

## TEEN WHO RAN DOWN TEACHER

### Tried For Their Conduct in The Court

### TEEN ARE IDENTIFIED

happened On Road at Mt. Olive School in October 1922

On Monday the case of the State vs. Dagget Fowler, Jim Cooper and L. L. Grainger was called for trial. The charges against them were assault and battery with intent to kill.

The allegation against all three was on October 9th, 1922, this crime committed upon Miss Thelma Derring, one of the Mt. Olive school teachers, in Floyds township, by running a horse and wagon over and upon his young lady named in the indictment.

Miss Thelma Derring was sworn, stated that she lived at Mt. Olive school, teaching in that school. She does not know the defendants. On October 9th, 1922, she was coming to school with other teachers and a horse and wagon and the wheel was knocked off and she was thrown. The men, she remembered were two, went on laughing, stated she would not know the wagon. The road was a good wide one and she said she was on the outside of the ruts and the wagon turned at the width of the wagon to the right and they turned at once back the road. She went on to her living place, Mr. Dan Ayres. Three days after that who said they were her, Grainger and Cooper came to her about the matter. The defendants stood up and she identified them. They wanted to make it up, that they were intoxicated at the time.

On cross examination she stated she had not been seriously hurt. She did not recall seeing a man as the defendant Fowler in the wagon. She recalled two boys in the wagon. One of the two boys was never had any trouble with any defendants before this incident. She could not say who was driving. Only Fowler who said they had been drinking. He was sitting by the wheel and spoke of "we." Fowler did not recall any of the talking. Fowler said he did not remember anybody at the time of the accident. He asserted the wagon had been out of the ruts at least 25 or 30 feet behind her.

Gertrude Ayres was sworn, one of the teachers at the Mt. Olive school. Witness said she was Miss Derring. Others were Miss Derring. As they passed along the road, she saw the wagon would strike Derring. She grabbed Miss Derring, an effort to get her out of the wagon struck her. She noticed the faces. The wagon was in the road and they went on driving.

On cross examination she said she saw two boys in the wagon and they were neighborhood boys. She did not recognize their faces. She did not know which of the boys was driving. She did not remember the boys were seated in the wagon or down on their faces. All laughing as she heard them. She said Derring were both well out of the road.

Edna Slice, another teacher, was sworn. She was teaching at Mt. Olive school. She was ahead of the wagon when it was injured. She heard Derring scream. The wagon was passing her and carried her. The two boys were laughing. She stated she had seen the three men since. She did not talk with any of them. She was busy trying to get children out of the road. She stated the wagon was being driven in a dangerous manner.

On cross examination she stated she saw a man sticking out of the wagon body. She did not know any directions being given to the man who was lying down in the wagon. She did not notice that the man was lying down. She was laughing.

Ballie Fisher, the principal of the school at Mt. Olive next testified. She was walking with Miss Derring when she was ahead. She heard Derring coming and the talking and she was kept busy getting Derring out of the way. The wagon was being driven fast and she was out of the ruts and she passed witness. She did not know any of the men. They did nothing to her. She saw two boys in the wagon and continued On Back Page.)

## WATER HAUL IN FIRST CASE

### Two Negroes Get Off Very Easy in A Trial

The State vs. R. C. Hemmingway and Harriet Varen was a charge of adultery—not in high life, but cut in the sticks among the members of the colored race.

The crime was laid as having been committed on or about September 4th, 1922.

The jury was quickly empanelled and the case went through in an expeditious manner, being the first one tried before the jury at the present term.

Manie Livingston, a young negro, was sworn by the State. He knew both of the defendants, but thought that Wampee was in North Carolina. He did not know what county he lived in. He testified both defendants were married, but further than this he swore he knew nothing of any misconduct on their part, and said his name was given in to "dem mens by mistake."

Thurman Moore was sworn and also claimed he knew the parties, but knew nothing of their wrongdoing. Asked by the court as to how he came to court, he said he came in a truck.

