

VOLUME NO. 51

## GENERAL SESSIONS COURT BUSY CLEARING DOCKET

### Verdict of Not Guilty for Mitchell, Crout and Dew—Kelly Case Continued—Grand Jury Resents Moving Swygert Case to Richland—Other Cases—No Court Next Week.

Court of General sessions opened Monday morning with Judge J. W. DeVore of Edgefield presiding. Solicitor Callison, Stenographer Anderson, Clerk of Court Harmon and Sheriff Roof were at their posts of duty and the machinery of the court was soon in motion.

Early in the day the grand jury brought in a special presentment requesting the transfer of the Swygert case to Richland county. As reported in The Dispatch-News last week this action was taken upon the order of the attorney general upon representations made by attorneys for the prosecution. Following the grand jury's presentment Solicitor Callison made a statement to the court, in which he said that it was not upon his motion that the action of the attorney general had been taken. His opinion was that it was a bad precedent and he had refused to request the attorney general to order the case tried in Richland. Since, however, he had received orders from the attorney general, the head of the state's legal department, to withhold the indictment in Lexington county he was left no choice in the matter. Judge DeVore explained the law which provides that a case may be tried either in the county where the shooting occurred or where the death occurred. He sustained the position taken by Mr. Callison that the solicitor must be governed by the decision of the attorney general.

The presentment is as follows: "It has come to our attention that an effort has been made by a high state officer to have the Swygert case carried to Columbia for trial and taken away from Lexington county where it happened. We think this is an uncalled for reflection on our county and our people. We have not heard of any other county being treated that way and we can see no reason why Lexington should be. We know that the citizens of this county are fully able to take care of their own affairs without outside interference, and we condemn the reflection on our county and our people.

"We understand it is our duty, under our oaths, to investigate matters like this and all others of a probable criminal nature happening in our county, and we call upon the Solicitor of our circuit to prepare an indictment for us and send the witnesses before us so we may do our duty fully as grand jurors of the county. We urge that this be done at once so we will not have to attend court any longer than is necessary to do our duty."

Further developments in the case will be watched with interest. The criminal court in Richland will be in session for some time. It is presumed that Solicitor Spigner, following the instructions of Attorney General Wolfe, will hand out an indictment against Swygert at the present term.

### Constables Come Clear.

Luther Crout, Alva Dew and Will Mitchell, two of whom were duly appointed deputy sheriffs and the other magistrate's constable, were acquitted of the charge of murder. They had been indicted for the killing of W. N. Brown near New Brookland last May. Brown had accompanied J. W. Ott, a federal prohibition officer, and a transfer driver named Neely to a patch of woods near New Brookland, said to have been a rendezvous for liquor runners. Ott claimed to have been in search of captured liquor which had been buried. The constables claimed that they came upon the car and when they accosted the party in the automobile they were greeted with a command to throw up their hands and were fired upon. Mitchell was wounded in the leg. The shooting became general and in the melee Brown was killed and Ott was wounded. After deliberating a short time the jury brought in a verdict of not guilty. The defendants were represented by Cyrus L. Shealy and E. L. Asbill.

### Kelly Case Postponed.

Judge DeVore granted a continuance of the Kelly case to next week. "Don't forget the Book Shower Friday evening, May 27th."

ance of the case of the State against "Newt" Kelly and Frank Goff, charged with the murder of David H. Shull in New Brookland last December. This case was continued from the last term of court. Motion for continuance was made by Cole L. Blease on the ground that two material witnesses had just recently been arrested by United States government authorities on a conspiracy charge and were in the Richland county jail and unable to get to court. The same attorney also made a motion to quash the indictment on the grounds that the grand jury which handed out the indictment was not a legal grand jury, inasmuch as the record did not show that they had been summoned, empanelled, sworn or charged by the presiding judge, and on the further grounds that the names of no women had been placed in the jury box when the grand jury was drawn and that the defendant's name was not "Newt," which was a nickname. A further ground was taken that the venire summoning the grand jury did not have the seal of the clerk of court affixed at the proper place. The motions to continue and to quash the indictment were opposed by Solicitor Callison and George Bell Timmerman. Judge DeVore overruled the motion to quash the indictment, but granted the continuance.

