that he ran there immediately. Found brother on floor, evidently in pain. Described position of things in the office. Went with his brother to Columbia and was present with him when he was operated upon. Spent a very comfortable night. Next day Sabin said that he told his brother that he was getting weaker, and the deceased said, "I know it, I can't stand it much longer." The witness then said they should have had his statement made in proper form, and his brother replied: "It's just like I told you." Upon being requested by his brother said: "I was sitting at my desk writing when Chestnut came in. 'Good morning, what's the news,' asked him. 'A whole lot of news, g—d— you; I'm going to kill you,' and shot once. I tried to ask for an explanation, but he said, 'I am going to kill you; you wrecked my home.' I didn't understand and asked for an explanation. Then he fired the second shot. Seeing he meant to kill me I ran him against the wall and tried to take the pistol from him." His brother, the witness had read to him in the morning the statement in the papers charging illicit relations with Chestnut's wife, and remarked to him just before he died, "I am sorry that story was written." The dying man replied, "there's no truth in that story."

With this witness the prosecution rested its case and the defence opened by bringing forward a number of character witnesses.

W. G. Sessions, former sheriff of Horry, said he knew Chestnut for over 20 years and his reputation as a peaceful citizen was good. Since the defendant moved from Horry he knew nothing of him or his private life.

J. A. McDermott, of Conway, formerly Clerk of Court, Senator and treasurer of Horry, followed with practically the same testimony as Mr. Sessions. He also had heard of a Chestnut cutting a negro at Georgetown as had Mr. Sessions.

W. R. Lewis and W. H. Howell, two Horry citizens, had known the defendant about 20 years each, and testified that his character was good.

Ex-congressman Samuel Dibble, State Senator D. A. Spivey, of Horry, knew Chestnut's reputation, which they knew was good.

Rev. Geo. W. Davis and Mr. R. E. Wannamaker, of this city, both testified to Chestnut's reputation, which they knew was good.

Court was then adjourned until this morning at 9:30.

Work Has Been Begun. The executive committee of the Orangeburg fair association have had the plans drawn for their fair buildings, and the work for the actual construction began Tuesday. The work of erecting the building will be given to a contractor, but the members of the executive committee and a supervising architect will have the work in charge. The work will be pushed on the buildings which will be substantial, so have them read for the Fair in November.

Important Notice. The executive committee of the Orangeburg County Fair Association asks all stockholders who have not paid the assessments on stock called for by the directors to kindly do so in the next few days, as the association has collected so far only about \$2,500, and they will need the money to pay for the grounds, and the buildings now under construction.

GRAND JURY'S FINDINGS.

They Find Many True Bills and Report on Other Matters.

Yesterday afternoon the grand jury made its presentation to the Court. They acted on all bills handed them by the Solicitor and attended to other matters. The grand jury appointed three committees to take up special work between now and the next term of court. The first committee to inspect and report on the condition of the public highways and chain gangs; the second to visit the public schools of the county and report condition of the same; the third to inspect the Court House and offices in the same, go over the books, vouchers, etc., and make a report on the same.

They also thought it would be a good thing to construct a cement walk on the court house grounds, connecting the various entrances, and thus do away with the unseemly paths as at present. They recommended that the causeway over the Edisto river on the Ninety Six road be put in good condition.

The grand jury returned true bills in the following cases:

- A. M. Stokes and Hamp Stokes, violating the liquor law.
W. E. Johnson, violating the liquor law.
Henry Keller, violating the liquor law.
Dorcas Grant and Peter Grant, assault and battery with intent to kill.
John Fogle and Fred McCord, murder and carrying concealed weapons.

A VALUABLE SUGGESTION.

Judge DeVore Says Vagrants Should Be Put on the Roads.

In his charge to the grand jury on Tuesday Judge DeVore laid stress on their performance of the duties assigned to their office. Owing to a decree of Judge Prince, the last presiding judge, the grand jury for Orangeburg county was dismissed because of its being unlawfully drawn.

Major Havelock Eaves, a local cotton buyer, was chosen as foreman of the grand jury. Judge DeVore called especial attention to the vagrant law and stated that this law is generally overlooked. He said that because of the non-enforcement of the law a great amount of crime is bred. Judge DeVore read the law and said that his only objection is that the punishment is too light, but if strict enforcement was held the roads of every county could be placed in such condition that they would be the best automobile highways.

