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THE LABEL CASE

Celebrated Dispensary Case
the Court at Columbia

THREE MEN ARE NAMED

Conspiracy to Defraud the State Is the Technical Charge Made Against the Defendants, L. W. Boykin, J. B. Towill and W. O. Tatum, Former Dispensary Officials.

The Record says persistent argument over the admission or rejection of testimony of witnesses and the entrance of records into the evidence were the predominating features of the first day of the trial in the celebrated "label" case, which was commenced Tuesday morning in the court of general sessions, at Columbia, Judge Wilson presiding. The case is one of the so-called dispensary "craft cases." Defense and prosecution stating themselves ready for trial in the case of the State against W. O. Tatum, formerly dispensary commissioner; L. W. Boykin and John Bell Towill, former members of the dispensary board, on the charge of conspiracy to defraud the State, the trial commenced about 10 o'clock Tuesday morning.

Up to the dinner recess, three witnesses for the prosecution had been examined, these being Assistant Secretary of State W. B. Dove, Mr. E. M. Thomson, secretary of the present winding-up commission, and Mr. S. T. Carter, chief clerk in the State treasury's office. The principal matters of evidence brought out during the morning session of the court were the stub book of the old dispensary board, showing memoranda of warrants drawn on the State treasury, two of which were in favor of the Nivison-Weiskopf company, of Cincinnati, and the two vouchers corresponding from the vaults of the State treasury. These showed two payments of \$17,808.50 each from the dispensary commission, to the Weiskopf company.

The attorneys for the defense entered their names with the clerk. Representing L. W. Boykin are Messrs. Nelson, Nelson & Gettys of Columbia, Messrs. Johnstone & Cromer of Newberry and Mr. R. H. Welch of Columbia. Representing John Bell Towill are Messrs. E. L. Ashbill of Lexington and Solicitor George B. Timmerman, a cousin of Mr. Towill. Attorneys for W. O. Tatum are Messrs. Raylor & Summers of Orangeburg, State Senator Robert Lide of Orangeburg, T. H. Tatum of Bishopville, J. B. McLaughlin of Columbia and R. H. Welch of Columbia. Attorneys for the defense called the roll of their witnesses and it was stated that they would all be present during the day. Thereupon the defense announced itself ready for trial.

Among the witnesses named were: H. G. Garrison, W. M. Shannon, A. D. Kennedy, W. B. Gordon, W. R. Hough, John G. Richards, Jr., W. B. Boyle, J. K. Gidden, H. H. Evans, M. O. Dantzer, Willie Jones, J. P. Matthews, W. G. Childs, C. Fitzsimons, Charles Ellis, G. McD. Hampton, D. S. Pope, J. J. Watson, Theo. N. DuBoss, L. C. Lipscomb, William Watson, H. B. Richardson and others. The prosecution is conducted by Attorney General Lyon, assisted by Mr. W. F. Stevenson, Assistant Attorney General M. P. DeBruhl, Solicitor W. H. Cobb and Mr. B. L. Abney.

The indictment which was read to the jury charges that the three defendants were officials of the State dispensary, that they entered into a conspiracy to defraud the State in the purchase of a number of labels from the Nivison-Weiskopf company at a total expenditure of about \$35,000, defrauding the State in the sum of \$22,500 in the transaction.

Mr. W. B. Dove, assistant secretary of state, was the first witness for the State, but the defense stated that they would admit what the witness was to prove, that the defendants were officials of the old dispensary board. Messrs. Boykin and Towill were directors and Mr. Tatum commissioner. The first real fight of the trial came when Mr. E. M. Thomson, secretary of the present dispensary winding-up commission, was placed on the stand as the State's second witness. The prosecution desired to enter as evidence a stub book containing the records of warrants drawn by the dispensary board upon the State treasury. The defense objected to this book being entered in evidence. Arguments were made by Mr. George Johnstone for the defense and Mr. Stevenson for the State. The defense claimed that they had a right to demand the checks or warrants themselves, which they said would be the highest evidence and not merely the memoranda of these checks.

Mr. Johnston argued that to accept these stubs as evidence of money paid out by the commissioner, it would have to be proved that the memoranda so made were made under the authority of the board that the writing was the handwriting of the defendants. The objection was finally overruled by Judge Wilson and the evidence was submitted.