Luther Edge also testified to about the same effect.

D. F. Bellamy, rural policeman, was sworn. He was the prosecutor in the case. He explained that three other parties had been indicted together and some error had been made in binding over or indicting the defendants. The case resulted in a directed verdict of not guilty.

## JOHNSON BOY UNDER KNIFE

### Second Operation Removes Ball Imbedded in Hip Bone

The young son of W. H. Johnson, who was seriously injured by an accidental bullet from a rifle early in January, was taken back to the hospital at Mullins last Thursday for another operation to be performed as a result of the wound.

Young Johnson was brought home from the hospital several weeks ago with many signs of his injury still showing, one of which was his inability to walk straight. The bullet which has entered his abdomen had not been extracted, it not being at that time best to probe for the shot in the opinion of the doctors.

He got steadily worse and when taken from here last Thursday he was suffering pain so intense that he could not take nourishment.

At the hospital last Thursday another operation was performed and the bullet was found imbedded in his hip bone. It appeared that the bullet had struck some of the bones of the spinal column and glanced off into the bones of the hip. The ball was extracted, and at last accounts the boy was doing well and it was believed he would soon recover.

## SCHOOL HOUSE SOON COMPLETE

### Far Ahead of Section in Style and Cost of The Work

The new school building for Conway is now near completion. It is the result of the voting of sixty thousand dollars worth of bonds on school district Number Nineteen, in which the business section of Conway, as well as the outlying residence sections of the town, are included.

The building of the new structure, which is really an addition to the school building the district already had, allows the use of the old auditorium for new class rooms, and these, with the addition of new space, by means of the addition, gives all of the room that was wanted.

The new auditorium contained in the addition, is fitted with the finest kind of electric fixtures. It will have plenty of light. The finish is in weathered oak and a fire proof projection room, stage and settings are provided as a part of the new equipment. The auditorium will seat about 1,500 people. It is being told that this auditorium, with one single exception, is the finest thing of its kind in the State of South Carolina. One of the features which places it in a class almost by itself, is the large stage above mentioned, and the curtain of velvet with which this is provided. A late design of opera chairs has been used and their nice finish shows off to great advantage within the white walls of the big room.

The new school plant is far ahead of other things in this section.

When the work of the National Highway has been completed to the Waccamaw church, near Klondike, the sum of about forty thousand dollars, provided for the work, will have been spent.

## IT GIVES THEM A PAIN

Work is the last thing that some people will do. They can talk, yes, but talk never moves them anywhere.

To look at some of the men and women that we know, you would think that there is something bad the matter with them. It is not sickness, however, but just plain laziness.

On any day in the week, in any town or city in this country, you can find a whole crowd that are not at work; and who never worked any in their whole lives. The only way to move them on is to take a keg of gun powder or a big charge of T. N. T. and blow the last one of them into kingdom come.

We are not talking of those who want to work and cannot find a job. Such are few and far between. We refer to those who do not want to work, will not work, and they hate work more than any devil hates holy water.

We want to get this editorial next to the skin of those who were evidently born tired, judging by their ways of life; and who never do, and have never done, one single hand's turn to perform the work of the world. They are the ones who spend their time in criticizing the work of others, bewailing their bad luck, and accusing others who have won success, by hard work, of having robbed their substance from others.

To all such let us pray, for Heaven's sake, get a move on! Move on before you are buried alive, as dead ones sure enough. Get out of the class that will not work because it gives them a pain.

## JACOB CANNON TELLS A TALE

### Swears Out Warrant Against Three on Various Charges

### HAS UNUSUAL DELAYS

### Defendants Claim to Have Gone to Serenade Cannon Christmas Night

The records of the court of Magistrate W. H. Chestnut show that on February 19th, a warrant was sworn out by Jacob Cannon against Jessie Doyle, Gert Shannon and Felsy Gerald, charging all three defendants with four different counts about as follows:

First—That on December 25th, 1922, they were guilty of disorderly conduct in that they had used obscene language on a public highway of this county.