This is a valuable suggestion, and should be carried out. There are many vagrants to be found in every town of the State, and if they were all put to work on the roads and the highways, bad roads would be soon a thing of the past. These vagrants are a menace to every community and some scheme should be devised to make them move on or go to work. Why not try Judge DeVore's suggestion.

News of Norway.

Norway, Sept. 4, Special.—Here we are again, but not in the midst of a "Dry Spell" like before, but a rainy spell. We have been having lots of rain since the storm passed away, and cotton is in bad shape. The storm blew out a lot of cotton, producing a bad sample. Many cotton fields have been deserted for the past week on account of the rains. We hope it will soon clear up and give the farmers a chance to gather the fleecy staple.

School opened this morning with Prof. G. L. Myers as principal, while Miss Sadie Cogburn has charge of the intermediate department and Miss Adele Dunbar the primary. The school has all prospects of a successful year season.

Mr. J. L. Glover has accepted a position with Mr. G. F. Gibson and will be glad to serve his many friends. Mr. Gibson is lucky in securing Mr. Glover as he is an experienced hand in the merchandise business.

There will be a "box" party at Two Mile Swamp School house Wednesday night, for the benefit of the Ladies Missionary Society. Every body is invited to attend.

There will be preaching at Willow Swamp Baptist church next Sunday morning at eleven o'clock by the pastor. Everybody invited to the services.

Cupid Led the Way.

St. Matthews, September 4, Special: A young couple fleeing from the obstruction of parental bars, created a neat little sensation in town last night when they applied to the Rev. J. M. Steadman for assistance in their matrimonial plans. The prospective groom produced the proper credentials, which were said to be "according to Hoyle" by five lawyers. They hailed from St. George and the bride was pretty to look upon. The groom is said to be a responsible young business man of that thriving village. After the ceremony they boarded the train for Columbia, but gave no positive assurance as to the extent of their honeymoon trip.

Success to You, Gentlemen.

The Rowesville Oil Company, of Rowesville, has been chartered with a capital stock of \$45,000. The officers are: A. C. Dukes, president; E. N. Chisolm, vice president and treasurer, and George V. Zeigler, secretary. A general cotton oil business will be conducted by the company.

Denmark Election.

The Denmark town election passed off quietly on Monday with the following result: For president, J. Z. Brooker, 77; W. S. Cooper, 1; J. A. Walker, 2. Wardens: C. W. Garris, 77; J. S. J. Faust, 77; G. W. Hightower, 78; W. D. Garvin, 78. Eighty-four votes were polled.

LIST OF LETTERS.

Those Remaining Unclaimed in the Orangeburg Post Office.

The following are the list of letters remaining unclaimed in the Orangeburg Post Office for the week ending Sept. 5, 1911. Person calling for same will please say that they are "advertised." A. D. Webster, P. M.

- D. J. Bestian.
Evangeline Brown.
Dr. C. H. Bozard.
Mrs. Bessie Burfy.
Geo. W. Burnett.
E. B. Bynum.
Richard Canty.
Blain Carlos.
Phyllis Carmichael.
Annie Carson.
J. P. Coleman.
John Crawford.
Nelson Dantzier.
George Davis.
Mrs. Rosa Dantzier.
Maggie Essau.
Mrs. Elizabeth Gidver.
Mrs. Della Glover.
Alexander Goodwin.
Messrs. George & Carroll Hause.
Miss Hackson.
G. M. Hodges.
E. E. Ingersol.
Zachary Trick.
Sylvia Jamison.
Millie Meeks.
Rebecca Mikef.
Rev. Wesley Morgan.
Collie Morris.
Louisa Palmer.
Josephine Rivers.
E. J. Smoak. (2)
Mary Whimer.
Mrs. Mary J. Wright.
Mard B. Wright.
N. Bremmers, Jr., (4th Class Parcel.)

SOCIETY NEWS.

Dixie Club Appoints Committees For Their Carnival.

The Dixie Club members are getting everything in readiness for their carnival which will be held the first of next month. There will be music, childrens drills, voting contest, and in fact all forms of amusements that is usually seen at such events. The ladies will do all in their power to make the different features as original as possible and committees to be in charge of the different tents are as follows: Ring stand, Mesdames James Albergoti, and Richard McMichael; Mysterious tent, Mesdames J. T. Wise, Raymond Bryant and Miss Butler; Country store, Mesdames R. H. Jennings, Ed Scoville, Noah Wertz, Ed Wannamaker, Norman Salley Louis Geizer and Fred Wannamaker; Minstrel, Mesdames Hawes, Cart, Walker Smith and Eugene Atkinson; Children's Drills, Mesdames Harry Wannamaker, Furman Malpass and Miss Lella Marchant; Freak shows, Mesdames Brunson, Ligon, Shelly Scoville, Misses Wingate, Glaze, Bolliver, Meta Kortjohn and Kittie Salley; Voting contests, Mrs. Ahrens, Misses Georgia Culler, Lizzie Sawyer and Marie Hall. Gypsy tent Mrs. Ed. Atkinson, Misses Dot Bull, Helen Salley, Louise Salley and Alma Wannamaker. Additional names and committees will in all probability be announced later in this column.

