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THE STATE SUPREME COURT SETTLES BARBER LAND SUIT

**Under the Decision T. A. Crawford
Cannot be Forced to Pay for
Valuable Rock Hill Lot.**

The supreme court of South Carolina has handed down an important decision involving a part of the estate of the late Turner Barber, of the Pleasant Valley neighborhood of Lancaster county, who, before his death 22 years ago, was one of the wealthiest men in the upper part of the State. A number of Mr. Barber's sons still reside in this section and are well known.

The title of the case is T. Emeline Barber et al., appellants, against Thomas A. Crawford et al., respondents. The supreme court has decided in favor of the respondents, affirming the judgment of Judge Memminger in the lower court. The effect of the decision is that specific performance of contract cannot be enforced against Crawford et al., who bought the land in question, a valuable Main street lot in Rock Hill, at sheriff's sale, the court holding that as "it cannot be ascertained until the death of Turner Henderson Barber who will take as the surviving heirs of the testator (the late Turner Barber), the plaintiffs are not in position to demand specific performance of the contract of the defendants, Crawford et al."

The question in the case arose from the seventh section of the second codicil of the late Turner Barber's will, by which it was provided that in case any of his children named in the will (of whom Turner Henderson Barber is one) should die without bodily heirs, the property devised to them should be divided, share and share alike, among his surviving heirs. Turner Barber died about 22 years ago.

The supreme court further held that the conclusion of Judge Memminger was erroneous in certain particulars but that the errors did not affect the general question as to specific performance.

Spencer & Spencer represented the appellants and Wilson & Wilson, the respondents.

Little Boy Killed by Train.

Craig Settermeyer, 8-year-old son of George Settermeyer, an employee of the Manchester cotton mill, located a mile north of Rock Hill, was run over and instantly killed by passenger train No. 28, from Columbia to Charlotte, at 5 o'clock Saturday afternoon. The accident occurred at a crossing near the Manchester mill and was due to the carelessness of the little boy, according to the verdict of the coroner's jury. The boy was crossing the railroad track to a neighbor's to get a pail of milk. The engine struck him, crushing his skull behind the left ear, breaking his right shoulder, his right leg above the ankle and crushing his ankle. The train was in charge of Conductor Boney Chase and D. G. McAllister was the engineer. This is the same crossing, at which a woman was killed two years ago. It is a dangerous place, being on a curve and near a cut which obstructs the view of approaching northbound trains, and should be guarded by a watchman.

Young Man Kills His Wife.

Mr. A. A. Young received the distressing news one day last week that his nephew, Claude Young, 25 years old, had shot and instantly killed the wife of the latter at their home in Rockingham, N. C. From the meager information which Mr. Young was able to obtain of the tragedy it seems that the young man had become suddenly insane and in a fit of anger shot his wife with a shotgun. Claude Young was the son of Mr. A. A. Young's youngest brother, the late James D. Young, who moved from Kershaw county to Rockingham about 20 years ago. It is understood that Claude Young has been committed to the asylum for the insane in Morganton, N. C.

Charlton Younts Leaves Columbia.

Charlton P. Younts, general secretary of the Columbia Y. M. C. A., has signified his intention to go to another field of labor, and the board of directors of the association has accepted his resignation to take effect June 1. It is said that there has been some friction between Mr. Younts and a number of the members of the Y. M. C. A. and that this is the impelling cause of his resignation.

Mr. Younts was well known in Fort Mill some years ago, being a native of Pineville and a frequent visitor to this place during his residence there. He left Pineville when he was quite a young man to engage in Y. M. C. A. work and was for a time secretary of the association in Monroe, La., whence he went to Columbia to engage in similar work.

Mr. Younts has been regarded as a very skillful organizer, says The State, having rehabilitated the Columbia association and having instituted and caused to be observed a number of rules and regulations which put the association on a business foundation. Mrs. Younts has also been a successful worker for the Y. M. C. A.

Resigns Chairmanship.

James A. Bell, for several years county chairman of the Mecklenburg Democracy, has tendered his resignation to the executive committee and it has been accepted. Mr. Bell is well known in Fort Mill. He is a nephew of Capt. J. W. Ardrey and was raised in the Providence section of Mecklenburg county, a few miles from this place. Mr. Bell's service to the party had been entirely satisfactory and much regret is expressed in Mecklenburg county over his resignation. Recently there has been considerable talk of making Mr. Bell the party nominee for Congress, and his friends in this section would be greatly pleased to see him thus honored, for the nomination will mean election regardless of what the Republicans and near Republicans say about nominating as their candidate a representative of the "business interests." There are not as many gullible voters in the Ninth North Carolina district as some people profess to believe there are.

A Bale of Cotton.

The Hon. Charles R. Pendleton, writing in the Macon Telegraph, pays the following cross-eyed tribute to a bale of cotton: "This is a bale of cotton, a lifeless, inanimate thing; and yet it is worth about sixty-five dollars—equal to a big steer, a good cow, or a fine coop of chickens. But the three acres of land and labor and the commercial fertilizer required to produce it would make three big steers, three fine cows and dozens of coops of fine chickens. Cotton is undoubtedly the money crop of this section, but the money in the staple can be doubled by dividing the area of the farm between the stock, grain and root crops and cotton.

