

The Herald and News

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NEWBERRY, S. C., TUESDAY, JANUARY 17, 1922

TWICE A WEEK, \$2.00 A YEAR

GENERAL ASSEMBLY IS DOWN TO WORK.

J. HARDIN MARION ELECTED ASSOCIATE JUSTICE

Other Elections—Number of Important Measures Pending

By Jno. K. Aull
Columbia, Jan. 16.—As was forecast by the result of the ballots in the joint assembly on last Thursday afternoon, published in The Herald and News that night, Senator J. Hardin Marion, of Chester, was elected associate justice of the State supreme court to succeed the late Associate Justice George Williams Gage, of Chester, who died more than a year ago. The election ended one of the longest deadlocks in the history of the State. Last year the general assembly took nearly forty ballots and failed to elect. This year balloting was begun at noon on Thursday, and after several ballots the election followed on Thursday afternoon. Judge Shipp's name was withdrawn before the recess Thursday at 2 o'clock, and in the afternoon Mr. Carter's name was withdrawn, leaving in the race only Senator Marion and General Milledge L. Bonham, of Anderson.

Senator Marion is a prominent lawyer of Chester, and has been conspicuous in legislative circles since he has represented his county in the State senate. He has been the proponent of tax reform measures, and has studied the tax situation closely. He will not resign as a member of the senate for the present. He was, of course, elected for an unexpired term, which will expire during this year, and it will be necessary for this legislature to elect his successor. It is expected that he will be elected without opposition to succeed himself.

Met Again Monday Night

Both houses adjourned on Friday passed to third reading an emergency appropriation bill, making provision for State institution and officials to get the same money for January and February as for the same months last year. State funds can not be drawn until the appropriation bill is passed, and heretofore there has been a hiatus between the first of the year and the time the appropriation bill was passed usually about the first of March—during which the institutions would have to borrow money and a good many employees of the State have to discount their salary warrants. It has been urged heretofore that the fiscal year ought to be changed so as to start on July 1 instead of January 1, and this would cure the difficulty.

Sustains Joint Committee

The house killed the bill of Representative J. K. Owens, of Marlboro, to dismiss the joint committee on economy and consolidation and to prohibit any further expenditures in its investigation. It was pointed out that the joint committee had been automatically discharged upon the completion of its duties and the presentation of its report, and that to pass Mr. Owens' resolution would be in effect a condemnation of the committee's action. The killing of the resolution amounted to expressing confidence in the committee.

Mr. E. R. Ellerbe, of Latta, has introduced in the house a concurrent resolution to require the tax commission to reduce all land valuations in the State at least twenty-five per cent.

An income tax bill, modeled on the federal income tax law, has been reported out to the house by the ways and means committee as a substitute for the bill carried over on the house calendar from last year.

Would Make Officers Report

Mr. W. R. Harris, of Anderson, has introduced a bill to require the publication at the end of each year of the total amount of fees received, respectively, by the clerks of courts, probate judges, auditors and sheriffs of the State.

Mr. S. J. Sellers, of Ruby, has introduced a bill to abolish free scholarships in higher institutions of learning, substituting instead of revolving loan fund, and Mr. O. A. Hydrick, of Orangeburg, has introduced a measure to require all trustees of colleges, boards of visitors and other officers elected by the legislature to

AMERICAN LEGION NOTES.

Dear Legionnaire:

There are two problems which confront our post. One is to get as many members to pay their dues as possible and another is to increase the attendance at the monthly meetings. First, let's talk about 1922 dues. The amount for 1922 dues is \$2.50. Of this we remit \$2 to state headquarters and retain 50 cents for local expenses. Then you get the Legion Weekly for 52 issues, which is well worth the two and a half. As you will know to keep getting the Weekly you must pay your dues and now is the time to send in your payment. We realize that it is going to be a hard pull to with lots of you fellows to spare the two-fifty just now but we need your membership and you need the Legion. It's a fact that whatever is done either directly or indirectly for the former service man and the American Legion will be due the honor. So fellows, get in and have a part in the great work which lies before us. See us, the newly elected officers, through this year and we will go forward together.

