

The Herald and News

VOLUME LVIII, NUMBER 25.

NEWBERRY, S. C., TUESDAY, MARCH 28, 1922.

TWICE A WEEK, \$2.00 A YEAR

FAIL TO AGREE IN JONES CASE

JURORS HOPELESSLY DIVIDED AT LANCASTER

Nolle Prosequi Entered as to Other Criminal Charges. Statement By Henry

The State.
Lancaster, March 23.—After being out 11 hours, the jury which had been trying the case of the state against Charles D. Jones, charged with breach of trust and misappropriation of funds, at 4 o'clock Thursday morning reported that they were unable to agree and Judge Bowman ordered a mistrial. The jury called for the judge at 2:30 o'clock and announced their inability to agree, but upon request of counsel of defendant, they were ordered to make one more effort. They returned at 4 o'clock and announced a hopeless disagreement.

After ordering a mistrial, they were discharged by the court. It is said that the vote stood five for conviction and seven for acquittal. This trial is one of the five indictments returned last week by the grand jury. At a short session of the court this morning, Solicitor J. K. Henry stated that inasmuch as there were civil actions now pending against Mr. Jones involving the same matters embraced in the five indictments, he thought it only fair that the state of South Carolina should not interfere with the freedom of Mr. Jones in defending his rights in the civil actions. He further stated that the defendant, Mr. Jones, had demanded a trial of the criminal cases at this term and that he always liked to give a defendant a trial when he asked for it. This had been done and resulted in a mistrial. He thought now that it was the duty of the state to enter a nolle prosequi of these cases, without prejudice, leaving them in abeyance until the civil actions involving the same items had been disposed of, especially as they would not be barred by any lapse of time. Accordingly he entered a nolle prosequi, without prejudice, upon the record as to each indictment. This is merely a postponement of the criminal indictment, it is said.

EARLY CLOSING TO BEGIN FIRST OF APRIL

We, the undersigned merchants agree to close our stores at 6 o'clock each day except Saturday, beginning April 1st, and continuing until September 1st:

J. H. Sumner & Co.
Clary Clothing Co.
T. M. Rogers.
H. M. Bigby.
The Purcell Co.
Newberry Hardware Co.
Mrs. J. W. White.
Williams Cash Grocery, 7:00.
T. E. Salter, 6:30.
Buzhardt Langford Co.
D. A. Livingston & Son.
W. Frank Lominick.
Johnson-McCracken Co.
Reighley & Buford.
Boozer Bros., 7:00.
J. M. Counts, 7:00.
G. C. Cooper.
Globe Dry Goods Co.
T. M. Sanders.
H. H. Rikard, 7:00.
Graham-Suber Co.
G. B. Sumner & Son.
Wm. Johnson & Son.
R. C. Perry.
Summer Bros. Co.
Bryson Grocery Co.
P. E. Anderson.
Phillip Daitch, 6:30.
J. A. Minnaugh, 7:00.
T. Vigodsky.
Rosa Anthony.
L. Morris & Son.
R. G. Wallace & Son.
The J. W. Kibler Co.
C. T. Paysinger & Son, 7:00.
Corryteria, 7:00.
Otto Klettner, 7:00.
R. D. Smith & Son.
L. A. and M. M. Salter.
R. C. Sligh.
Levy, 6:30.
I. Kaplan.
Haltiwanger & Carpenter.
Copeland Bros, 6:30.
Geo. C. Hipp, 7:00.

It is evident now that the way to get Siberia out of Siberia is to put her out.

PERSONAL PARAGRAPHS PROSPEROUS PROSPERITY

Prosperity, March 26.—General cleaning up day of the church building and grounds was held at Wightman Chapel Methodist church Friday under the auspices of the Woman's Missionary society. The men cooperated heartily. A bountiful picnic dinner was enjoyed on the grounds. It behooves the town to take a lesson from this start and give a general town clean-up day. Let's make a good town better and a pretty town prettier, by having this clean-up day, and then make the town at large attractive by planting flowers.

South Carolina day was fittingly observed Thursday afternoon by the pupils of the Prosperity high school at the regular monthly meeting of the Community league. Business pertaining to league work was discussed. It was decided to have an old fashioned spelling bee in the near future, for the benefit of beautifying the school grounds. In the absence of the leader, Miss Willie Mae Wise, the league president, Mrs. G. W. Harmon, presided over the afternoon's program as follows:

Reading, Carolina, Margaret Griffin.
Reading, South Carolina, Virginia Black.
Selections on Wherein South Carolina Leads, by Misses Rebecca Harmon, Ethel Riser, Julia Quattlebaum and Master Day Werts.