Several stubs were read to the jury by Mr. Stevenson showing warrants drawn in favor of the Weiskopf company. Upon cross examination Mr. Thomson stated that he had come

HAZING AT CLEMSON

CADETS HAVE BEEN DISMISSED FOR THE OFFENCE.

The Board of Trustees Have Determined to Break Up the Foolish Custom Among the Boys.

The Anderson Mail says seven cadets have been dismissed from Clemson college for hazing. None of these are from Anderson county, but from counties in the lower section of the state. Their names could not be divulged at the college, following a rule along this line adopted some time ago. The Mail says:

A rumor was afloat in Anderson that nine cadets had been dismissed and that ninety others were yet to be tried on the charge of hazing. Dr. Riggs, president of the college, was reached over the telephone, and he stated that only eight had been brought up for hazing, and that seven of these had been dismissed. This occurred two or three days ago.

Heretofore it has been customary at Clemson for the president or some other official to state orally to the student body when it assembles for the opening of the season that hazing will not be tolerated, the penalty for such offense being expulsion. This year the custom was changed; each of the boys anticipating admittance receiving letters several days before the college opened stating that all cadets guilty of hazing would be expelled.

It is said that the hazing in this incident was only that of the recruits being required to sing "Casey Jones" and a few other songs for the merriment of the other cadets, and that maybe a paddle had been called lightly into use. At any rate the recruit was not injured in the slightest, and had it not been for the fact that he was resigning in order to return to his home, he would have probably never reported the eight young men to the officials.

Dr. Riggs said that there is less hazing at the college than ever before; that the cadets are required to sign an agreement that they will not participate in hazing, and that the cadets are observing the agreement.

There has been a good deal of complaint about hazing at Clemson College, and the trustees are to be congratulated on the steps they have taken to stop it.

FOUR DIE IN FIRE.

They Were Smothered Before Help Could Reach Them.

At Chicago four persons were smothered early Monday morning in a fire said to be incendiary that partly destroyed two small flat buildings at 1335 South Sangamon street. The dead were: Harry Egelovitch, his wife, their baby and L. Alport, a boarder. They lived in the third flat of a three-story rear building. A two-story building fronting on the street was also partly destroyed. All other occupants of the buildings escaped in their night clothes and it was thought that no one had been hurt until the firemen found the four persons dead. Their bodies were scarcely scorched and it is thought they were asphyxiated by smoke before the alarm of fire aroused them. Two babies were dropped from second floor windows unhurt.

Strung Him Up Quickly.

At Kiev, Russia, Dimitri Bogroff, the assassin of Premier Stolypin who was condemned to death by court-martial, was hanged Monday. Before his execution the young man asked that he might see a rabbi but refused this consolation when informed that the interview must be in the presence of officials.

Four Men Killed.

At Youngstown, O., four men were killed and twelve hurt in an explosion at the Republic Steel and Iron company plant. The dead are Hungarians.

Into the possession of the books only the day before and could not vouch for its being the records made under the supervision of the board. The jury was excused from the court room while arguments were heard as to whether or not the witness could identify a letter which it was claimed was written by Mr. Lyon to Governor Blease, stating that the case against Weiskopf in this case, would be not pressed, upon the condition of his telling the truth on the witness stand.

The third witness for the prosecution was Mr. S. T. Carter, chief clerk in the office of the State treasurer. He identified two vouchers, drawn by the dispensary board in favor of the Nivison-Weiskopf company. These were submitted as evidence after some argument by the attorneys. They were signed by the late G. H. Charles, clerk of the State dispensary board, and by W. O. Tatum, commissioner. They were both for the same amount, \$17,838.50 each and were dated, respectively, September 15, 1905, and October 18, 1905. A number of questions were asked Mr. Carter regarding the manner in which the former winding-up commission, of which Dr. W. J. Murray was chairman, kept its papers and it was shown that they had no fixed place of meeting, and that its records were left in several places where they were accustomed to hold sessions.

OLD TO THE NEW

Changes in the Personnel of the United States Senate From That

OF A FEW YEARS AGO

The Type of the Body Has Undergone Great Changes, and the Old Guard Has Become a Thing of the Past.