We don't merely want your dues and let the matter end there. No, indeed, but what we really are going to strive to do is to first and foremost make our Legion hall a real home for the members, in short, a club house. So, on Monday night, the 16th of this month, an important called meeting will be held in the Legion hall and we want every one of you to be there, if it is possible to attend. We want you to come and if you have any brick bats to throw, let them fly. We, your officers, are eager for adverse, as well as constructive criticism and have our ears to the ground. Shoot!

Monday night is the time, 7:30 the hour. Come no matter whether you have paid your dues or not.

Yours in service,

The Newberry County Post,
Jos. L. Keitt, Jr., Commander.
Ebert Dickert, Vice Commander.
Sidney McCarley, Adjutant.
Hal Kohn, Finance Officer.

LITTLE MISS MOWER PRESENTED IN RECITAL

One of the most interesting and pleasant affairs of the week was the private piano recitals given by little Miss Rachel Seay Mower on Saturday afternoon, January 14th, at the home of her teacher, Miss Pawnee Jones.

About twenty-five guests assembled at the hour and enjoyed the program which little Rachel rendered with rare skill and wonderful technique, entirely at ease and with much grace and aplomb as one of mature years, for she is only seven years old, having studied music about one year, beginning nine months before commencing school. Indeed, Miss Jones has demonstrated her skill as a teacher in training her so well even before she knew her A. B. C.'s.

After the program was rendered a pleasant social half-hour was spent, at which time delicious chocolate and wafers were served.

MISS DAVIDSON HOSTESS FOR BRIDGE CLUB

Miss Blanche Davidson was a very delightful hostess on Friday afternoon last to the Pastime club at its weekly meeting. Three tables for bridge were arranged in the cozy living room which was adorned in pot plants and narcissus. Tally cards were in card symbol designs, and were suggestive of the unlucky day, Friday, the 13th. The occasion was most enjoyable and after cards had furnished their share of the afternoon's entertainment, little Misses Elizabeth Boyleston and Emily Aull the attractive nieces of the hostess, served a delicious hot course with Russian tea.

register their election and qualification in the secretary of State's office. Many such officials, it is learned, have failed to register their elections or to qualify, although they have gone ahead with the performance of their duties. This is a matter which has been called to the attention of the legislature a number of times before.

PERSONAL PARAGRAPHS PROSPEROUS PROSPERITY

Friday evening at the residence of Dr. and Mrs. J. I. Bedenbaugh Grace Lutheran Congregation assembled in a farewell service in honor of Rev. and Mrs. Chas. J. Shealy who leave February 1st for Cameron their new field of work.

The Light Brigade, The Young Peoples Society and the Brotherhood furnished an interesting program, after which Prof. E. O. Counts, chairman of the Brotherhood who has also been a warm personal friend of Rev. Shealy presented to him in behalf of Grace Congregation a lovely silver sandwich tray. Prof. Counts using a background of his remarks Hawthorne's great stone face. He made the great stone face a type of what Rev. Shealy has been to Prosperity. Mr. Counts voiced the sentiment of the congregation in appreciation of the constructive work which Mr. Shealy has accomplished here and the keen less which is felt by our community in the leaving of Rev. and Mrs. Shealy. The words of appreciation spoken in reply by Rev. Shealy touched the hearts of all the bearers, as they came from a heart which had been consecrated to the service of God and he pledged his interest in the community as he goes to his new field.

All officers and directors of The Peoples' National Bank and the Bank of Prosperity were re-elected Tuesday at the annual meeting of stockholders. Both banks pay a semi-annual dividend of 4 per cent, and the report of the condition of each bank was gratifying.

