

COURT PROCEEDINGS MAKE MUCH HEADWAY

Number of Cases Are Disposed Of in Record-Breaking Time

COURT OFFICERS AID IN EXPEDITING CASES

Judge John S. Wilson Was Here About Four Years Ago.

The court of General Sessions convened here last Monday morning with Circuit Judge John S. Wilson presiding, and with Solicitor L. M. Gasque and Court Stenographer, F. F. Covington, both on duty. Many cases had been continued from the last term which took place in the busy crop season and when the officers of the court were anxious that the farmers might return as quickly as possible to the raising of crops in the effort to increase the food yields of the county in time of the war. This time there was a noticeable effort on the part of every officer to get the court quickly down to the trial of cases and the prompt and orderly conduct of the affairs of the court in such a way as to dispose of the most business in the shortest possible time.

There was a short delay, however, on the morning of the first day, owing to the bad weather and the consequent sickness of the roads; Judge Wilson and the Solicitor and a number of attorneys having planned to come over in automobiles. The roads were bad and they did not arrive here until about the middle of the day, and the court did not convene on Monday until 2:30 in the afternoon.

There is no more zealous prosecuting officer than Solicitor Gasque of the 12th circuit. He was not slow to take hold of the cases laid over from the last term, and the greater portion of these were quickly disposed of. He handed out various indictments to the grand jury, and then proceeded with the docket.

The State vs. C. F. Powell, on several indictments, was continued.

The State vs. L. P. Watts and others, in two cases, was also continued.

In the case of the State vs. G. F. Small, charged with assault and battery, the defendant pleaded guilty and was sentenced to pay a fine of \$100.00 or to six months on the public works, with this sentence suspended on payment of \$50.00, and good behavior. The \$50.00 was promptly paid.

Luther Port and Will Hayes, both charged with violation of the game laws which prohibit fishing on certain days of the week, came before the bar and acknowledged they were guilty. Each was fined in the sum of \$25.00, which was paid.

The State vs. R. B. Alford, on a charge of assault and battery with intent to kill, was taken up on Monday afternoon and was finished up on Tuesday morning. He was charged with cutting M. D. Stevens near Loris some time ago.

The State vs. Bill Oliver, colored was a charge of housbreaking and larceny. He pleaded guilty and was sentenced to the public works.

The State vs. R. B. Alford was concluded Tuesday morning, the jury returning a verdict of guilty of assault and battery of a high and aggravated nature.

The State vs. Pat Jenkins was taken up. He was charged with resisting an officer and assault and battery. He pleaded guilty and was sentenced to \$100.00 or 6 months in the gang.

The State vs. Peter Burg and Wm. Franklin on a charge of housebreaking was tried. Defendants were colored boys caught stealing from the homes of W. B. Chestnut and A. M. Rabil. There was no proof as to Peter Burg and the other defendant and the court directed a verdict of not guilty.

The State vs. O. A. Chestnut and Ella Harrelson on a charge of adultery was called and ended in a plea of guilty.

The State vs. Kinnis Jolly was called for trial. He was charged with assault and battery with intent to kill. The jury was empanelled and a part of the witnesses for the State were

GOVERNOR FAVORS CROWDER'S PLAN

May Examine All Men Subject to the Draft Before Stopping.

Governor Manning last week gave his approval to the suggestion by the provost marshal general that all men subject to the selective service act be called out and examined so as to determine their liability for service in the National Army. The governor sent a telegram to Washington informing Provost Marshal General Crowder of his views on the subject which were called for several days ago.

The governor suggests that no attempt be made to begin the work for several weeks in order that the men now serving on the local exemption boards may be given rest. Governor Manning points out that the duties of the boards have been arduous and that some rest should be allowed.

Under the plan it would be necessary to examine about 100,000 South Carolinians.

Governor Manning also suggested that the laws governing the draft of men as promulgated by the provost marshal general be modified at once so as to simplify the work.

The governor said that the determining of the status of each man subject to draft would stabilize conditions. A great many men are uncertain as to what steps to take in private life, because they do not know when they will be called to the colors.

AGED HORRY MAN HAS PASSED AWAY

Daniel W. Oliver, an aged and well-known citizen of this county, died last week in Socastee at the residence of his son, D. W. Oliver, Jr. He was seventy-eight years of age. He was a veteran of the War Between the States, in which he rendered brave and gallant service.

