



The Bamberg Herald



One Dollar and a Half a Year.

BAMBERG, S. C., THURSDAY, SEPTEMBER 13, 1917.

Established 1891

COUNTRY NEWS LETTERS

SOME INTERESTING HAPPENINGS IN VARIOUS SECTIONS.

News Items Gathered All Around the County and Elsewhere.

Colston Clippings.

Colston, September 12.—These fall days are letting us know that "Jack Frost" is on his way again.

Miss Minnie Kirkland is spending some time with Miss Mary Clayton.

Miss Alberta Kearsse was the pleasant guest of Miss Mamie McMillan Friday night and Saturday.

Messrs. J. C. Beard, Thomas Clayton and B. D. Bishop and Miss Cleo Bishop motored to Columbia Tuesday.

Misses Jennie and Hattie Fender visited relatives in this section Saturday night and Sunday.

Little Valentine McMillan left recently for North Carolina to stay with his aunt, Mrs. Nelle Pate. He will attend school there.

Miss Mamie McMillan left Sunday for Bamberg, where she will attend the graded school.

Mesdames Nora Lard and Estelle All and Messrs. Lennie Birt and Hollis Powell spent several days last week with relatives here.

Miss Nettie Clayton was the welcome guest of Miss Mary Clayton Saturday and Sunday.

Mr. Harold Reid, of Barnwell, spent last week with relatives in this section.

Pinder boillings are all the go in this section at present.

Mr. George F. McMillan, Jr., spent Saturday night with Mr. Sammie Clayton.

New Advertisements.

Otis Brabham—Wanted.

Klauber's—New Fall Goods.

Bamberg Auto Co.—Banker!

G. E. Kearsse—Lost or Strayed.

Peoples Bank—Here is a Picture.

Thielen Theatre—"The Common

S. G. Ray, Sheriff—Notice of Tax

Sale.

Law."

Bamberg Bargain House—Bargains.

LaVerne Thomas & Co.—Fall Opening.

Chero-Cola Bottling Co.—Each Bottle.

Enterprise Bank—The Science of Saving.

Thielen Theatre—Retreat of the Germans.

J. J. Brabham, Jr.—Master—Master's Sales.

Bamberg Banking Co.—Protect Your Family.

Farmers & Merchants Bank—School Time Again.

Wm. Wrigley Co.—S. O. S. Send Over Some Wrigley's.

Bamberg Banking Co.—Estate of Peter Helmet, Deceased.

Peoples Bank—Don't Sell Your Cotton Until You Have To.

Hooton's Ladies Store and Millinery Store.—Our Fall Opening.

Court Adjourns.

The court of general sessions was adjourned Saturday morning, the last case tried being that of the State against W. L. McPhail, charged with the killing of H. W. Walker. The jury failed to reach a verdict and a mistrial was ordered Saturday morning. A full account of this trial will be found on another page.

Marion Brown, who was found guilty of simple assault and battery, was sentenced by Judge Sease to serve thirty days on the chain gang or in the penitentiary. Mr. Brown was charged with assaulting with intent to kill his father-in-law, Mr. J. C. Bishop. In passing sentence upon him, Judge Sease stated that he thought the jury was very lenient with him, and that the heaviest sentence allowed by the law would be given, which is thirty days, and that the alternative of a fine would not be allowed. Notice of appeal to the supreme court was given, and Brown was allowed bail in the sum of \$200.

James Hampton pleaded guilty to violation of the prohibition law and was sentenced to pay a fine of \$100 or serve three months on the public works.

Simon Paul was found guilty of violation of the dispensary law and sentenced to serve three months. The case against Henry Mingo, who was indicted with Paul, was not pressed by the solicitor.

Read The Herald \$1.50 the year.

Waterman's Ideal Fountain Pens at The Herald Book Store.

WILL PLANT TOBACCO.

Tobacco Expert Employed.—Ninety Acres or More Will Be Planted.

Monday afternoon a meeting was held in the office of the Chamber of Commerce, at which a tobacco organization was perfected, with a number of prominent farmers as members. Arrangements were perfected for the planting of a good acreage of tobacco in this vicinity next year, and a tobacco expert, Mr. E. Daniel, was employed to oversee the cultivation of the crop.

The matter of planting tobacco in this section has been agitated for some time past. It has been believed for some time that tobacco can be profitably grown in this section.