Canaan Dots.

The rain fell heavily here every day last week. We will look and hope for fair weather now for a while, that some of the cotton may be gathered from the fields.

Misses Lurline and Daisie Bonette returned home last week from a very pleasant visit to their brother, G. E. Bonette and other friends of Klime, S. C.

Mr. Jake M. Bonette visited friends in Augusta, Ga. last week.

Miss Lillie Turner is at home again from an extended visit to relatives and friends at Elloree and Cameron.

Mr. Archie C. Turner of Savannah is at home on a visit to his parents, Mr. and Mrs. J. R. Turner.

Mr. John Barton, of Four Holes spent Saturday night with friends here.

Mr. and Mrs. Sam Smoak and children are visiting at Sheriff Hunter's of Bamberg.

Mr. and Mrs. S. J. Westbury visited friends below Orangeburg Saturday and Sunday.

Rev. Godbold is conducting a very good meeting at the Bethlehem Methodist church this week.

They are going to do some brick work, repairing the Canaan church soon. We hope it will improve the looks of the church. Kidd.

Plush Lived Up Things.

Bill Plush attended a dinner on Monday given by some colored people near Lone Star. Everything partook of the festive air and was going along hilariously until another negro appeared upon the grounds with several quarts of booze. Plush was an early victim and was soon in the proper spirit for giving the festival the correct coloring. He had taken with him a single barrel shotgun, and as soon as the spirit moved him made things lively by shooting wildly into the crowd. He succeeded in wounding five before being subdued and locked up by Sheriff Dantzier.

Will Go Into Next Week.

The Court of General Sessions, which opened here on Tuesday with Judge J. W. DeVore presiding will continue through this and into next week. There are several important cases before the Court brought over from the May term, which will be disposed of at this term. This is Judge DeVore's first official visit to Orangeburg, and he has made a splendid impression on all as a fair, impartial judge.

LOCAL NEWS ITEMS

PICKED UP ALL OVER TOWN BY OUR REPORTERS.

What is Happening Here and There.

Local Items of Personal Interest to Our Readers.

20,000 by 1920. The autumn days are coming, the saddest of the year.

The graded schools will open on Monday the eighteenth instant.

Miss Nathalie Salley is visiting her parents, Mr. and Mrs. A. S. Salley.

The holidays will soon be over, boys and girls, and then back to your books.

Miss Ruth Fogle, of Columbia, is at Cope on a visit to her sister, Mrs. Walter D. Cope.

Miss Gerlie Droze, of Charleston, is visiting Mrs. F. T. Limehouse on East Russell St.

This section is now having too much rain for the crops, which are being badly damaged by it.

Mr. Charles Christian Califfe of Denmark died at the Knowlton infirmary at Columbia on Saturday night.

Miss Ruth Riley has returned to Bamberg, after a pleasant visit to her sister, Ms. Havelock Eaves, in this city.

There are quite an array of lawyers on either side of the Chestnut case which will not get to the jury before Friday.

The Chestnut case seems to excite much interest, standing room in the court house, being at a premium yesterday.

Quite a number of people from Horry County are in the city in attendance as witnesses for the defendant in the Chestnut case.

Vernon Brabham, to serve in the dry accepted a position as clerk with Mr. Vernor Brabham, to serve in the dry goods department of his large store Cope.

A report from John's Island adds the drowning of two negroes to the list, making twenty deaths in all so far reported from the Charleston storm.

A Charleston dispatch says seventy-five per cent of the cotton and corn crops in the Mount Pleasant section are reported to have been lost by the storm.

Get ready for the Southern Railway's Good Roads Train which will be at Orangeburg on Wednesday morning, September 20. It should be greeted by a large crowd.

We publish the census report for South Carolina in reference to the white and colored population of the State. It will be found on the first page and will be read with interest.