### Other Cases.

James Allen, colored, pleaded guilty to a charge of stealing a bale of cotton and was sentenced to 18 months on the gang.

J. H. Werntz and J. D. Smith, who pleaded guilty to a charge of violating prohibition law, were fined \$300 and \$100 respectively and paid their fines.

Quinton Johnson, colored, was cleared of a charge of housebreaking and larceny.

Joseph Merritt, colored, was found not guilty of a charge of assault and battery of a high and aggravated nature.

As The Dispatch-News goes to press the court is engaged on the case of the State against Hamp Harris, colored, charged with assault and battery with intent to kill.

### Grand Jury Presentment.

The grand jury, having completed its duties, was discharged by Judge DeVore, after making their presentment, the salient parts of which are as follows:

"At this session we, the entire body of the grand jury, strongly recommend that the executive officers of the county and of the towns of Lexington county shall exercise especial diligence in the enforcement of all laws governing traffic, prohibition and the keeping open places of business on the Sabbath day and especially the law governing vagrancy.

"We also recommend that the county supervisor take steps at once for the erection of a bridge across what is known as Fourteen Mile Creek on the Wise Ferry Road, about 1 1/2 miles northwest of Lexington.

"The committee on jail and poor-house report that conditions of same have not improved since our meeting in January and we request that same have immediate attention.

"All other committee reports are favorable.

"With reference to the request that the grand jury recommend that the county pay hospital and doctor's bill for Mr. Earl Asbill, the grand jury recommends that this bill not be paid by the county.

"We thank your honor and the officers of the court for all the courtesies shown the grand jury at the present term of the court."

"Respectfully submitted,  
"J. H. Roberts, Foreman."

### No Court Next Week.

Court of general sessions will be finished this week, and inasmuch as this is a particularly busy time of the year with farmers no court will be held next week, civil business being carried over.

You get your money back if you are not more than pleased with "Tootsie's Husband" at Lexington. Friday night, May 27.

### ST. STEPHEN'S EVANGELICAL LUTHERAN CHURCH

Arthur B. Obenschain, pastor. Mr. B. Heber Barre, superintendent of Sunday school. Divine services at 11:00 a. m. and 8:00 p. m. Sunday school at 10:00 a. m.

The morning theme on Sunday, May the 29th, will be: "The Contrasting Condition of The Evil And The Righteous at The End." The evening theme will be: "A Noble Aspiration And Desire." During June and July the evening service will be at 8:15 instead of at 8:00 o'clock. A very cordial invitation is extended to the public to attend these services.

ARTHUR B. OBENSCHAIN, Pastor.

### REVIVAL MEETING AT RED BANK.

The Dispatch-News is in receipt of a note from Rev. W. H. Whaley announcing a revival meeting at Red Bank, as follows:

"Please announce through your paper that I will begin a revival meeting at Red Bank on next Sunday night, May 29, and that Prof. J. B. Powers of Charleston will have charge of the music. The public is cordially invited to attend all these services."

"W. H. WHALEY, Pastor."

### DEATH OF MRS. MARTHA RISTER

Martha Elizabeth Rister was born April, 1833, and departed life April 25, 1921, at the ripe age of 88 years, two months and 27 days. She was married to John Rister December 25, 1851, and one grandchild preceded her to the spirit land. She leaves to mourn her two sons and five grandchildren and eight great grandchildren. Besides these, she leaves a number of relatives and friends to mourn her departure. She was baptized in infancy and in early life was confirmed in St. Jacob's. She was a faithful church member until her health failed her.

Written by Her Granddaughters.

### REVIVAL SERVICES.

Revival services will begin in the Lexington Methodist church, Sunday, June 5th, at 8 p. m. The music will be in charge of Prof. W. J. Smith of Gilbert, S. C., the pastor, Rev. H. A. Whitten, will be assisted by Rev. A. E. Driggers of Clemson College. Rev. Mr. Driggers is no stranger to many people in Lexington county, as he served as pastor of the Methodist church at Leesville for three years. Many of our people will be delighted to have this privilege of again hearing Mr. Driggers, and we feel sure that he will be greeted by a full house at the first service.