A pretty affair of Monday evening was the card party given by Miss Nellie Wise at her home on Main street. The reception hall and parlor were brightened with spring flowers, where tables were placed for the games. The hostess, assisted by Miss Marguerite Wise, served a tempting salad course.

Prosperity Guernsey Bull association met Saturday afternoon at the town hall, where W. W. Fitzpatrick, Southern states field agent for the Guernsey Cattle association, and C. G. Cushman, extension dairyman of Clemson college, addressed the members on Better Dairymen. Our live awake county agent, T. M. Mills, is the promoter of this organization, and the officers are as follows:

President, B. L. Miller.
Vice president, J. W. Long.
Secretary and treasurer, R. C. Hunter.

The Epworth league of Wightman Chapel Methodist church will give an entertainment consisting of two short plays, Friday evening, March 31, at the town hall. The titles of the plays are: "John Smith," and "A Regular Fix." Each is a farce in one act, and those who attend are promised an evening of fun.

The William Lester chapter, U. D. C., gave the rook players of Prosperity a pleasant evening Friday when a rook tournament was held at the town hall. The chapter colors, red and white, together with spring flowers, were used in decorating the hall where 18 tables were placed for the games. Ices and cakes were served. The chapter gave the proceeds to the Community league to be used for beautifying the school grounds.

Mr. N. L. Black met with a painful and perhaps serious accident Wednesday when a pile of lumber slipped and caught him, pinning him under the lumber. The accident occurred at his saw mill in Saluda county.

Rev. W. H. Ruff preached his farewell sermon Sunday at St. Luke's Lutheran church, after serving this pastorate four and a half years. Rev. and Mrs. Roof leave this week for Tennessee, their new field of labor.

Mrs. Jane Derrick of Little Mountain is visiting her brother, R. I. Stodemayer, who has been critically ill for the past week.

Mrs. J. C. Duncan of Blacksburg is on a visit to her daughter, Mrs. Virgil Kohn.

G. D. Brown, Jr., spent several days last week in Columbia.

Mrs. J. L. Wise and family, Mrs. Rosa Lester and family and Mr. and Mrs. A. G. Wise attended the funeral of Mrs. E. C. Ridgell in Batesburg on Thursday.

Mrs. Sidney Stockman has gone to the Columbia hospital for treatment. Miss Irene Curlee, teacher at Clinton, was the week-end guest of Mrs. J. S. Wheeler.

Mrs. F. N. Calmes of Eaton Rouge, La., is spending a few days with Mrs. J. L. Wise.

Dr. T. F. Littlejohn of Spartanburg is visiting his little daughter Mary, at the home of Miss Edna Fellers.

Master Day Werts spent the week-end in Newberry.

Mrs. C. T. Wyche has been visiting her daughter, Mrs. J. F. Goggans of Columbia.

Miss Marguerite Wise of Columbia is spending awhile with the home folks.

Mr. and Mrs. H. P. Wicker spent Friday in Saluda.

Mrs. Carrie McWaters and Hines McWaters of Columbia are visiting Mrs. Horace Counts.

Miss Chellie Kibler has gone to Pomaria to visit relatives.

Mr. Rufus Gibson and daughter, Miss Nannie, of Saluda, spent Thursday at the home of Mr. W. T. Gibson.

Mrs. Clarence Jones of Columbia is the guest of Mrs. V. E. Kohn.

Miss Eunice Livingston spent the week-end at Silverstreet.

Mr. John Browne and son Dunlap were week-end visitors of Mr. and Mrs. J. F. Browne.

Paul M. Counts of the Lutheran seminary, Columbia, preached at Grace church Sunday. He came up Saturday and was the week-end guest of his uncle, Prof. E. O. Counts.

Prof. Joe E. Long of Lykeland has been home on a short visit.

Mr. and Mrs. H. J. Rawl of Lexington and Miss Verna Leggett of Scotland Neck, N. C., visited Mrs. A. G. Wise on Sunday.

Mrs. Thomas Wicker of Newberry visited Mr. and Mrs. J. A. C. Kibler last week.

Miss Celeste Singley of Columbia was home for the week-end.

Miss Alice Dominick has returned to Columbia after visiting the home folks.

P. L. Langford of Abbeville was home for the week-end.

Mr. and Mrs. J. B. Stockman, Master Walter Stockman and W. P. B. Harmon motored to Columbia Saturday.