R. A. Brown, Esq., of the Knoxville, Tenn., Bar, is in the city. Mr. Brown is here to personally testify to the character of the young man who was shot and killed by W. R. Chestnut.

There was a time when the Orangeburg City Schools use to win nearly all the scholarships offered in this county but it is not so now. Can any one tell us what brought about the change?

Prof. A. J. Thackston, Superintendent of the City Schools, who has had a most pleasant summer outing, has returned to the city with Mrs. Thackston and the boys, to get ready for the opening of the schools which will take place Monday, 18 instant.

A Connecticut weather prophet says he has been manufacturing refrigerators and sunshades for the last ninety days to keep comfortable and he has now commenced an ark. It will be needed before Thanksgiving day, he says.

Some ten years ago a house and lot on Amelia street was bought for \$1,400. A few months afterwards it was sold for \$1,800 a few years later it was sold for \$2,400 and last week it was sold for \$4,000. This shows the growth in value of Orangeburg property.

Mr. L. H. Wannamaker, Jr., of the News and Courier staff, with Mrs. Wannamaker and their little girls, are visiting relatives in this city. They have been congratulated on all sides for escaping all injury during the terrible storm that recently visited Charleston.

The Carlisle Fitting School of Bamberg is a splendid institution, and no boy or girl who goes there will regret it. Prof. J. C. Guilds, the Headmaster, is not only a good teacher, but an accomplished Christian gentleman, such as should be at the head of every school.

About the middle of November The Times and Democrat will put on a voting contest, in which some thirty-five valuable prizes will be given away. The chief prize will be a \$300 piano, which can be seen at the Marchant Music Company's store. Look for complete announcement soon.

Students from the Orangeburg College won scholarships in the Citadel Academy in Orangeburg and Edgefield counties. These are valuable scholarships as they take a boy entirely through the Citadel. We congratulate President Peterson. The Orangeburg College is the best educational institution in the County, and we commend it to the people.

Fearful Damage to Cotton.

Cope, September 5.—Special: With practically the whole of last week lost from the cotton patch on account of the wet weather, and with another downpour this morning from daylight until sunrise, which flooded everything, the farmers are blue. The situation has gotten to the serious stage. In answer to an inquiry as to damages from rain, it was the opinion of several of the best farmers that a damage of fully 10 per cent had been done up to last Saturday, and still the loss goes on.

Kohn's Theodora Kohn's Attractions Are Quality And Moderate Price Russell Street, Orangeburg, S. C.

Splendid News From The Busy Kohn Store



New Dress Goods Notes

Coats are longer. In stead of the short jacket of Spring these tailor makes have 28" coats coming well over the hips.

Fabric are heavier. Collars and cuffs are largely of velvet. Sleeves are put in smooth—not a gather. Navy blue is first. Loose panel backs continue.

Skirts are wider but look no wider.

New Outings, Soft as Silk 10c.

Fresh from the mill—8000 yards of serviceable outings in clear cut patterns, on white and colored grounds. Will wash well. Ready for the busy scissors that will soon begin to prepare for chilly hours. 10c the yard.

FRILLS—FRILLS

Some of the new neck wear is in. It is very pretty. All the dainty fluffy novelties—new.

CUT THIS OUT AND MAIL IT TO US.

KOHN'S—Please send me your new Fall & Winter Catalogue.

Name _____

Town _____

Please put down some of the names of your friends who want one.

Write now—it only takes a moment.

We note a great many out of town visitors these days and we give them a royal welcome. Our comforts and courtesies are at your disposal. These department heads are ready to attend to your wants: Miss Mamie O'Cain, Miss Rosalie Barton, Miss Florrie Oliver, Miss Adeline Kohn.

Kohn's Theodora Kohn's Attractions Are Quality And Moderate Price Russell Street, Orangeburg, S. C.

I take great pleasure in making the statement that I have arrived from the northern markets, where I have been in the interest of my many customers and friends. Feeling after 24 years of doing business together that I know their wants and am now prepared to supply them in Clothing, Dry Goods, Shoes, Hats, Trunks and Suit Cases. Yours for business, GEO. V. ZEIGLER, Phone 140L Orangeburg, S. C.

WHITE FELT HATS NOW ALL THE RAGE

Its been a long time since there was such a craze on any item of Millinery. We are now showing the best styles and the most up-to-date effects. Those that are now in exceptionally strong demand in New York and Baltimore; also the White Shetland Veils to be worn with them. They're wearing them now. Be in style and get one now from

Godfreys Millinery Store, 35 W Russell St.