When former Senator Thomas Carter of Montana died a few days ago attention was directed to the rapidity with which the United States is changing its personnel, says P. H. McGowan, the Washington correspondent of the Columbia State. Mr. McGowan goes on to say:

At the present rate of change it will be only a few years until the present senate has been almost entirely reconstructed. Senator Carter's final term in the senate was from 1905 until 1911. But the senate, as he knew it, is an utterly changed body.

In the first place the senate with a few strong men of the old guard, like Aldrich and Hale and Allison has passed out of existence. The probabilities are that it will never return. A new and different type of public men have come upon the scene. It will never be possible again for a man of the Aldrich type to hold the senate in the hollow of his hand and vote it almost as he wants to.

The old regime is gone. It began to totter soon after Senator La Follette came to the senate and started to talk to empty seats, while his old guard colleagues scoffed at him from the clerk rooms. By himself, La Follette couldn't pry the old guard loose but it wasn't long until he got help. Now, the insurgents who believe in the things that La Follette believes in hold the balance of power in the upper house.

The house of representatives is generally thought of as the body of congress in which these is the most change, in which service is the fleeting and transitory. But, as a matter of fact, it is little if any more given to change than the senate, in these modern days of the direct primary and the war on the member who is suspected of having affiliations with any but the common people.

If one wants to gain an impression of how the senate is changing let him pick up a congressional directory of a few years ago and see how many of the men then in the senate are left. Take for instance, the directory of the first session of the Sixtieth congress. Examine the edition printed at the beginning of the year 1908. That is only about three years and a half ago.

That nearly half of the senators then in service should now be in their graves or retired from congress seems almost unbelievable. Yet such is the fact. Of the 92 members of the senate 40 are no longer in that body. The roll of those retired by death or by the exigencies of politics is a stirring one. Look it over. The venerable and well-beloved Allison is dead. Nelson F. Aldrich, confronted if not by defeat at least by a discredit leadership in the senate, is in retirement. Teller of Colorado is dead. Frye of Maine is dead. Hale has retired because he saw a political storm coming which he could not breast. Daniel of Virginia, in his day one of the most gallant figures that wore the gray, is dead.

So is Proctor of Vermont, one time secretary of war. Hansbrough is retired. Burrows of Michigan was driven out of public life by the overwhelming vote of his constituents in favor of a younger and more progressive man. "Uncle Steve" Elkins of West Virginia has gone to his grave.

Clay, of Georgia, one of the most earnest men who ever sat in the senate is no more. Foraker, because of Roosevelt, is out of office. McEnerney of Louisiana died in the harness. Thos. Collier Platt, too, is dead. Money, Beveridge, Depew, Kean, Scott, Taliaferro—all well known figures about Washington for years, and of influence in the senate—have been succeeded and not of their own volition, by other men.

The magnificent Dooliver, coverted from regularity into zealous progressivism, came to a tragic end. Bailey is still in the senate, but has declared his intention to quit. McLaughlin of Mississippi and Kittredge of South Dakota both are dead, and so is Lattimer of South Carolina.

Ankeny of Washington, Fulton of Oregon, Hopkins of Illinois, Long of Kansas, McCreary of Kentucky, Dick of Ohio, are additions to the list of the retired. Knox left the senate to enter the cabinet, and, gossip says, would be glad if he could throw off the unhappy burdens of his office and once more be senator.

Bulkely, of Connecticut, was beaten. So was Burckett of Nebraska. Flint quit to practice law in Los Angeles. Hemenway of Indiana was driven out and still fits now and then like a ghost of the past about the capitol. Piles of Washington went back to his law office, assisted by a large number of adverse votes. Warner of Missouri has been sent back to retirement and so far has Frazier of Tennessee.

The brilliant William Pickney Whyte of Maryland died at over 80 years. So did the young and brilliant

BRYAN ANSWERS TAFT

SAYS WHEN A TRUST MAGNATE IS PUT IN JAIL.

He Will Give Weight to the President's Defence of the Decision of the Supreme Court.