The Peoples' National renamed the following directors: W. W. Wheeler, J. A. C. Kibler, D. B. Cook, J. A. Dominick, S. A. Quattlebaum, T. A. Dominick, L. W. Bedenbaugh.

The officers are: W. W. Wheeler, President; J. A. C. Kibler, Vice-President; L. W. Bedenbaugh, Cashier; J. P. Wheeler, Asst. Cashier; George B. Cromer, Attorney.

The Bank of Prosperity's board of directors underwent no changes at the meeting of the stockholders and will be as follows: Dr. G. Y. Hunter, Dr. J. S. Wheeler, P. B. Warner, N. L. Black, J. F. Brown, S. S. Birge and W. H. Hunt. All officers were re-elected: Dr. G. Y. Hunter, President; Dr. J. S. Wheeler, Vice-President; J. F. Brown, Cashier; J. A. Counts, Asst. Cashier; Hunt, Hunt, and Hunter were named as attorneys.

M. L. Kibler was chosen Chief of Police for Prosperity for the year 1921. He being one of the twenty applicants for the position.

G. L. Robinson was re-elected Clerk. Mr. Robinson having no opponents in the race. Rebecca Bridges Kinard, faithful negro servant died Saturday morning at the ripe old age of 95. "Aunt Beekie" as she was familiarly known was one of the most widely known servants in Prosperity having belonged to the Bridges' family. She nursed the late H. C. Moseley and Mrs. G. W. Brown and W. A. Moseley of Jacksonville, Fla. After Mr. W. A. Moseley married she lived with him and nursed his children and then his grand children.

She was buried Sunday morning at Shiloh church and a number of her white friends placed flowers on her grave.

His only surviving relative is a son Young Bridges who was one of the "Red Shirt Men" of '76.

Dr. James Crosson and Mr. Perry Taylor of Leesville attended the funeral of Mr. George P. Griffin.

Miss Essie Robinson of Spartan Academy is spending awhile with the home folks.

Mrs. Charles Forbes and Master Forbes of New York, Mr. James Gogans and children of Columbia are visiting Dr. and Mrs. C. T. Wyche.

Prof. Gilbert Voigt of Newberry College spent Saturday with Mrs. Chas. J. Shealy.

Mrs. Mary Sitz has returned from Columbia.

Mrs. J. D. Loric and little Carolyn Wise have gone to Columbia to see Mrs. Walter Wise at the Columbia hospital.

S. S. Birge is spending the week-end with his nephew Ernest Sam Kohn who leaves Tuesday to Tucson, Ariz.

Miss Bertie Sazer spent Thursday and Friday in Columbia.

C. O. Kursh of Bamberg spent the

PROSPERITY BANKS DECLARE DIVIDENDS

No Changes Made in Officers or Board of Directors of Two

The State.
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THE NEW AGE

"As art is not for art's sake, but for life's sake," says President Kurtz of McPherson college, "so education is not for education's sake alone." "The teacher must train her pupils not only to make a living but a life. People do not live by reason—as they should—but by feelings, by emotions must be controlled. Such control does not come by nature, but by education. The teacher must teach folks. The school is a place in which to create the environment for the proper development of a soul, and it is the teacher's business to develop souls. She must bring in a new age.

If the million teachers of the land could realize this! We have passed the stone age, and the bronze age. We are now living in the iron age of civilization. A new age must be created. The teachers of the land must usher in the GOLDEN RULE AGE."

The advent of the Golden Rule Age will be hastened by the introduction, into every schoolroom in the world, the teaching of kindness to every living creature.

Humane Education is the foundation of all reform and can be correlated with the everyday studies of the school's curriculum. It will prove to be one of the most important and effective steps in bringing about the "Golden Rule Age," which should follow, as Dr. Kurtz writes above.

NATIONAL BANK ELECTS DIRECTORS AND OFFICERS

At a meeting of the stockholders of the National bank held on Tuesday the following directors were elected: B. C. Matthews, T. K. Johnstone, R. D. Smith, Alan Johnstone, W. W. Wheeler, A. C. Matthews, Jos. H. Hunter.