URGENT APPEAL COMES FOR RELIEF JEWISH VICTIMS

Charleston, S. C.—Never in the history of suffering humanity has such a heart-rending cry reached our ears, as that of the unfortunate Jewish victims. The unspeakable horrors and untold crimes perpetrated against them in Russia, Poland, Hungary and other European lands make one's hair stand on end. More than a million men, women and children have been done to death in the Ukraine alone, and of those who still survive, we may say with a reliable eye-witness: that if the ten plagues of Egypt were multiplied ten fold, they would not begin to measure the misfortunes that have overwhelmed them.

To save alive those who have not yet perished from hunger, exposure and disease, and to take care of the hundreds of thousands of the helpless and homeless orphans, it is necessary to raise a minimum of fourteen million dollars (\$14,000,000). The Jews of America are doing the utmost to come to the rescue of their unfortunate co-religionists across the Atlantic. But the need is so great that they find themselves compelled to appeal to those who are not of their faith. May we therefore ask you to appeal from your pulpit to the charitable and generous of your congregation, to join us in this act of humanity, and help us save men, women and children from perishing? Will you not ask them to come forward with their bounty and send us in their contribution before it be too late?

Thanking you for your kindness and in the name of Him, who as a father pitieth his children, we are,

Very respectfully,
Rabbi J. S. Raisin,
Charleston.

Rabbi F. K. Hirsch,
Sumter.

Rabbi E. Horowitz,
Charleston.

Rabbi Z. Bielsky,
Charleston.

Rabbi David Karesch,
Columbia.

Dr. Josiah Morse,
Columbia.

The vice president of the United States is named Coolidge, and he seems willing to let it go at that.

The female of the species is, as a rule, more prudent than the male.

GOVERNOR SIGNS NUMBER OF LAWS

SEVERAL OF STATEWIDE EFFECT APPROVED

Chief Magistrate Places Signature To New Measures. Engineer's Act

The State, 22.
Governor Cooper yesterday signed a large number of acts passed by the legislature at the last session. Included in the list were several of statewide importance and two of interest to Richland county as well as numerous local measures.

The act creating a Columbia canal commission to take charge of the Columbia canal was signed and became law. This act provides for the appointment of a commission of three members to be named by the governor upon the recommendation of the chairman of the ways and means committee of the house and the finance committee of the senate, the chairman of the judiciary committees of both houses and attorney general. The commission will not become active until the canal is finally adjudicated to the state, if it is so adjudicated. Under the terms of the act the commission will take charge of the canal when it becomes the property of the state. The attorney general is made legal advisor to the commission.

Transfer Act Signed

Senator Pearce's measure providing for the transfer of a part of Lexington to Richland county was signed and became law.

The act to allow the catching of non-food fish such as menhaden and to allow them to be made into fertilizer was approved by the governor and also became law. This act places a tax on boats used for catching the fish.

Representative Blease's measure to give publicity to proposed bond issues in cities and towns was another act to be signed and to become law.

The act to create a bridge commission for Calhoun and Richland counties for the purpose of erecting a bridge at Bates ferry across the Congaree to cost about \$40,000 was also signed. The commission is to be chosen, two members each, by the Richland and the Calhoun delegations and these two delegations in the general assembly are to choose a fifth member jointly.

One More Member Here

The act to fix the apportionment of the members of the house of representatives in the general assembly so as to comply with the 1920 census was signed. By this act Richland and Florence counties gain one member each and Marlboro and Bamberg lose one each.

The three mill constitutional tax levy was given approval and became law.

Representative Sapp's measure to issue a \$125,000 stock certificate to Edwin W. Robertson in lieu of a lost certificate was another act to become law.

Representative Merchant's act to allow the state highway department to refund overcharges for automobile licenses and the senate finance committee act to allow the tax commission to refund and rebate overpaid taxes were both signed and became law.

Senator Moore's act to provide for the forfeiture of concealed weapons to municipalities by persons convicted of carrying concealed weapons was approved and became law.

Senator Stabler's measure to provide for the drawing of teacher's warrants was another act to become law.

The joint resolution to amend the constitution so as to allow counties to assess abutting property for permanent highway improvement was signed.

Senator Noise's measure to require the sheriffs to settle with the county treasurers every 60 days was also signed and became law.

The act to incorporate the superannuate aid association of the Methodist church was approved and signed.

Can Catch Fish

Representative Hamblin's measure to allow the catching of catfish and carp at any time in the year was also signed and became law.

Representative F. G. Harris' measure to clear up the law in regard to

the renunciation of dower was another act to get the signature of the chief executive.

Representative Sapp's measure to create an engineers' examining board and to provide for the licensing of engineers was also signed.