Mr. C. R. Brabham, Sr., stated the object of the meeting Monday afternoon. Mr. Daniel gave the farmers present full information relative to the forming of a tobacco club.

Mr. C. R. Brabham, Sr., was elected president of the club, and Mr. J. A. Wyman was elected secretary.

It was decided to employ Mr. Daniel for the next tobacco season at a salary of \$1,500. Mr. Daniel will have general supervision of the planting of the crop, the erection of suitable barns, the cultivation of the crop, marketing, etc.

The following farmers obligated to plant the acreage named in tobacco: C. R. Brabham, Sr., 12 acres; John H. Cope, 18 acres; J. W. Stokes, 6 acres; J. W. Hill, 6 acres; J. A. Spann, 12 acres; A. M. Brabham, 12 acres; G. Frank Bamberg, 12 acres; J. A. Wyman, 12 acres.

Any others who may desire to plant tobacco next year may enter the club by informing the committee, composed of Messrs. J. H. Cope, A. M. Brabham, and J. A. Wyman, and agreeing to pay their pro rata share of the expenses. Fifteen barns will be required for the 90 acres already arranged for, each barn being 16 feet square and 16 feet high, the capacity of a barn being six acres of tobacco.

It is not likely that a warehouse will be built this year, as the acreage would not warrant it, but the tobacco will be shipped to some nearby tobacco market. Mr. Daniel will enter upon his duties January 1, and remain throughout the tobacco season.

Graded School Begins Session.

Monday morning the graded school began its session under most favorable circumstances. Quite a number of the friends and patrons of the school were present at the opening exercises. Dr. E. O. Watson made an excellent talk to the pupils and teachers.

The enrollment in the lower grades is most gratifying, but the enrollment in the higher grades is somewhat disappointing, especially as to boys. On the first day only five boys enrolled in the high school.

The graded school is fortunate this year in having an exceptionally strong faculty. Superintendent Allen and his corps of teachers are now hard at work and expect this session to be one of the best in the history of the school.

From Camp Jackson.

Editors Bamberg Herald:—We do wish so much we were with you all, but such is impossible, so let us hear from you weekly by sending The Herald.

We, the Bamberg boys, wish so much to thank each and everyone who took part in our little banquet at Mrs. Johns's, as we were about to depart from Bamberg, but to return some day again.

We arrived here safely at 2 o'clock and were examined and passed all o. k., of course. Camp life is fine—except the punctures for typhoid fever. Meals are good also. Everybody holds one arm, being sore from the puncture.

Write us. We were not all separated. Mr. Henderson, myself, Ray, and two others are all in company D, engineers. R. A. BENNETT. Camp Jackson, Columbia, S. C.

From Camp Sevier.

Private W. E. Hutto, of Co. M, national guard, in training at Camp Sevier, Greenville, writes:

"We have been having it pretty hard since we arrived at out camp. Have been vaccinated for typhoid fever and it has had all of us with sore arms. We drill about six hours every day. We don't have much time for writing and washing clothes. Give all the boys my best regards. Guess I will see you some time next month."

MISTRIAL IN McPHAIL CASE

JURY FAILED TO REACH AGREEMENT IN MURDER TRIAL.

McPhail Denied Firing Shot that Killed Walker.—Trial Consumed Thursday and Friday.

The jury in the case of the State versus W. L. McPhail, charged with the murder of H. W. Walker last December, failed to reach an agreement and Saturday morning, after being in the jury room all night, a mistrial was ordered by Judge Sease. The case was closely contested throughout, and a great deal of interest was taken in the proceedings. The court house was packed both days, and the proceedings were marked by the presence of a large number of ladies.

The State charged that McPhail fired the shot that killed Walker in the town of Midway, and sought to show that no one else could have fired the shot. The principal witness for the State was Mrs. Jessie Kalker, wife of the deceased. She was the only witness who testified directly that McPhail killed her husband. The larger portion of the testimony of the defense was directed to breaking down her testimony.

The theory of the defense was that McPhail did not and could not have fired the shot that killed Walker; and while the defense contended that it could not saddle the crime on anyone, its efforts tended toward placing the firing of the shot upon Mrs. Walker.