The funeral services took place at Centenary Church, the services conducted by Rev. J. E. Cook. He is survived by his wife and a number of children.

Land is the best investment; it cannot be stolen,—but it is easy to slip a mortgage over on it.

sworn when the court adjourned for dinner. When court reconvened after dinner the parties had agreed to an adjustment of this and several other cases of like nature growing out of the same difficulty. It was shown that Jolly fenced up a portion of a road turned out by the County and the fence interfered with the use of his property by Zeb Lewis, the prosecutor. Zeb Lewis gave notice to the Jollys to move the fence and this notice not being heeded, Zeb Lewis and his brothers went to tear it down. Jolly, who was plowing in the field went to his house and came with his gun, while one of the Lewis boys got his gun. Jolly ran up to within about 20 steps and shot three times, hitting two of the Lewis brothers in the operation. The Lewis brothers were tearing down the fence, while the one who got the gun shot back at Jolly twice.

By the terms of settlement the road is to be kept open, and the fence of Jolly placed back by Lewis where it was before it was moved so as to take in the road.

The next case on the docket was a charge of wife beating against Daggett Tompkins, a young white man. Last year, or year before, this same defendant was before the court charged with complicity in the killing of a man. Many will remember the trial. It is also said that this same man at one time was charged with bigamy, and the case was noll-prossed owing to lack of proof. He was tried last Tuesday on the charge of wife beating and was found guilty by the jury. His sentence was deferred by the court until later in the term. Among the penalties imposed for this crime is the loss of the right to vote.

As the Herald went to press this week, the court was trying the case of The State vs. W. H. Causey, another charge of wife beating. The result of this case and all others which are disposed of at this present term, not reported in this issue, will appear next week.

DIVISION OF WHITE TROOPS AT JACKSON

Governor Manning, at Washington, Gives Reassurance About Cantonment

TO FORM MILITIA REGIMENT FOR STATE

Will Have Use of 600 Government Rifles for Home Guard, Says State's Executive.

Washington, Sept. 21.—Governor Richard I. Manning had a long conference here today with Secretary of War Baker, at which Gen. Bliss, acting chief of staff, was present. The Governor came to Washington because of certain disquieting rumors in connection with the troops to be sent to the cantonment at Columbia. After the conference he made this statement:

"I can say authoritatively that a full division of white drafted men will be sent to Camp Jackson at Columbia."

A division numbers 28,000. The camp is not to accommodate more than 42,000 or 43,000 men in all, so that the significance of the assurance received by the Governor today is obvious. Governor Manning also held a long conference with Provost Marshal General Crowder with reference to features of the draft.

To Organize Militia.

In addition to the foregoing statement, Governor Manning gave out the following information of interest with regard to the militia of the State:

"I have reached the conclusion that inasmuch as the original militia organizations of South Carolina, including the naval militia, have been drafted into the federal service, leaving the State without any home protection in case of riots, fires and so forth, it will be proper for me to organize at once the unorganized militia of the State into a regiment.

Used Only in State.

"This regiment is not to be used beyond the State. It will be composed of twelve companies from different parts of the State, and I have succeeded in procuring some 600 rifles now in the Columbia armory for the use of this regiment."

The Governor said that he had found each of his conferences eminently satisfactory. He left for Columbia tonight.

PROGRAM OF THE PEE DEE UNION

The Pee Dee Union will convene with the Mt. Olive Church, Sept. 30, 1917.

11:00 a. m.—Friday—Introductory Sermon—H. B. Roberts.

11:45 a. m.—Union Called to order by Moderator with Song and Prayer

12:00 m.—Election of Annual Officers.

12:45 p. m.—New or Miscellaneous Business.

1:00 p. m.—Song and Benediction.

Saturday.

9:30 a. m.—Song and Prayer Service by W. H. Holt.

11:00 a. m.—Subject: Characteristics of the True Church that Distinguish it from other Unscriptural Institutions—H. B. Roberts.

10:30 a. m.—Entering Each Day Without Anxiety, Useless to Pray Unless we Act.—J. P. Derham.

11:00 a. m.—Christ's Mission and Second Coming.—D. L. Hill.

11:45 a. m.—Sermon by S. L. Purvis

12:30 p. m.—Written Report of Home Missions—J. T. Shelley.