"The problem of the farm is to keep up the fertility of the soil. All good farmers agree that there is nothing equal to a plenty of barnyard manure, but how can you get the barnyard manure without raising the stock.

"The old run-around has it thus: 'Plant more cotton to buy more fertilizer to make more cotton to buy more fertilizer.' But the better plan is to raise more stock to make more manure to produce more cotton. Cotton is king, the monarch of the field, when it is made a surplus crop, and rotated with oats and corn and peas and stock. A model farm should be divided into four parts, and under an immutable rotation law the same field put in cotton only once in four years, and once in four years that field should rest.

"Cotton is a good crop when it is made at a profit. It can be made at a profit when it is a surplus crop—taking its turn in the rotation and barnyard fertilization scheme. But is not profitable when the planter sends to Chicago for his meat, to Kentucky for his mules, to Ohio for his grain and anywhere beyond his barnyard for his fertilizers."

CAPT. THOMAS J. CURETON PASSES AWAY IN WINNSBORO

**Former Fort Mill Citizen Who Was a
Veteran of the Gallant Twenty-
Sixth N. C. Infantry.**

The hearts of many of the older residents of this section of the State will be saddened to learn of the death of Capt. Thomas J. Cureton, who passed away at his home in Winnsboro last Tuesday afternoon. Capt. Cureton had been in declining health for some time, but the immediate cause of his death was heart failure. He was 72 years old and is survived by his wife, who was Miss Rosa Wallace, of Pineville, N. C., and two daughters, Mrs. J. W. Mayo, of Philadelphia, Pa., and Miss Elizabeth Wallace, of Winnsboro. The interment was in the Winnsboro cemetery Friday morning.

Capt. Cureton moved to Fort Mill from Waxhaw, Union county, N. C., in January, 1873, and became a member of the firm of Cureton, Massey & Co., which did a general mercantile business until 1875. The firm was then reorganized as Cureton, Ardrey & Co., but did not meet with the success its promoters had hoped for and in the fall of 1877 failed. In the failure of the firm Capt. Cureton lost practically everything he possessed. He then moved to Charlotte, but lived there only a few years, going thence to Winnsboro, where he had since been engaged in the cotton business.

At the outbreak of the war Capt. Cureton enlisted in a company which was organized in Union county, N. C. Upon being mustered into the Confederate army, the company was assigned to the Twenty-sixth North Carolina regiment of infantry as Company B, the regiment being a part of Pettigrew's brigade, Heth's division, Hill's corps. The first colonel of the regiment was Zeb Vance. This is the regiment whose bravery and heroism at the battle of Gettysburg has been the subject of nation-wide comment since the memorable July days in 1863 when it was reduced from one of the finest and strongest commands in the Confederate army to a mere skeleton of what it was when the fight began. No other regiment on either side lost as heavily during the war as did the Twenty-sixth North Carolina infantry at Gettysburg. The muster rolls of the regiment on June 30, 1863, the day before the fight began at Gettysburg, showed 885 men and officers present for duty. At the end of the third day's fighting 708 of this number had been killed or wounded, over 87 per cent. Thirty-four of the 39 officers of the regiment who had entered the fight were killed or wounded. Capt. William Wilson was the commanding officer of Company B when the battle of Gettysburg opened but was killed in the second day's fight and was succeeded by his first lieutenant, Thos. J. Cureton, who continued in command of the company until Appomattox.

Another officer of the Twenty-sixth North Carolina regiment who was a citizen of Fort Mill some years ago was Capt. N. G. Bradford, who was desperately wounded in the third day's fight at Gettysburg. Capt. Bradford was carried from the battlefield to one of the Confederate field hospitals, in which he was shortly afterwards captured by the Yankees. He was held in various Northern prisons until the close of the war. Capt. Bradford was one of the 600 Confederate officers who as prisoners of war were taken by the Yankees to Morris Island, S. C., and placed on the Federal breastworks to keep the Confederates from shelling the Unionists lest the gray-clad soldiers kill their comrades. The act was considered a violation of civilized warfare and was the subject of bitter denunciation throughout the entire South. Capt. Bradford died in Leesburg, Fla., on Sept. 24, 1889.

Thirty-two alleged blind tigers have been arrested in Lancaster during the last few days. Three of these were convicted and fined \$100 each.

AN INTERESTING INCIDENT OF RED SHIRT CAMPAIGN

**Effort of Mecklenburg Republicans
Recalls Visit to Charlotte of Till-
man and Daniel.**

In connection with the more or less serious effort which apparently is on foot to send a Republican to Congress from the Mecklenburg district, a North Carolinian who is now residing in Fort Mill recalled yesterday an incident of the Red Shirt campaign in Mecklenburg county in 1898 which is of particular interest at this time because it relates to two men, at present in the public view, of national prominence. Both went from their respective States to assist the Democrats of the Old North State in the effort to disfranchise the negro and thereby establish permanently in that Commonwealth white man's government.