About two hours was consumed in securing a jury for the case; all jurors being placed upon their voir dire, and questioned closely by the court as to kinship, bias or prejudice. The panel was exhausted after the eleventh man had been selected, and six extra jurors were drawn, from whom the twelfth juror was secured.

Testimony for the State.

The first witness for the State was Dr. Robert Black, who performed the post mortem upon the dead body of Walker. He described the wound. He said that he found one pistol ball wound in the head, entering behind the right ear, ranging downward and backward. He cut the ball out on the opposite side of the skull, after it had penetrated the skull on both sides and was just beneath the skin. The bullet had a battered appearance, and the witness said it was possible for a portion of the ball to have slivered off.

On cross examination the witness said that at the instigation of the grand jury he had weighed the bullet and also others purchased from a hardware store. He found the weight of the bullet that killed Walker was 94 grains; that a .38 special bullet weighed 165 grains and a .38 short weighed 150 grains.

Dr. H. J. Stuckey next testified. He, in company with others, visited the scene Saturday night. Saw the body. Pistol was in right hand and knife in left. Pistol contained one discharged cartridge and one loaded shell. Saw powder burns around wound. Death was instantaneous. Left hand was open, knife lying in it, right hand clinched pistol. Saw McPhail that night; said positively he did not kill Walker. Witness came to Bamberg with McPhail. Defendant was drinking but not drunk.

On cross examination, witness said he could detect no tampering with body. Saw no indications of a struggle near body, which was lying face downward. His opinion was that Walker had pistol in hand when killed. Witness said he was the family physician of McPhail, and had never seen a .38 short pistol in his possession. He identified a .38 special pistol as McPhail's.

Mrs. Walker Testifies.

Mrs. H. W. Walker, wife of the deceased, was next called. Said Walker came home about 5 p. m., and went out in town of Midway, but did not leave the town. Was at home about dark. Started to Bamberg, but did not go. Was at home when Charleston trained passed going to Augusta. Witness told of going to Ben Lawson's store before killing, and going back home. She heard McPhail's car coming; detected it by the loud blowing of horn, which she said was his custom. Heard McPhail curse; said "I'll kill you." Walker called to his son Willie to bring him his gun, that McPhail was about to kill him. Willie was asleep, and she got pistol and took it to her husband. Put it in blouse when she left house. Saw that McPhail had a "long pistol" stuck under Walker's chin. Saw defendant's car near. Witness said she caught Walker by the coat and told him to come home. McPhail cursed

violently. She put her hand on McPhail's shoulder and asked him not to shoot her husband. Walker put his head on McPhail's shoulder. Negro, Elliott Glover, struck Walker. Walker asked McPhail for pistol. Witness then put pistol in her husband's pocket; Walker told her to go home. Negro told Walker to take that or die. Walker fired at him. Had her right hand around Walker, and left hand on McPhail's shoulder. Some one jumped out of car at that time; they turned to look at him, then McPhail shot Walker. Witness thought McPhail was about to kill her too, and that he did shoot at her; defendant fired toward her house. Defendant then took shells out of pistol and called for more. She carried her children to Ben Lawson's house. McPhail had hold of her husband's body; appeared like he had hold under arms. She called to him but he did not answer. Shooting occurred about ten o'clock. She came to Bamberg with Ben Lawson to get the sheriff; went back with H. D. Free and others, who moved body to house. Pistol she carried husband had two shells in it. Witness said she heard five shots; McPhail shot four times and her husband once. Her hair was scorched by shots. McPhail was about three feet away when he fired. She, Walker, McPhail and two negroes were present at the time. Steedly's and Lawson's stores were closed.

Cross examination: Denied going with pistol in her hand hunting her husband; denied possession of a .32 pistol; denied telling anybody she would kill anyone who testified against her; denied making any threat that she would kill her husband that night, and denied that Walker was trying to take her home because she had thrown a brick at Steedly; denied cursing her husband. Walker was not drunk. Did not go to scene until Walker called for gun. Found Walker begging McPhail not to shoot, McPhail cursing him. Denied carrying two pistols. Witness said she was sorry that she did not have another pistol; she would have killed McPhail rather than see him kill her husband. Denied that she had for several years been having rows with her husband. Admitted that she had on one occasion drawn a pistol on him—about seven years ago. Said the pistol shown her as McPhail's did not look like one he had that night. Pistol glittered in moonlight; one showed her would not. After shooting, McPhail ran back to car and reloaded. Shots were in quick succession. Denied calling to McPhail to come to her after shooting. Counsel for the defense put her on notice she would be contradicted. Witness said she was behind Walker at time; no one was behind her.