### Who will bring the most books?

### SUNDAY SCHOOL PICNIC.

A Sunday school day exercises and basket picnic will be enjoyed by the people of Hebron Methodist church next Saturday, May 28th. The children and young people of the Sunday school will have charge of the exercises in the morning, beginning promptly at 10 o'clock. In the afternoon there will be an address by Prof. J. B. Horton of Columbia. Come and bring well filled baskets and enjoy the day with us.

H. A. WHITTEN, Pastor.

### NEWS FROM ARTHURS.

Mrs. Elizabeth Crouch and father, Mr. Phillip M. Kitching, are visiting Mr. Kitching's daughter, Mrs. Mike L. Roof and family.

The Oak Grove school closed in April and the principal, Miss Lessie Shull, offered a prize to the pupil or pupils making the highest marks on all examinations. The rewards were won by Miss Ernestine Shull, fifth grade, and Miss Mildred Roof, seventh grade.

Arthurs is growing very fast and will soon be "a great big town."

BROWN EYES.

### PREACHING AT PILGRIM.

There will be preaching at Pilgrim Lutheran church about three miles from Lexington, next Sunday afternoon at 4 o'clock. The Rev. Mr. Snow will deliver the sermon. The public is cordially invited to these services.

You want to keep an eye on Leonard Furman in "Tootsie's Husband" at Lexington. Friday night, May 27.

### LEXINGTON GIRL HONORED WITH MUSIC SCHOLARSHIP.

Mrs. Mabel C. Tuttle has awarded seven scholarships to as many persons in South Carolina for the Fontainebleau School of Music, Paris, according to a letter received at the governor's office. It was first announced that only three scholarships to this school would be available, but due to no applications having been received in North Carolina, the number for this state was increased. Those who have been awarded scholarships as announced by Mrs. Tuttle are:

Miss Margaret Erwin, Spartanburg; Miss Evelyn Smith, Cheraw; Miss Aileen McMillan, Latta; Miss Allie Randle, Rock Hill; Miss Elizabeth Cooper, Bennettsville; L. Clifton Moise, Sumter; Miss Mary Susie Roof, Lexington.

Miss Susie Roof, who was awarded one of the scholarships, is a daughter of Mr. and Mrs. E. B. Roof of Lexington. Mrs. Roof herself is a talented musician and has taught music here for many years. Miss Roof's many friends rejoice at the unusual opportunity which is presented her to improve her native ability and we predict for her a wonderful success.

### PROGRAM

The Union meeting of the Upper Division of the Lexington Baptist association will meet May 27, 28 and 29, with the Red Bank Baptist church near Lexington, S. C.

### Friday Night.

Special service and sermon arranged by Red Bank church and pastor.

### Saturday, A. M.

10 o'clock—Devotional Services, by Rev. S. P. Taylor.

10:15—Report from churches in the Union meeting.

10:30—Should a Church Receive an Ex-Church Member of Another Sister Church—Frank Gunter, Rev. A. Hartley.

11:00—The Church's Duty in Soul Winning, Rev. J. T. Hiers and Rev. W. H. Whaley.

11:30—Opening sermon, Rev. A. A. Hagood.

12:00—The church's duty to its Pastor, Frank Langford, Rev. Hasford B. Jones.

### Saturday, P. M.

2:00—Song service, conducted by Rev. M. Shepard.

2:30—The Revival We Need and How to get it, Rev. Ben Reynolds, Rev. C. W. Jones.

3:00—The Pastor's Duty to His Church, Rev. F. H. Funderburg, Rev. A. Hartley.

### Saturday Night.

7:30—The Church's Duty to Its Young People, Rev. Shepard, Rev. W. H. Whaley.

8:00—Sermon by Rev. C. W. Jones.

### Sunday A. M.

10:00—Sunday School.