The men referred to were Senator B. R. Tillman, of South Carolina, and Senator John W. Daniel, of Virginia, statesmen who have reflected credit upon the country and who have performed lasting service to the Democratic party, but men of different types who do not employ the same manner of addressing audiences. Both are now ill and it is doubtful if either will again be able to take an active part in the work of the senate. Senator Tillman is a patient at an Atlanta sanatorium and Senator Daniel is critically ill at a winter resort in Florida, little hope being entertained for his recovery. The two senators had been requested by the party in North Carolina to visit Charlotte and address a mass meeting to be held in the interest of party success. Both responded cheerfully to the request, and when Senator Tillman rose to make his speech to the thousands who had assembled at Latta park for the meeting pandemonium broke loose before he had uttered a hundred words. His sledge hammer blows in behalf of white man's government set the audience wild with delight and it was with the greatest effort that he could make himself heard, so great was the enthusiasm.

After Senator Tillman had finished his speech Senator Daniel addressed the meeting and his speech also did great good in solidifying the party. The campaign resulted in an overwhelming majority for the Democracy in Mecklenburg county and much of the credit for the victory belongs to these two great men who had gone to their sister State to help in the fight for decent government.

Not a Constitution Specialist.

Columbia State. Among the newspapers in South Carolina that often exhibit intelligence and information in regard to public questions is the Yorkville Enquirer and one despairs lest some impenetrable gloom has settled upon it, when it affirms that "Under the present organization of the Federal government, that government can not levy a direct tax of any kind on the citizens of the State." That is precisely what, under the Federal constitution, the government can do; that is what the constitution declares in so many words. But, under the constitution, as it is now written, such a tax would necessarily be apportioned according to the population of the several States, so that South Carolina citizens would be compelled to pay into the national treasury about one half as much as Massachusetts, were an income tax law to be enacted, though Massachusetts has about nineteen times the wealth of South Carolina. The adoption of the pending amendment would take from Congress the existing power to oppress one State at the expense of another. The statement of The Enquirer "that the Federal government must derive its revenues altogether from indirect taxes" would be absurd were it not pathetic.

W. T. Steele, head carpenter at Winthrop college, died Friday night of paralysis.

Only Confederate Coin.

A silver half dollar of the Confederate States, believed to be the only extant metallic coin of the lost cause, was offered for sale at a public auction in New York a few days ago by its owner, Edgar Adams, of Brooklyn. The coin was struck at the New Orleans mint soon after the beginning of the war. For a time it was in the possession of President Jefferson Davis, from whom it is said to have been stolen. Subsequently it changed hands several times, and for the past 28 years it has rested in a safety deposit vault in New York city.

The design on the obverse of the coin is exactly like that of the United States half dollar of 1861, and as a matter of fact one of the regular obverse dies was used in making the coin. The reverse design is distinctly originally and emblematic of the Confederacy. Numismatic experts estimate the present value of the coin at \$5,000.

To Hurt Your Town—

Fight on the streets.
Oppose improvements.
Run the town down to strangers.

Go to some other town to trade.
Refuse to advertise in your paper.

Do not invest a cent; lay out your money somewhere else.

Lengthen your face when a stranger speaks of locating in your town.

If a man wants to buy your property ask him two prices for it.

If he wants anybody else's, interfere and discourage him.

Refuse to see the merit in any scheme that does not exactly benefit you.

Run down your newspapers.

Run down your officers.

Run down everything and everybody but No. 1.

Talk in the barber shops and loafing places of how bad times are, of how everything and everybody is going to the demnition bow-wows.

NO MARRIAGE LICENSE LAW PASSED BY THE LEGISLATURE

**Considerable Interest Stirred Up in
Fort Mill Over Misleading Green-
wood News Item.**

Considerable interest was felt in Fort Mill a few days ago over a news item sent out from Greenwood stating that the first marriage license under the new act of the Legislature had just been issued a couple in that town. Several marriages have taken place in this section since the Legislature adjourned in February and no licenses were issued the couples; the impression being that the bill failed to pass the house of representatives after successfully running the senate gauntlet. Naturally these newly-weds at once evidenced concern lest all might not be well as to their marital relations if they had failed to meet the requirements of the law by securing license.

The effort to pass an act requiring persons wishing to be married in South Carolina to secure a license attracted considerable attention in this section of the State at the time the matter was under consideration in the Legislature, as there are perhaps more marriage ceremonies—of the Gretna Green variety—performed in Fort Mill township than in any other township in South Carolina, the township being on the border and convenient to many North Carolina couples who, for one reason and another, prefer to be married in the Palmetto State. Inquiry of Magistrate McElhane, the principal marriage artist of the township, failed to shed any light on the subject. He remembered that the senate passed a bill requiring a license of those who wished to be married, but had not been informed that the bill became an act.

Unless the law passed as a "joker" to some Greenwood local bill, applicable to Greenwood county alone, it is practically certain that there is no such law.

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