Representative Hydrick's act to require the clerk of the house of representatives to furnish the secretary of state names of all persons elected by the general assembly to various positions was approved and became law as did the act to place all the amendments to the code of 1922, the statute law of the state.

Senator Bailes' measure to require the sinking fund commission to insure all public school buildings against loss and damages from wind storms was signed and became law.

A number of local acts and other measures were in the list signed yesterday.

NEWBERRY COLLEGE WINS IN DEBATE

Gets One Decision Over Wofford and One Over Presbyterian College

The State.
Spartanburg, March 23.—Newberry college won the triangle debate between teams from the Presbyterian college of South Carolina, Wofford and Newberry. The question was: "Resolved, That a system of compulsory arbitration of strikes should be established in the United States."

Newberry, upholding the negative side here defeated the Presbyterian college team, and in debating the affirmative in Clinton, won the decision over Wofford.

The Methodist team won from the Presbyterian team in Newberry.

The Newberry team here was composed of A. M. Setzler and J. W. McCain. W. D. Hudson and M. C. Danby represented Presbyterian college.

The Wofford team in Clinton was composed of H. T. Coggins and T. R. Mims with L. E. Blackwelder and H. C. Fripp representing Newberry.

Newberry, March 23.—Wofford won from the Presbyterian college debating team here tonight in Holland hall at Newberry college. The subject was: "Resolved, That a system of compulsory arbitration of strikes should be established in the United States." Wofford upheld the affirmative side of the question here. The debaters for Wofford were J. P. Anderson and B. H. Womack. Debaters from the Presbyterian college were W. T. Wade and L. L. LaMotte.

This was a triangular debate between teams from Wofford, Presbyterian college and Newberry, other teams debating in Clinton and Spartanburg.

Judges here were the Rev. C. A. Freed, D. D., Prof. E. B. Setzler and Dr. George B. Cromer.

Music was furnished by the college orchestra, with Miss Troxelle Wright, pianist.

ARREST TEACHERS IN YORK COUNTY

Allege Failure to Enforce Vaccination Law

The State, 24.
Two school teachers of York county have been arrested because of their failure to comply with the requirements of the law as regards the vaccination of school pupils, according to announcement given out yesterday by Dr. James A. Hayne, state health officer.

Dr. Hayne said he did not have the names of the teachers, but said he had a report in regard to the affair from Dr. John I. Barron of York, special agent of the state board of health for vaccination.

The act passed by the general assembly in 1905 contains a section which does not permit school officials to allow children to attend the public schools unless they have been vaccinated. The penalty for a violation of this statute is a fine of \$100 or imprisonment of 30 days. It was understood at the state health office yesterday that the teachers would likely employ counsel and the state board of health was asked if it would furnish an attorney in the case.

General Pershing has declined a hero medal. Well, there are some who don't need them.

COTTON GINNED IN SOUTH CAROLINA

County	1921	1920
The State	786,029	1,652,177
Abbeville	17,233	34,070
Aiken	13,979	44,197
Allendale	4,580	13,615
Anderson	63,393	88,502
Bamberg	4,154	21,147
Beaufort	8,031	28,477
Berkeley	458	346
Calhoun	1,111	8,910
Charleston	5,484	43,571
Cherokee	361	1,561
Chester	15,196	20,898
Chesterfield	26,919	37,528
Clarendon	8,295	41,577
Colleton	2,071	49,580
Darlington	22,866	6,869
Dillon	34,699	59,028
Dorchester	1,690	45,444
Edgefield	7,674	10,028
Fairfield	10,379	25,708
Florence	21,815	50,677
Georgetown	543	49,382
Greenville	44,987	4,476
Greenwood	14,145	53,637
Hampton	3,053	41,337
Horry	3,983	7,156
Jasper	712	12,586
Kershaw	12,933	923
Lancaster	16,505	42,215
Laurens	35,859	26,707
Lee	19,006	64,978
Lexington	9,529	55,866
McCormick	4,392	35,945
Marion	12,041	16,416
Marlboro	50,762	23,558
Newberry	19,222	79,793
Oconee	22,105	47,136
Orangeburg	18,916	25,879
Packens	22,790	98,728
Richland	8,485	23,072
Saluda	9,675	37,504
Spartanburg	72,738	31,300
Sumter	18,788	89,675
Union	17,518	63,245
Williamsburg	7,612	35,251
York	42,143	25,153
		48,398

NEWBERRY COLLEGE BEGINS BASEBALL SEASON

The Newberry college baseball team will open its 1922 season next Friday afternoon when the Columbia South Atlantic league comes to Newberry to stage a game with the Indians at the College park. This promises to be one of the best games of the season. With the exception of one man, all of the men who played on the Newberry team in 1921 are back again this year. The Indians closed the 1921 season with an unbroken string of fourteen straight victories and with the team virtually intact the Sallie leaguers will likely experience difficulty in winning Friday's contest, if they win at all.