On redirect examination, Mrs. Walker said her husband had acted as deputy. That there was hard feeling between her husband and McPhail because of McPhail's alleged violation of the liquor laws. That McPhail had about three weeks before the killing received nine gallons of whiskey at Midway in the names of different parties and that Walker had taken down the names on the packages in the presence of McPhail, and that the latter had warned Walker he had better attend to his own business. Witness admitted she had once owned a .22 pistol, but that it had been torn up two years before. She said she was not in a condition at the time to notice every one who might have been present.

Ten Year Old Daughter.

Sallie Walker, ten-year-old daughter of H. W. Walker, confirmed her mother's testimony in practically all respects, except she heard only three shots. She went to the scene and saw her father's body on the ground and saw McPhail standing behind a tree. Her mother had gone to Lawson's house. Went to the body, which was lying on right side. Saw nothing in hand. Did not see negroes Saw Ben Lawson go to body. Cross examination failed to bring out anything different from her main testimony.

B. D. Bolen said he helped to dress body after death. Saw powder burns; said that Mrs. Walker's hair was singed. A. R. Dempsey also helped dress the body. Saw powder burns and indications of a blow in the face. Also saw powder burns on Mrs. Walker's face. On cross examination, witness admitted blow could have been made by falling. Said was about two inches deep were body was.

Sheriff S. C. Ray testified he knew Walker; that Walker had acted as deputy. Had employed him before killing in capacity of detective. Told him to have McPhail up for selling whiskey. Did not know whether

IN THE PALMETTO STATE

SOME OCCURRENCES OF VARIOUS KINDS IN SOUTH CAROLINA.

State News Boiled Down for Quick Reading.—Paragraphs About Men and Happenings.

A large number of North Carolina and Tennessee troops have arrived at Camp Sevier, Greenville.

The Atlantic Coast Line railroad in twenty-four hours handled seventeen troop trains through Florence.

Two carloads of Percheron brood mares have been purchased in Illinois for Hampton county farmers.

Two soldiers stationed at a camp near Lexington, were waylaid and shot in the legs Sunday night by unknown parties.

William S. Cogburn, a well known citizen of Edgefield, accidentally shot himself in the left hand Monday afternoon while dove shooting. The hand had to be amputated at the wrist.

A thousand new recruits undergoing intensive training at the U. S. Marine Corps recruit depot at Port Royal, S. C., went through the month of August with a perfect conduct record. There was not one single offender against the regulations, a report to headquarters states.

McPhail knew Walker was a deputy or not.

Junior Bessinger testified he heard McPhail say if he was ever tried again it would not be for selling whiskey, but for killing the man who reported him.

L. C. Price testified he went to Midway night of killing. Saw body on street. McPhail came up while witness was there, stayed some time. McPhail said Walker was fussing with some negroes and asked him for pistol, and before he (defendant) could give it to him "they killed him." On cross examination witness said he advised McPhail to give up. Saw knife in left hand. Said McPhail said he loved Walker like a brother; thought Walker was the best friend he had. On redirect examination witness said he saw McPhail in Bamberg before the killing; that he was staggering; had never saw him stagger before.

Policeman J. W. Jennings testified he saw McPhail in Bamberg before the killing; was under the influence of whiskey.

Ben Lawson, a negro storekeeper of Midway, was next called. Was in his store before killing; Walker was in his store about half hour before shooting. Went out of store when automobile came from Bamberg. Heard McPhail. No loud talking or cursing then. Closed store and went home. Crowd and auto left from in front of his store and went over near Steedly's store. When he was in his house he heard one shot and then two more, then voice of a lady; last two shots maybe minute after first shot. Last shots were loudest. Heard Mrs. Walker say McPhail had killed Whilden. She wanted to go to Bamberg to get the sheriff. Walker's body was face down in the sand; head was toward south; automobile about ten feet away. McPhail got in car and was sitting there when witness left for Bamberg with Mrs. Walker. Witness said short time before shooting, Mrs. Walker came in his store. Walker was there. She asked her husband for some matches; Walker told witness to give his wife matches. Walker asked his wife if there was anything else she wanted, and she said nothing except for him to come on home. Nobody was drunk, said the witness. Left hand was under body when he saw it. Never heard Mrs. Walker curse her husband. Witness said he closed his store at the usual time.