At a meeting of the directors the following officers were elected: B. C. Matthews, president; T. K. Johnstone, vice-president; W. W. Cromer, cashier; F. G. Davis, assistant cashier; C. F. Gilbert, book keeper; L. L. McSwain, collector; F. L. Bynum, attorney.

The report of the officers showed the bank in fine condition, having paid a semi-annual dividend and passed a good amount to the surplus fund and the deposits increasing.

week-end here with friends.

C. M. Harmon of Canton, N. C., is visiting his parents Mr. and Mrs. W. P. B. Harmon.

The following motored to Spartanburg Sunday to hear Billy Sunday: Mr. and Mrs. O. S. Miller and family, J. S. Wheeler, O. W. Amick, J. A. Baker, Horace Counts, Sam Singley and O. E. Booser.

Miss Ethel Shealy of Newberry was the week-end guest of Miss Elizabeth Browne.

Ira B. Bates of Columbia is home on a short visit.

CONTEST ENDS WHEN MARION WINS

STATE SENATOR TO BECOME MEMBER SUPREME COURT

Deadlock Broken—Will Retain Seat in General Assembly Until Court Meets

The State.
State Senator John Hardin Marion of Chester was yesterday afternoon named by the joint assembly as associate justice of the state supreme court to fill the unexpired term of the late Associate Justice George W. Gage of Chester, and so the curtain was rung down on one of the most dramatic election contests that the general assembly of South Carolina has ever witnessed. The decision came on the eighth ballot yesterday, after the field of four original candidates had been narrowed down to only Senator Marion and Gen. M. L. Bonham of Anderson, the final roll call standing Senator Marion, 83 votes, and General Bonham 72 votes.

Other candidates in the race this year were: Jesse F. Carter of Bamberg, whose name was withdrawn at the conclusion of the 7th ballot, and Judge S. W. G. Shipp of Florence, who retired from the contest after the taking the second roll call. The names of Gov. Robert A. Cooper and Representative Miller Clyde Foster of Spartanburg were injected into the race on the fourth ballot, but neither caused any defections from the ranks supporting the three leading candidates, Marion, Bonham and Carter.

Senator Marion will serve only until August 1, 1922, when Associate Justice Gage's term would have expired, unless re-elected for the full term, beginning August 1. The general assembly has so far made no provision for the holding of the election to fill the regular term and this, it is presumed, will come up when the joint assembly begins the task of filling the divers vacancies, occasioned by the expiration of the terms of seven circuit judges and various members of state boards and commissions.

Not to Resign Immediately
Senator Marion will not resign from the state senate to take up his new duties immediately, since the supreme court is not now in session, intending to continue his work in the general assembly until the meeting of the court calls for his taking of the oath of office as associate justice.

"I extend to friends my hearty thanks for their support during the long contest. I deeply appreciate their loyalty," said Senator Marion yesterday afternoon.

"I will likely continue to serve in the senate for several weeks longer. The supreme court will not meet for some time and there is no necessity now for my resigning from the senate."

After having failed to reach a decision on 39 ballots at its first session last year, the general assembly, meeting in joint assembly in the hall of the house of representatives at noon yesterday, again took up the election of Associate Justice Gage's successor, four of the original field of ten candidates being nominated. Jesse F. Carter of Bamberg, who had taken the lead on the first roll call February 18 and had held first place for 38 out of the 39 ballots taken last year, again topped the list of candidates on the first roll call this year with 50 votes, a gain of 2 votes over his standing on the final roll call last year. General Bonham, who displaced Mr. Carter as the leader on the 38th ballot last year only to drop back to second place on the 39th roll call, was also second on the initial roll call this year polling 45 votes as compared with the 46 accorded him on the last ballot of the 1920 session. Senator Marion was also in third place this year with 42 votes a gain of 12 votes over his final standing last year. Judge S. W. G. Shipp of Florence was fourth with 24 votes, the same number accorded him in the final roll call last year.