W. J. Bryan answering the challenge of President Taft made at Cherrydale, Kan., that he produce an example of restraint of trade, which would not come within the purview of the Supreme Court. Bryan said on Monday night before leaving for Knoxville, Tenn., for Cincinnati:

"If President Taft would take time to read the dissenting opinion of Justice Harlan in the case and report of the judiciary committee of the Senate, filed by Senator Nelson when the committee refused to recommend the amendment, which the Supreme Court injected into the law, he will understand my view of the subject."

"I believe with Justice Harlan and the Nelson report that the Supreme Court has practically nullified the criminal clause of the anti-trust law and will wait until the President succeeds in putting a trust magnate in the penitentiary before I give any weight to the President's defense of the desession of the Supreme Court."

"It took four years and a half to get a decision in the Standard Oil case. If it takes that long to find out whether a trust magnate can be sent to the penitentiary under the law as enacted by the Supreme Court, President Taft may be able to bluff his way through another campaign on the trust question as he did through the law, but the bluff ought to deceive anybody who is really opposed to the trusts."

This was "Bryan Day" at the Appalachian Exposition. The Nebraskaan arrived recently and went to the exposition grounds early in the day, where he made a tour of the various exhibit buildings and participated in pleasures of the exposition. This afternoon at 4 o'clock he delivered an address at the exposition grounds upon the theme, "The Signs of Times."

THE HOLSTEIN-SPRADLEY FEUD.

Sensational Affair Out of Which Grew Charge of Murder.

The Holstein homicide case is expected to come up for trial in Aiken this week. An Aiken dispatch says the case has created more interest than any that has been tried in that county in many years. In this case death of Mrs. Spradley, aunt of Columbus Spradley, with several whipping members of the Holstein family, one of the most prominent in the county, are charged with causing the death of Mrs. Spradley's husband, Ben Spradley, and of whipping young Columbus Spradley and compelling him to leave the community.

The Holsteins and a neighbor, Doc Cocker, are alleged to have visited the home of Ben and Mrs. Nettie Spradley about six weeks ago giving Columbus and Ben Spradley a sound thrashing. The excitement is said to have caused the death of Mrs. Spradley, though this is denied by the Holsteins, who state they will have no difficulty in showing that she was well and hearty after the affair of that Wednesday night. Ben Spradley received but one severe blow, but he hovered between life and death for several days, finally recovering. Columbus Spradley disappeared and was not located for several days, but when found it was ascertained that he had not been seriously injured.

This unfortunate affair hinged about the attentions of Columbus Spradley to Miss Gussie Holstein, a pretty and intelligent girl. When the young man visited a school entertainment in that neighborhood some weeks before he lost his heart to the winsome girl, but met with the violent opposition of her relatives. On the day of the whipping young Spradley had gone to the home of his uncle, Ben Spradley, near the Holsteins from his home in Augusta.

Was Beaten to Death.

C. H. W. Johnson, mayor of Oakhurst, suburb of Atlanta, was beaten to death with a scantling by T. W. Zuber, after the latter had been shot and mortally wounded by Johnson. Zuber was rushed into Atlanta for medical attention, and Johnson died at his home about 15 minutes after the fight.

Ham and His Load of Eggs.

At Newport, N. J., a passing train Sunday frightened a horse pulling a load of eggs and driven by Roy Ham. The horse bolted, the wagon tipped over and Ham and eggs were both thrown into the street. When Ham scrambled from among the eggs he resembled an animated omelette.

Fight Caused Death.

Intense excitement while witnessing an altercation between Leon Combs and John Daugherty, one armed with brass knucks, caused William Nettie, aged 50, to drop dead from heart failure at Manor, Ga.

Liam William J. Bryan of Florida. Paynter, is still in the senate, but his tenure of office is uncertain. Contemplative folks searching for proof of that aged saying, "Vanities, all is vanity," will do well to study the mutations of recent time in the senate of the United States.

STATE BANKS

Statement of Their Condition Made by the State Bank Examiner.

MAKES A GOOD SHOWING

The Report Shows That the Resources of the Two Hundred and Ninety-five State Banks Are Far in Excess of Any Period During Last Six Years.

State Bank Examiner B. J. Rhame issues the following report on the condition of the banks of South Carolina, accompanied by these comments:

"Enclosed you will find a report of the condition of the banks of this State doing business on September 1, 1911, which are subject to the jurisdiction of this office. I also enclose a comparative statement showing increase or decrease, as the case might be, during the past year."