11:00—The Church's Duty to Its Sunday school, Hon. T. C. Callison.

11:30—Sermon by Rev. J. T. Hiers.

Every church in the Union is expected to send delegates.

HASEFORD B. JONES, Mod.

G. PERRY KIRKLAND, Clerk.

### REMEMBER THE BOOK Shower.

See "Tootsie's Husband" at Lexington. Friday night, May 27.

### LEXINGTON CIRCUIT.

Services Sunday, May 29th, 1921.

Horeb—Sunday school at 10 a. m., D. L. Harmon, superintendent. Preaching at 11 o'clock followed by the Holy Communion.

Hebron—Sunday school at 10 o'clock, R. N. Senn, superintendent.

Red Bank—Sunday school at 10 a. m., J. P. Sharpe, superintendent.

Lexington—Sunday school at 10 a. m., W. D. Dent, superintendent. Preaching at 8 o'clock.

Come and worship with us.

H. A. WHITTEN, Pastor.

### BOOK SHOWER.

Everyone is earnestly requested to come to the book shower Friday evening, May 27th, at the court house. Books obtained from this shower will be the nucleus of the Public Library.

See how many books you can bring.

### Five hundred saw "Tootsie's Husband" at Chapin. All want to see it again at Lexington. Friday night, May 27.

### BATESBURG NEWS NOTES.

Dr. E. Pendleton Jones, pastor of the Batesburg Baptist church, tendered his resignation Sunday as pastor effective July 1st. Dr. Jones has accepted a call to a church in Virginia, his native state. As an orator Dr. Jones has hardly an equal in the Baptist denomination in this state and it is with reluctance on the part of the members of the Batesburg Baptist church that his resignation is accepted. It is not known at present who will succeed him.

Mr. N. P. Mitchell, a law student of the University of South Carolina, is in town attending the commencement of Summerland college.

Rev. P. D. Risinger of Ehrhart in Bamberg county is here today attending the commencement exercises of Summerland college. He is chairman of the board of trustees.

Mr. Henry S. Black of Saluda was here on business Monday.

Solicitor T. C. Callison of Lexington was in town Saturday.

Mrs. Wallace Wright and son of Columbia spent Sunday in town as the guests of Mr. and Mrs. Leon H. Wright.

Hon. J. M. Gaines of Greenwood, a former state senator from that county, was in town Thursday.

Miss Martha Shealy, member of the Springfield Graded school faculty, was the guest of friends in town Saturday.

Messrs. W. A. Cooner, W. A. Crouch, W. B. Hite and John Sawyer were elected by the local Confederate Veterans camp to represent them at the reunion held at Camden last week.

A large number of our people attended the baccalaureate sermon of Rev. J. L. Morgan, preached in the Wittenburg Lutheran church, Leesville, on Sunday morning.

Dr. D. W. Daniel, a member of the faculty of Clemson College, will deliver an address to the graduates of the High school Wednesday evening of this week.

As a result of the rain last week most of the early peaches rotted on the trees. It seems that all kinds of fruit is about two weeks earlier this season as compared with former years.

The small grain is being harvested this week, which is also about ten days or two weeks earlier than last season. In some sections the wheat and oat crop will be about an average. For a while the entire grain crop in this section appeared to be almost a failure.

The commencement exercises of Summerland college which began last Friday evening are being largely attended from many sections of the state. A full account of the commencement exercises will be given in next communication.

### LEXINGTON PEOPLE SEE TOWN FROM THE AIR

Lieuts. Ruster and Turner visited Lexington last Saturday in their aeroplane and took several of our citizens for a ride. They came over to deliver copies of "The Air Messenger," a paper published by them in the interest of the air service, and after delivering the papers landed near the town limits to take on passengers. During the afternoon they took for a "fly" L. C. Miller, S. J. Kyzer, and Mr. and Mrs. Alfred Sease. Mr. H. D. George accompanied the aviators back to Columbia in the machine.