12:45 p. m.—Written Report of State Missions.—H. B. Holmes.

1:00 p. m.—Report of Committees. Song and Benediction.

Sunday.

11:00 a. m.—Sunday School, followed with a Sermon by E. L. Owens.

L. D. HOIT, Committee.

U. S. ENGINEERS HELP THE FRENCH

Operating Important Line Of Strategic Railroads Under Fire

TRAIN ATTACKED BY GERMAN AIRPLANES

Bullets Fall so Fast Men Take Refuge Under the Engine.

American Training Camp in France—By day and by night, men of the American regiment of engineers which has taken over an important line of French strategic railroads, are hauling tons upon tons of ammunition and other supplies to the French army units operating against the Germans. The American regiment has been turned over as a unit to the French and is getting all its supplies except clothing, from the French government. The officers and men entered upon the work with the greatest enthusiasm, and they already have been under German bombs and machine gun fire from airplanes.

Within the past few nights, a heavy train of supplies hurrying toward the front was attacked by several enemy planes. None of the bombs came dangerously close, but every time the fire box of the engine was opened for stocking the planes swooped down upon the train and spattered it with steel-jacketed bullets. The fire got so that eventually the train was stopped, the crew taking refuge beneath the engine. Relating their experience afterward these trainmen rather "swanked" over their inexperienced brothers.

YOUNG MEN DREAD YET DO NOT HATE

That some, if not all, of the young men drawn under the selective draft act of Congress, dread the idea of going into the war with its added uncertainty of life, goes without saying, yet nine tenths of them realize that the war is a necessity for the preservation of home and country, and notwithstanding the dread with which they postpone contemplated careers in the world of work, they go willingly, eagerly to take part in the fray. Those to whom the lot has fallen to go while others are left, realize that it is best that many be left behind to preserve national interest while those who return are away.

Suppose all went. To what would the boys return when fortunate to return at all?

YOU ARE EXPECTED TO ATTEND

The plans for the meeting of the Council of Defense for Horry County Saturday September the 29th, at 1:00 p. m., at the Burroughs High School have been perfected, and bids fair to be of great value to those attending.

Mr. A. V. Snell, who is in charge of the campaign for food conservation for the State of South Carolina, will be there to outline that feature of the work and will no doubt dwell on other features of the Council. Mr. D. B. Coker is making arrangements to have Representative of the American Red Cross who will outline the work for that organization to attend the meeting and look after that feature of the work.

It is impossible to stress the necessity of every one attending this meeting which will be open to the public. You will be sure to find a line of work which will appeal to you and in the doing of which you will be performing your "bit" for the successful ending of the war.

J. HERBERT BATE IN NEW COMPANY

Wilmington Concern is Reorganized In That City With Outside Capital.

(Wilmington Dispatch.) Announcement of the transfer of the control of the Chadbourne Lumber Company, located in the southern section of the city on the Cape Fear river, from Mr. C. C. Chadbourne, and its incorporation under the operating name of the Chadbourne Bate Company, was made yesterday afternoon by Mr. Chadbourne, who for a long time has been sole owner and manager of the company.

The new company has been chartered by the State with Mr. J. H. Bate, of New York, as president, and Mr. C. C. Chadbourne as vice president. Mr. L. E. Woodbury continues in the office of manager. The planing and retail order establishment will receive the personal supervision of Mr. Chadbourne, and the lifting of other burdens from his shoulders will mean that these two departments will be better able to serve the buying public. All old men were retained by the new company from the manager down.

Mr. Bate, president of the Company, is comparatively a young man, of large means and his rise in the lumber world has been phenomenal. Beginning as an office boy with a New York lumber company, he worked himself up to responsible position with the firm employing him and then launched out into business for himself. Success has always attended his efforts and today he is the largest individual lumber buyer in the ports of Wilmington and Georgetown, S. C.

(Mr. J. H. Bate who is mentioned in the above copied article, is interested here in several mills, and is well known in the lumber business in Horry County.)

TESTIMONY TAKEN ON DEFECTIVE DEED

W. L. Bryan, Special Master of the Court, held a hearing at his office last Thursday and took the testimony in relation to a suit by Burroughs & Collins Co., and Sam Q. Floyd vs. Matthew T. Floyd and others heirs at law of Louis H. Floyd, dec'd, for the purpose of correcting an error in a deed for 427 acres of land dated January 31st, 1877, and made from said Louis H. Floyd to Sam Q. Floyd, covering a tract of smaller extent now owned by Burroughs & Collins Co. The remainder of the tract is held by the wife of Sam Q. Floyd who conveyed to her some years ago.