Second—That they committed, on that day, an assault and battery with intent to kill the deponent, Jacob Cannon.

Third—That they, on that occasion, broke and entered, or that they broke, with intent to enter and commit a felony, the home of said Jacob Cannon, and that this was done at night.

Fourth—That the three defendants banded together and committed what is known under the laws as a riot, gathering together with intent to uphold each other in unlawful acts, etc.

Under this warrant, it appears that the defendants were arrested and were lodged in jail, as the offense of housebreaking, or burglary is not a bailable offense within the jurisdiction of the magistrate court. They remained in the jail until their attorneys applied to a circuit judge at Columbia and they were each let to bond in the sum of one thousand dollars. They made the bond last week and were free for the first time since their arrest.

It would appear from the dates above shown that the law acted rather promptly after the warrant was sworn out; but further investigation shows that this was not the first warrant that had been taken out for the defendants.

The offense took place on the night of Christmas, 1922, and it is said that Cannon applied for a warrant at the office of Magistrate F. B. Black, at Gurley, and this was sworn out on January 7th, 1923. Once there was a meeting for investigation and it was found that two of the defendants had not then been arrested; that the magistrate dismissed the case as to the two that had not been arrested and turned over the warrant as to the one who had been arrested to Magistrate J. A. Bryant, at Loris. One delay followed another, according to prosecution, until Cannon was advised to drop his original warrant, and take out another for all three of the defendants, which he accordingly did on January 19th, in the form as appears in the beginning of this article.

The case is supposed to come up for attention of one kind or another this week while the court of General Sessions is going on. Further delay, however, may come about by reason of the time required for an investigation or other move by the defendants. This is not definitely known at this time. Something of the particulars of the crime with which the defendants are charged will be of interest.

Jacob Cannon is an old man not in very good health. He was sick on Christmas night of 1922, at the time he alleges this offense was done to him. He was by his fireside, trying

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## WOMAN KILLER IS FOR TRIAL

### Richard Ellerbe and His Accomplice Rastus Rouse in Jail

### SOME BRUTAL DETAILS

### Ellerbe Tried to Flee but Was Overtaken Near Gallivants Ferry

It is expected that Frank Ellerbe, negro man, will go on trial this week on the charge of murdering his wife. Indicted with him as an accessory before the fact, is another negro man by the name of Cornelius Rouse. The charge against him is that he furnished to Ellerbe the shot gun with which the deed was done.

The brutal details of this killing in the negro section of Conway several months ago was a shock to both white and colored. The negro woman that Ellerbe killed was industrious and had worked for white families of this section of the county for many years.

Ellerbe and his wife had been parted for some time prior to the killing. The defendant had not been at work here all of the time. He had been away at work elsewhere. It appears that he kept constantly following up his wife, trying to get her to return and live with him.

On the night of the killing he went to the home of another negro where his wife was staying and called her after she had gone to sleep. He asked for his coat which he had left in the house at an earlier hour that same night while he was there talking with the family. His coat was handed to him and it was thought that he was gone.

After a time he returned to the house and going to one of the doors broke a panel of it and fired off the shot gun in the roof. His wife decided to leave the house and had started across the yard when Ellerbe ran around the corner of the house and around one or two more negroes who had been attracted there by the first shot, and fired a load of shot in the woman's back.

The woman ran into the house and fell in the floor, asking for a drink of water. As she was about to be given the drink of water, Ellerbe again shot her, this time through the hole that he had first made in the door. She was dead after a few hours.

Ellerbe went away and slept for a time in the home of a friend. He was awakened by the bells tolling at the church following the death of his wife and he left.