Shipp Leaves Race

On the second ballot General Bonham and Mr. Carter were tied for first place with 47 votes each, while Senator Marion had held his 42 votes polled on the opening ballot. Judge Shipp had also failed to either lose or gain and from all appearances the joint assembly had once again reached the

deadlock which had forced the abandonment of the balloting last session. Senator D. Gordon Baker of Florence then withdrew the name of Judge S. W. G. Shipp and on the third roll call Mr. Carter jumped to 55 votes, the highest mark reached by the Bamberg lawyer in the 47 ballots taken at the two sessions; Senator Marion drawing from the number of former supporters of Judge Shipp went into second place with 53 votes, only two votes ahead of General Bonham.

On the fourth ballot Senator Marion went into the lead, Mr. Carter slipping to second place and General Bonham to third place. Senator Marion then held the lead on the fifth and sixth ballots while General Bonham placed Mr. Carter for second place on the fifth roll call only to again drop back into third place on the sixth ballot. The joint assembly then adjourned for the dinner recess, apparently as far from election as when the first of the long series of roll calls were taken last year. With 80 votes necessary for an election Senator Marion had mustered only 62 votes on the sixth roll call. Representative J. K. Owens of Bennettsville, just before adjournment, attempted to secure unanimous consent to continue the balloting until an election was secured and when he failed in this endeavor raised the point of order that the concurrent resolution under which the joint assembly was meeting was worded so as to prevent adjournment at 2 o'clock if the hour came in the midst of a roll call. The point of order was overruled by President Wilson G. Harvey of the senate, who was presiding.

Marion in Lead

The seventh ballot was taken at 4 o'clock yesterday afternoon, as provided in the concurrent resolution. Senator Marion being still in the lead with 64 votes, while General Bonham had moved up to second place again with 62 votes. Mr. Carter was third with 29 votes and Senator James B. Black of Bamberg, after thanking the supporters of Mr. Carter for the compliment of their votes through the long race, then withdrew Mr. Carter's name from the race and so ended the deadlock which had existed through 39 ballots last year and seven ballots this year. Senator Marion was then elected on the eighth ballot by a margin of 11 votes and the longest election race ever held in the joint assembly had reached its end.

John Hardin Marion, who was born in Chester county, October 23, 1874, has earned distinctions of his own in addition to those of his ancestry. He acquired his literary and legal education in the University of South Carolina, graduating with the degree of A. B. and LL.B. in 1893. At that time he was only 19 years old, and it required a special act of the legislature to admit him to the bar. Returning to Chester, he formed a partnership to practice law with William A. Barber, then attorney general of South Carolina. In later years he has been senior member of the firm of Marion & Marion. Since 1902 Mr. Marion has been general counsel for the Carolina and Northwestern railway. His practice, always large and important, is about evenly divided between corporation and general cases.

Tribute to Marion

One of the eminent members of the supreme bench of South Carolina has paid Mr. Marion the following tribute: "He has been a student of the law all his mature years. His preparation is tireless and thorough. He is much of an advocate before judge and jury. He has a good voice, pleasing countenance, is apt in anecdote and repartee. He is, perhaps, at his best before the jury; but before the court he is strong and helpful. His private library of select volumes is full and he diligently studies them. He adds to the accomplishments of a lawyer the attainments of the scholar. He is a man of quiet but determined courage. His word is as good as his bond, and he may be fully trusted in all of the relations of life."

His active career has not been altogether law work. When the Spanish-American war broke out he went in as second lieutenant of Company D, First regiment, South Carolina infantry, and afterward served in the national guard, retiring with the rank of lieutenant colonel in 1907. During the World war he gave a generous part of his time to patriotic causes, having charge of the speakers' bureau for the second Red Cross campaign, was county chairman of the united war work campaign and made many speeches in behalf of all war measures and movements.