"The resources are larger for this call than they ever have been in six years which this office has been in existence, showing that the banks are growing very rapidly in the amount of business which is transacted."

Statement of the condition of the 295 State and branch banks and private banks, at the close of business September 1, 1911:

Resources.	
Loans and discounts	\$57,962,790.23
Overdrafts	507,707.43
Bonds and stocks owned by the bank	4,096,815.29
Furniture and fixtures	507,707.43
Banking house	1,135,666.09
Other real estate owned	333,748.76
Due from banks and bankers	4,455,366.29
Currency	867,282.00
Gold	100,630.50
Silver and other minor coin	312,602.76
Checks and cash items	273,599.28
Exchanges for the Clearing House	42,323.96
Other resources, viz:	17,776.89
Total	\$70,863,331.90

Liabilities.	
Capital stock paid in	\$11,376,725.42
Surplus fund	3,683,115.56
Undivided profits, less current expenses and taxes paid	2,187,577.36
Due to banks and bankers	570,949.82
Dividends unpaid	19,738.14
Individual deposits subject to check	16,365,117.53
Savings deposits	17,246,987.45
Demand certificates of deposit	213,033.12
Time certificates of deposit	3,846,542.85
Certified checks	52,913.07
Cashier's checks	104,938.90
Notes and bills rediscounted	2,187,277.24
Bills payable, including certificates for money borrowed	12,909,555.63
Other liabilities, viz:	107,814.81
Total	\$70,863,331.90

Call No. 23.	
Resources, September 1, 1911	\$70,863,331.90
Resources, September 22, 1910	64,491,536.84
Increase in one year	\$6,371,795.06
Increase since June 7, 1911	2,600,858.46

Loans and discounts.	
September, 1911	\$57,962,790.23
September, 1910	50,453,490.43
Increase in one year	\$7,509,297.80
Increase since June 1, 1911	3,817,411.38

Due from banks.	
September, 1911	\$4,455,366.29
September, 1910	5,871,499.48
Decrease in one year	\$1,416,133.18
Decrease since June, 1911	1,423,075.16

Cash in vault.	
September, 1911	\$1,280,514.26
September, 1910	1,423,975.52
Decrease in one year	\$143,461.26
Decrease since June, 1911	\$1,827.59

Capital stock.	
September, 1911	\$11,376,725.42
September, 1910	10,124,286.40
Increase in one year	\$1,252,439.02
Increase since June, 1911	163,921.91

Surplus and profits.	
September, 1911	\$5,870,692.92
September, 1910	5,401,654.53
Increase in one year	\$469,038.39
Decrease since June, 1911	339,613.35

Individual deposits.	
September, 1911	\$37,829,532.92
September, 1910	36,502,313.10
Increase in one year	\$1,327,219.82
Decrease since June, 1911	2,959,568.58

SOME PLAIN TALK

BRISTOW AND FISHER CLASH IN PRESENCE OF TAFT.

Discussion as to Who Are Progressives Marks the Close of a Non Partizan Celebration.

Near the close of what had been a non-partizan celebration of the 50th anniversary of the birth of Kansas as a State at Hutchinson on Tuesday with President Taft as the principal speaker, a political incident flared up and gave a thrill to the thousands of Kansans who packed the grandstand at the State fair grounds.

Walker L. Fisher, secretary of the Interior in President Taft's cabinet, just back from Alaska, made a three-minute speech in which he said some things about the difference between "real progressives of the middle of the road like Mr. Taft," and "hypocritical, demagogic progressives who oppose every practical progressive policy put forth."

Senator Joseph L. Bristow, ranking second only to Senator La Follette of Wisconsin among the progressives of the senate, followed Secretary Fisher and quickly caught up his challenge.

"We in Kansas," he said, "are always willing to grant that the other fellow is honest in his views and we expect him to grant that we are honest in ours. I want to say to President Taft in this State, there now, that in working out the problems that confront us, we of Kansas will have our part and have our say, to the end that there shall be justice to all and special privilege to none."