As soon as a warrant could be taken out the sheriff went after Ellerbe, learning that he had taken the road in the direction of Gallivants Ferry. Getting in sight of Ellerbe the sheriff took a by-path and came back meeting the negro who surrendered and handed up his gun without resistance.

Not long after Ellerbe was lodged in the jail, a warrant was taken out for Cornelius Rouse, known by the nickname of Rastus Rouse, and both of the defendants have remained in jail ever since.

Ellerbe's parents came here some months ago in an effort to arrange for attorneys to represent their son in his trial. There does not as yet appear any particular defense that he will be able to make in his case.

Just before the shooting he made overtures to his wife to get her to go back to him but this she is said to have refused, telling him that he had been too mean and bad to her to consider anything like that.

## ATTEMPTS TO KILL OFFICER

### George Cooper, Bad Negro, Shoots at J. A. Holt

A negro by the name of George Cooper, a native of this place, but having no job at the time, made an attempt on the life of J. A. Holt, of the police force of Conway, on the night of February 3rd.

The facts of this bold attempt to violate the law and good order, were not made public at first on account of the escape of the negro for a time.

In the course of two weeks or less after the crime, Cooper was caught and lodged in the city jail for safe keeping.

On Friday, February 23rd, he was tried in the municipal court before the mayor of the town and a jury of six men, and by the jury he was found guilty and sentenced to sixty days on the public works or to pay a fine of \$200.00.

He was represented in the trial by his attorney and he appealed to the court of General Sessions. Cooper was let to bail, and this is the status of the case at this writing. Cooper is now awaiting a hearing in the State court.

On Saturday night, February 3rd, J. A. Holt found a crowd of negroes gathered up at the corner of Main street and Third avenue. He required them to disband and obey the town ordinance prohibiting the blocking of the sidewalks. This they did. George Cooper was in the party. After being told to scatter, Cooper was seen to stand aside where he had a secret conversation with a negro woman.

Later that same night, Holt went on his rounds on the hill. He was sitting on the porch at the Willie J. Herring store. With him was a white man by the name of Perry. The store is located in the fork of the streets where one road branches off in the direction of Potato Bed Ferry, while the other runs on in the direction of Pauley Swamp.

Cooper passed along on the sidewalk on the Potato Bed Ferry side. As he passed he coughed and caused the white man to look and see him as he was going along. After the negro had passed on some distance he turned and shot at the policeman, the ball striking in the side of the wooden store building.

Holt and Perry sprang after the negro and he ran, firing as he went, the ball passing by the policeman. When this occurred there was a house between the parties so that Holt could not shoot back without running the risk of shooting into a negro house.

Doubling back on the trail, the policeman and Perry ran back around the other way, and by taking a by-path, stepped into the other street about ten steps ahead of Cooper as he was making away.

At the command of the officer the negro held up his hands. A close search of his person failed to find a pistol. The officer then pretended that he was through with Cooper in order to watch him while he went back to hunt for the pistol which the officer believed he had thrown away on the ground after shooting the second time.

Hiding in the bushes they watched the negro while he went on his way for negro while he went on his way for some distance then turned back and stopped at the place from which he had fired the second bullet, and the negro was hunting on the ground and in the bushes for the weapon.

As the officer and Perry approached he ran away and remained gone for some time until he was caught and brought to trial.

It is expected that a time will be fixed this week to hear his appeal which may result as it did before under the circumstances of the case.

The negro's motive for the act, no doubt, was the incident at the street corner early in the night when he was made to pass on from the crowd which had gathered.

Cooper was convicted in the mayor's court of two different offenses: First, for shooting on a public street; second for assault upon an officer with intent to kill.

It is said that some months ago this same defendant was caught in the act of taking a box of cigars from the drug store of the Horry Drug Company, and for this he was fined in the sum of \$50.00 in the town court.