Colonel Marion served as a member of the lower house of the general assembly from 1898 to 1900, and in 1918 was elected state senator from Chester county, serving throughout the sessions of 1919 and 1920. He has always been greatly interested in education and for several years has been a member of the board of trustees of Chester. He is a member of the Associate Reformed Presbyterian church, a teacher of the Bible class at Chester, and is affiliated with the Masonic order and the Knights of Pythias.

On Last Ballot
The vote on the eighth and concluding roll call stood:
Marion (83 votes): Senators Bailes, Baker, Baskin, Beasley, Bethea, Hubbard, Johnstone, Kennedy, Laney, Lightsey, Miller, Moise, Pearce, Ragsdale, Robinson, Rogers, Jeremiah Smith, Wightman and Young, and Representatives J. B. Atkinson, Allen, Anderson, R. O. Atkinson, Barnett, Barr, Belser, Blease, Bradford, Britton, Buckingham, Carothers, Coney, M. R. Cooper, Cunningham, Curtis, Dillon, Dukes, Faile, Ford, Foster, Gerald, Gibson, Glenn, Godwin, Greer, Hamblin, Hanahan, F. G. Harris, Hendrix, Hilliard, Horton, Hughes Hydrick, Kennedy, Kibler, Lancaster, Mabrey, Martin, McElveen, McInnes, Merchant, Mitchell, Owens, Pegues, Pursley, Robinson, Sapp, Scarborough, Segars, Sellars, Smith, Wade, Wannamaker, West, A. H. Williams, Windham and Wolling.

Bonham (72 votes): Senators Black, Bonham, Duncan, Goodwin, Harrelson, Johnson, Massey, Mason, McCraw, McGhee, More, Padgett, H. L. Smith, Jr., Watkins, Wells, Wideman and Williams, and Representatives Alexander, Amick, Babo, Bailey, Ballard, Barnwell, Beacham, Binnicker, Bodie, Bramlett, Brown, Bruce, Bryson, Busbee, Camlin, Clinckales, Connor, P. A. Cooper, R. M. Cooper, Jr., Dalton, Dickson, Ellerbe, Evans, Folk, Gresham, Hall, W. R. Harris, Hendricks, Johnson, Kearse, Keller, Killingsworth, Leonard, Lewis, Lybrand, McCutchen, McDavid, McLeod, McMillan, Moon, Moore, Nance, Percifoy, Putnam, Riley, Searson, Sheppard, Sherold, Simonhoff, Todd, Toole, J. O. Williams, S. T. Williams, Willis and Winter.

CARLISLE SCHOOL LOSES DORMITORY
Second Building Burned at Fitting School Within Last Few Months
The State.
Bamberg, Jan. 12.—Brabham hall at the Carlisle school burned early tonight. The fire is supposed to have started from a defective flue.
The building was a large frame structure and was used as a dormitory for about 80 boys at the institution. It was the second largest building on the campus. The building was completely destroyed. The loss is estimated between \$15,000 and \$20,000, with insurance covering possibly half the amount. The building was erected four or five years ago.
Provision was made tonight to take care of the students, and consideration was also given tonight to plans looking to the erection of another handsome structure to replace the lost building.
The institution suffered a heavy loss in a fire only a few months ago when the Mary Ann Bamberg hall was destroyed by fire.

CHECK FLASHERS CAUGHT

The daily papers yesterday carried a story that the check flashers who had cotton checks cashed in Aiken had been caught in Augusta and that they were possibly the same who operated in Newberry.

R. H. Wright and J. Y. McFall went over to Aiken Monday to see if they could identify them.

Messrs McFall and Wright returned yesterday afternoon and they are sure that one of the men is the same who was here as Hailey and Henderson and there as Westbrook. The other man and woman of course they never saw here.