### MR. BALLENTINE AT BANK OF WESTERN CAROLINA

Mr. Jesse S. Ballentine has accepted the position as assistant manager of the Lexington Branch of the Bank of Western Carolina, taking the place of Herbert H. Livingston, who has held the position acceptably for several years. Mr. Livingston has been transferred to the Batesburg branch of the bank, where he will hold the position of assistant manager. Mr. Ballentine assumed his new duties Monday.

### OUT TO NEW YORK FOR COTTON CONFERENCE

Mr. George C. Fife, president of the Lexington branch of the American Cotton Association, will leave Sunday for New York, to attend the World Cotton Conference, which meets here May 29 and 31. The conference will be attended by leading financiers, manufacturers and farmers from all over the world. Mr. Fife expects to be away about ten days.

## STOP SPEEDERS ON AUGUSTA ROAD

Speeding on the Augusta highway, between Lexington and Columbia, has become so common and dangerous that the authorities have decided to put a stop to it if possible. Rural Policeman Lown and Sheriff E. Austin Roof yesterday held a consultation and decided to go after violators of the speed law with vigor. The law provides that a speed of 25 miles an hour shall be the limit. Supervisor Steele will be asked to have some signs made showing the speed limit, which will be conspicuously posted along the road. They desire that everybody have due and timely notice, but expect at once to take steps to regulate traffic on the road in the interest of the public safety. The road is being maintained in fine shape and doubtless the temptation is great. Fast driving is said to be rule rather than the exception and many expect every day to hear of some serious accident.

Mr. Lown was on the road Tuesday afternoon and found it necessary to warn more than one motorist. He and Sheriff Roof urge everybody to take notice that hereafter those who drive beyond the legal limit will be haled into court.

### CONFEDERATES PRAISE CAMDEY HOSPITALITY

The Lexington contingent of Confederate veterans who attended the state reunion at Camden returned last week more than pleased with the hospitality of the town. They were all loud in their praises of the good times which the people of Camden gave them. The homes of the people were thrown open to them and everything possible was done for their comfort and convenience. The Lexington contingent were particularly charmed with rendition of a solo by Mrs. Dora Zemp of Camden, who is a native of Leesville, being a daughter of Rev. Wm. Roof. Those who went from this county were: Col. and Mrs. M. D. Harman, Messrs. Jas. E. Rawl, D. T. Hare, G. M. Harman, B. J. Roof, J. A. Dreher, Ed-winn Roof, James McGrady, John W. Lee, J. B. Shealy, Hilliard Shealy, John T. Shealy, George Dreher, Thomas Buff, J. T. Kleckley, Thomas Roof, Jacob Haltiwanger, John H. Earle, Joe Haltiwanger, M. Crouch, Wade Crouch, James W. Cooper, Addison Vansant and wife.

The reunion will be held at Darlington next year.

### "THE HOODOO" SUCCESS FROM START TO FINISH

"The Hoodoo," given by pupils of the Lexington High School, was a decided success. Under the skillful training of Mrs. J. D. Carroll, the participants developed in a short time all of their latent talent and the large audience was not slow to greet their good work with rounds of applause.

The play was given as part of the closing exercises of the school. In order to raise funds for necessary improvements a small admission was charged, netting a nice sum. Those who took part in the play were: Herbert Hendrix, Marto Lorick, Raymond Hendrix, Gary Harmon, M. Q. Gibbs, Clinton Hendrix, Neita Lee Harmon, Grace Bodie, Myrtle Rawl, Cecelia Hook, Anna Lee Corley, Chiora Caughman, Bedie George, Ola Warner, Nola Price, Hattie Lee Wingard, Wenona Corley.

Mr. and Mrs. Ballentine will leave tomorrow for their home in Leesville.

### AMERICAN LEGION.

The regular monthly meeting of the Lexington Post of the American Legion will be held in their club rooms tomorrow evening at 8:30 o'clock. Some important matters are scheduled for consideration and every member is urged to attend and bring a new member.

### Seeing Light

"Dr. Barnhart tells me his conversion has just had a great spiritual awakening."  
"What is it?"  
"Yes?"  
"The mind his salary of \$200 a year."