Luther is slated to occupy the mound against Zinn Beck's aggregation of professional ball tossers and this is additional assurance that it will prove to be a great game. This tall Newberry hurler is thought to be as good or even better than anything of which the South Atlantic league can boast in the pitching line, or he would not be signed up to join Clark Griffith's Washington Americans in June. Although it will be Luther's first game of the season, he's showing against the professionals. Friday afternoon will be watched with interest by the large crowd which is almost certain to be on hand to witness the contest.

The game will begin promptly at 4:00 o'clock, the price of admission being 50 cents. If you have not bought your ten dollar season ticket to aid in financing the new gym., do it before the game. These tickets are good for admission to this big game between the Indians and Zinn Beck's comers.

The Whole Cuisine

During the Argonne fighting a veteran of the Marne and St. Mihiel took cover in a shellhole where a replacement, lately sent up from rear, was enduring his baptism of fire. The earth suddenly heaved and shook under the terrific impact of a German H. E. exploding near them.

The old timer cast a bored, professional glance at the spouting geyser of dirt and steel fragments and remarked nonchalantly: "Nothin' but 'nother of them G. I. cans."

"G. I. can, bunk!" howled the youngster, seeking to squirm yet deeper into the protecting bosom of mother earth. "Them's rollin' kitchenens."

COMMISSION ASKS BLAIR FOR NAMES

WANTS LIST OF INCOME TAX-PAYERS IN STATE

Request Made Yesterday for Data From Federal Government Setting Up Machinery

The State, 24.
The South Carolina tax commission yesterday took the first step toward setting up its machinery for the enforcement of the new income tax law when the commission, through the governor, addressed a letter to David H. Blair, commissioner of internal revenue, requesting Mr. Blair to furnish the commission with the names of individuals, firms and corporations making returns to the federal government on the 1921 incomes in South Carolina.

This request did not in any way involve the amounts paid by any individual, firm or corporation, but was merely for the names. These names are usually posted by the internal revenue department every year, but the request was necessary, as the commission expects to get the law in full operation without delay and the usual posting by the federal government would not take place for some time yet.

When this list is furnished the commission will send an affidavit to every individual, firm or corporation as listed by the federal government. This will be done prior to May 1, when the state tax is due, and the taxpayers can then begin forwarding their amounts to the tax commission.

The request yesterday was in accordance with federal regulations, W. Q. Query, chairman of the commission, said. Some 40,000 returns were made to the federal government, according to information received by the commission.

PRELIMINARY PRIMARY FOR DIRECTORS CHAMBER COMMERCE

The preliminary for the election of six directors of the board of directors for the chamber of commerce was held last Friday and under the rules the twelve receiving the highest number of votes are to be in the race for the six places to be filled, and the second primary will be held on Monday, April 3, and the ballots must be returned to the secretary by that date, and the result will be announced at the annual membership meeting to be held on Tuesday, April 4.

The following twelve are the ones in nomination and to be voted on for the six directors: T. K. Johnstone, O. B. Cannon, J. M. Davis, Harry W. Dominick, Mrs. Ola C. Floyd, J. Y. McFall, Geo. Y. Hunter, W. B. Wallace, C. A. Freed, L. G. Eskridge, Mrs. Clara L. Wright, C. D. Weeks.

And the annual membership meeting will be held on Tuesday April 4.

Dwelling Burned

On Thursday night the home of Mr. Jimmie Sease out in the Mt. Bechel-Garmany section was destroyed by fire. The house belonged to Prof. O. B. Cannon but Mr. Sease was living in it. The fire started about 9 o'clock and when discovered the entire top was in flames. The family had not retired and the first notice of the fire was when they heard the roaring of the flames. Mrs. Sease was in bed sick and she was removed to a neighbor's and then all went to work to save the furniture and it was all about saved. The house was entirely destroyed.

A good many people drove out from Newberry when the report of the fire reached the city but of course could not do anything.

It was a nice one story dwelling and the loss must be around \$3,000.

The Civic League Postponed

On account of the Wade Hampton birthday celebration by the Daughters of the Confederacy Tuesday afternoon the Civic League will not meet until Wednesday afternoon, March 29th, at four o'clock in the Stag's hall. Let every member be present.

Mrs. R. H. Wright, Pres.
Mrs. T. P. Johnson, Secy.

We would have more hope for the Irish if they would make baseball their national sport.