The testimony of Lawson ended the State's case in main. Testimony of the Defense. C. P. Steedly was the first witness for the defense. Mr. Steedly heard difficulty between Walker and his wife and saw row day of killing. She cursed him. Mrs. Walker had had fuss with witness's brother. Mrs. Walker went home and was trying to get back when Walker interfered. Witness admitted that he did not feel kindly toward Mrs. Walker. It was dusk when he saw fuss. Said Mrs. Walker had pistol in hand; on cross examination said it was something and it looked like a pistol. She had gone home, said the witness, to get a pistol after the row with his brother.

William Stokes, a negro preacher, testified he was one of the men to watch the body before the officers arrived.

COUNTY'S SECOND CONTINGENT

For the National Army Leaves Next Wednesday Morning.

Bamberg's Second contingent in the national selective draft army will leave this city next Wednesday morning for Camp Jackson, Columbia, where it will join the first nine men, who left last week. The second contingent calls for 40 per cent. of the county's quota, but on account of the fact that only white men are desired at the camp at this time, Bamberg will not send 40 per cent. Arrangements have not been completed for the accommodation of the colored soldiers at Camp Jackson.

Mr. A. L. Kirkland, clerk of the Local Board, stated Tuesday morning that there were but 22 more white men certified from this county, and that two of these had been granted exemption by the district board, leaving only 20 qualified white men. Forty per cent. of the county's quota is 73 men, and there will be, therefore, a deficiency of 53 men in the contingent. This deficiency will be made up, it is stated, by other counties where there is a large majority of whites sending sufficient drafted men above 40 per cent. to make up the deficiency in counties where there is a majority of colored population. In this way, the State's full proportion will be furnished.

The men will gather in Bamberg next Tuesday and remain here over night. An entertainment has been planned for the men to take place Tuesday night.

The district board has granted exemption to about 10 of the men certified by the county board. Most of these men are married, but have no children. All married men who asked for exemption were exempted by the district board.

The following order has been sent to the district board:

"Send 40 per cent. of your quota to Camp Jackson, South Carolina, September 19 as planned. This increment should be made up entirely of white men. To compensate for counties that have such a preponderance of negroes as to be unable to furnish 40 per cent. white, send larger increments from counties with higher percentages of whites to the end that 40 per cent. of the quota for the entire State may go to camp as scheduled. Inform passenger representatives with least practicable delay in order that such local traffic adjustments as may be necessary can be consummated at once."

He saw the body; pistol was in one hand, knife in the other. No one disturbed the body while he was watching.

Adam Johnson was also one of those in charge of the body. Said body was not disturbed while he was present until Mr. Free and others came.

William Stokes, recalled, said he said Elliott Glover soon after the shooting. Noticed his coat was cut. On cross examination said Glover showed it to him. McPhail went in auto toward his home.

Drew Steedly.

Drew Steedly said he was a storekeeper and station agent at Midway. Mrs. Walker was at his store in the afternoon. He was not allowed to go into details of what occurred, but in consequence of the incidents at his store, Mrs. Walker was very much enraged, and she went home. Walker was trying to quiet her at her house. Witness said she cursed her husband and told him she would kill him before twelve hours passed. Said she had pistol in hand. Witness was not allowed to testify as to alleged violence of Mrs. Walker. After the arrival of McPhail's car, witness heard loud talking, then shooting. Heard three shots; saw flash of shots. Said pistols are often called guns. Said all shots came from same direction. Heard woman say "Do, Cousin Willie, come to me," or words to that effect. Said it was Mrs. Walker's voice. Witness saw Ben Donald. Called to McPhail, who came over to him. McPhail told him he did not know who did the killing. Witness saw body on ground, face downward. Pistol in one hand, knife in other. Saw auto move off. McPhail, witness, witness's wife and children, Glover and Ben Donald were in car. Said Glover's coat was cut. They went to McPhail's house. Witness came back to Midway with McPhail and several others. Witness denied the liquor transaction told by Mrs. Walker. Denied ever selling liquor. Walker was drinking that afternoon. Said McPhail had received a half gallon of liquor in own name; knew nothing

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