Both Mr. Fisher and Senator Bristow were applauded. The throng seemed to appreciate the verbal passage of arms and the virtual serving of notice by the junior Kansas senator that while he was participating freely and gladly in the welcome to President Taft in this State, there would be no let up in the factional fight as soon as the chief executive left the borders of the commonwealth.

The president himself had made little reference to politics. His reference was purely historical. Mr. Taft was introduced by Gov. Stubbs, who led in the cheering that followed Mr. Taft's introduction. When the President had concluded Gov. Mann, of Virginia, made a brief address.

Queer Case for Divorce.

Mrs. Henry Schutz, of St. Paul, Minn., on the ground that her husband said he was a widower with three children before the marriage, whereas after the knot had been tied, Mrs. Schutz was "shocked and surprised, although fond of children, to learn he had ten, ranging in age from one to fifteen years."

Bleese's Pardon Record.

Gov. Bleese granted a parole Friday to Wess Williams, who was convicted in Newberry county in 1908, and sentenced to ten years in the penitentiary on the charge of manslaughter. Since assuming office of governor has extended clemency in 233 cases, as follows: Paroles, 124; pardons, 109.

Negro Crushed by Train.

Sam Drayton, a negro, had his life crushed out of him by Charleston & Western Carolina train No. 42 between Allendale and Fairfax. It is thought that liquor was the cause of his being on the track since a number of bottles with their contents partly gone were in evidence.

Drunken Negroes Drown.

Three negro men were drowned in a lake near Charlotte, N. C. All were under the influence of liquor and while one did the rowing the others amused themselves by standing up in the tiny craft and rocking it. Finally it capsized.

Naval Officer Killed.

Ensign Haller Belt, commanding the gunboat Tatanga, was killed by hostile natives at Yacans islands, in Philippine. Several sailors were severely injured. The details have not reached the Navy Department.

They Ran Him Down.

Bill Suter, who killed James Bauknight was run down by bloodhounds and captured at his mother's house Monday night. He is said to be a bad negro.

Bills payable and discounts.	
September, 1911	\$15,087,832.87
September, 1910	11,686,119.25
Increase in one year	\$3,401,713.62
Increase since June, 1911	5,994,814.72

Number of banks.	
September, 1911	299
September, 1910	264
Increase in one year	35
Increase since June, 1911	4

New Banks.

Four new banks have commenced business since June 7, 1911: Eutawville—Bank of Eutawville, Florence—Palmetto Bank and Trust Company, Johnston—Branch, Bank of Western Carolina, Aiken, Willington—Branch, Bank of McCormick.

TALK IT OVER

Result of the Canadian Election Being Discussed Pro and Con.

WILL IT HELP OR HURT

That Is What the Old Politicians Are Trying to Figure Out, the Old Guard Republicans Being Inclined to the Belief That It Will Heal the Party Breach.

A Washington dispatch says the question which is agitating the leaders of political parties and factions is how their fortunes in the approaching national campaign will be affected by Thursday's defeat of the Laurier government and Canadian reciprocity. It is evident the replies would be as varied in character, as were the political views of the factions which fought over the question during the special session of congress.

Official Washington closely followed the returns from Canada Thursday night but remained silent regarding the outcome. Huntington Wilson, acting secretary of the state department, declined to make any statement, and there was no other high official in a position to discuss the situation. The unofficial view was that as Canada had rejected the agreement there was nothing for the administration to do but "make the best of the matter."

That the rejection of the Canadian agreement will have a strong bearing upon the campaign of President Taft is not doubted. Some of the "Old Guard" Republicans who supported the agreement "against their better judgment" are saying its defeat will strengthen the Taft administration by removing the only issue on which there was any disagreement with the president.

Most of the insurgent Republicans were opposed to the agreement and they believe their position has been made much stronger. There was no one in Washington to speak even informally for the Democrats. A majority of that party in both senate and house voted for the enactment and without their votes the Taft programme for the special session would have failed.

Some of the friends of the Canadian agreement do not hesitate to charge the Canadian defeat of the Laurier government to the "annexation bogey." One of the excuses for this issue was suggested by a speech of Champ Clark, of Missouri, now speaker of the house, which he delivered in favor of the agreement during the last session of the Sixty-first congress, when the agreement was passed by the house and held up by the senate. Mr. Clark was making a plea for a wider