## COURT GRINDS MANY CASES

### Large Docket Comes Over From Last Term of Court

### MOSTLY MISDEMEANORS

### Grand Jury Gets to Work at Once on Presentments

The court of General Sessions met last Monday morning with Judge W. H. Townsend presiding. Court Stenographer F. F. Covington and Solicitor L. M. Gasque were on hand.

As Clerk of the Court, W. L. Bryan, was confined to his residence with an illness, Mr. J. O. Norton, of the firm of Sherwood & McMillan, deputy clerk of the court took the place of the Clerk and the first business attended to was the calling of the names of the jurymen and the recording of their mileage.

The Grand Jury was then empanelled and duly sworn. The solicitor went ahead, as usual in the calling of witnesses to attend before the Grand Jury in their investigation of the indictments drawn by the solicitor.

While the Grand Jury was being empanelled the court heard a motion in a civil case from Georgetown in which two Georgetown attorneys appeared: Iredell Helleard and Capers G. Barr. Three attorneys were present when the court opened and remained until later in the day when the matter was decided by the court.

Many cases were called and the witnesses sworn for the Grand Jury. The cases ran through all the usual charges of prohibition law violation, larceny, forgery, assault and battery of the different kinds, hog stealing, murder and other crimes, among them several charges of adultery.

Among the cases sent first to the Grand Jury was the charge of homicide against Boyd and Lewis Currie, for the killing of Maxey Huggins.

The charge

Judge Townsend charged the Grand Jury. He said that the first duty was to find out and punish those who had violated the law for the protection of those who had not violated the law. He instructed them as to their duty in the examination of the witnesses sworn by the solicitor; and that they should not dismiss any indictments until after all witnesses had been examined before them. He told them of the great importance of their duties in the investigation of the cases. The judge went over the number of cases or charges handed up by the solicitor, telling them to pass on the murder charges the first thing before investigating the charges of smaller import. He charged them as to the law of murder and manslaughter. The nature of other high crimes, and misdemeanor were taken up and explained by the court.

Thirty-three petit jurors answered to their names as present in court and this was enough to start the trial of cases.

The State vs. Ben Hickman on a liquor charge was noll prossed.

The State vs. B. Gerrald was transferred to the Contingent docket.

The State vs. C. W. Johnson was continued.

The State vs. Kelly Jones on a whiskey charge was noll prossed. At a few minutes before noon the order that several land sales might be made in front of the court house. The solicitor announced that he would not hand out indictments at this term on charges against the following named defendants:

Dock Gore,  
A. Q. Johnson,  
C. F. Dewrey,  
J. K. Floyd,  
Frank Skipper.

The Grand Jury brought in true bills in murder charges against Ellerbe, and Rouse, negroes and against Boyd and Lewis Currie, white.

On Monday afternoon Richard Ellerbe and Neil Rouse were arraigned for the killing of Ellerbe's wife. Both pleaded not guilty at first. Then Richard Ellerbe withdrew his plea of not guilty, and pleaded guilty to the crime of manslaughter, which he signed at the bad. Neil Rouse insisted on his plea of not guilty and the time for his trial was fixed to be not later than three days after arraignment. It may not be before Thursday.

Ellerbe Murder

Richard Ellerbe's plea of guilty after he had said not guilty was somewhat of a surprise to the colored spectators gathered in the court house. His sentence was deferred until the Rouse case could be tried.

Arraignment of the Curries for killing

(Continued On Local Page.)

## FUR CASES PLEAD GUILTY

Goley Tharp and Orion Blanton were up before the court charged with the taking of furs from various citizens in the Wampee section of the county.

They pleaded guilty to the charge and a speech was made for them by their attorney.

The fathers of the two boys, Julius Tharp and Blanton, are both elderly men.

The sentence was six months on the chain gang of Horry County, or a like period in the State penitentiary.

The weather of last week was much warmer than usual.

Just what you want is the thing you never get in this world. It is the part of wisdom to make the best of the best that you can get. It is the fool who would stop just because he has failed to get all that he expected.