The claim of the plaintiffs is that the deed was intended to convey to Sam Q. Floyd and his heirs; but the deed which prepared by a man ignorant of the forms of law, omitted the word heirs in the habendum clause, so that the deed on its face would appear to convey only a life time right to Sam Q. Floyd.

The heirs of Louis H. Floyd it appears never laid any claim to the land until about a year ago, this defect in the old deed was discovered by some attorneys who were investigating the title for a lumber company. Soon after discovering the defect in the old title, the plaintiffs brought action to reform the deed, and the heirs of L. H. Floyd have decided to lay claim to the property after the death of S. Q. Floyd.

Evidence produced at the hearing shows that \$300.00 the consideration set forth in the Sam Q. Floyd deed was a fair price for this land at that time, especially as about half of it lay in the Lake Swamp. It was also established that the timber just before 1877 when the deed was made, had been devastated by a storm. It further appears that the timber which was left on the land and that which afterwards grew on it was used and sold off by Sam Q. Floyd without any protest from any of the heirs of L. H. Floyd and none from L. H. Floyd himself.

The original deed dated in 1877 from L. H. Floyd to Sam Q. Floyd developed at the hearing had been lost, Mr. Floyd testifying that once he delivered it to his attorney, then the late J. Monroe Johnson, of Marion, S. C., and that he had never re-

BAKER REQUESTS STILL MORE MONEY

Need Rifles and Small Arms for Ordnance and Engineering Service

TO EQUIP ADDITIONAL HALF MILLION MEN

For Rifles and Small Arms Ammunition for Target Practice of 2,300,000.

Washington.—With the beginning today of Senate hearings on the seven billion dollar deficiency bill passed yesterday by the House, Secretary Baker presented estimates for additional appropriations of \$287,416,000, principally for ordnance and the engineering service.

"The submission of all these estimates," said the secretary, "is made necessary in order to provide increased facilities for the manufacture, issue and storage of ordnance material; for equipment of an additional half million men, in anticipation of a call for that number; for procuring additional rifles and an additional supply of small arms ammunition for machine gun, rifle and pistol target practice of an army of 2,300,000; for construction work with which the engineer corps is charged in France, and for equipment of special troops operating in the theater of war in Europe."

ONE NEW NAME ADDED TO LIST

The names of those who left for Camp Jackson at Columbia, last Saturday morning, was increased by one over those whose names were published in the list several days before; this new name being that of Thurman Sparks. Mr. Sparks had filed claim for exemption at first on the ground that he held a scholarship at the Citadel, and was in the midst of the course when war was declared. Recently he decided to withdraw the exemption before it had been passed upon by the district board, and go off in the September quota. This arrangement was made and he left with the others last Saturday morning.

J. L. BELL EXCUSED ON PHYSICAL GROUNDS

Mr. J. L. Bell, the first man drawn in Horry County under the selective draft, after going to Camp Jackson with Horry's first quota of twelve men; was found physically unable to stand the exercises required of the soldiers in training, and was discharged so that he returned home last week.

There was another J. L. Bell among the drafted men as it now appears and for some time the names were confused in the notices appearing in the daily papers.

WILSON WILL NOT TALK PEACE NOW

Washington.—There will be no more discussion of peace at this time by the United States and the entente allies unless it is forced by a fresh appeal from Pope Benedict.

This was clearly indicated both at the state department and by allied diplomats after publication of the unofficial texts of the replies of Germany and Austria to the papal appeal. The Austrian note aroused some interest because of its apparent sincerity.

turned this deed to him and search among his papers since his death failed to disclose the document. The defective deed was proved by placing in evidence the record of the instrument.

Mr. W. L. Bryan made his report showing this testimony to the court which is in session this week, but it is uncertain that the court will pass on the case at the present term.

Forty Percent Quota Left Conway on Friday

New army soldiers, to the number of ninety-seven, representing forty per cent of Horry's quota of 234 men, required for the first increment of the new national army, left Conway promptly on time last Saturday morning on their way to join the colors at Camp Jackson, at Columbia, S. C.

(Continued on Page Four.)