

# The Horry Herald.

VOLUME XXXVII

CONWAY, S. C., THURSDAY, MARCH 15, 1923

NO. 47

## THOMAS BROWN GETS SENTENCE

### Following Verdict of Guilty of Simple Assault and Battery

### CASE 'DRAWS A CROWD

#### Sentence of Thirty Days Without Alternative of Fine

The case of criminal assault brought against Thomas Brown, a young man of Marion County, brought a crowd to the courtroom last Thursday morning to hear the case. The crowd was not as large as the one which gathered the day before to hear the Albert Singleton trial.

The defendant is a son of W. K. Brown, who is now a resident of Marion County, but who formerly lived in this county, near Gallivants Ferry, where he was known as a progressive and hard-working farmer.

The crime was alleged as having been committed at or near Aynor, the home town of the prosecutrix, or near that place, on September 26th, 1922. It was while the criminal court was in session last fall that the warrant was served on the defendant and he was brought here and lodged in jail at that time by officers. The defendant made bond and was at liberty until he entered the dock for his arraignment on Thursday morning.

The defendant has a good face, rather inclined toward stubbornness, mixed with strength of will. He was dressed in a light suit with negligee shirt and soft collar and flowing loose tie, of knitted handwork. He did not show any signs of disturbance by reason of the serious charges being brought against him as he stood up in the dock following his arraignment, to decide on his acceptance or rejection of the individual jurors as they were presented at the dock.

His attorneys used about all of the preemptory challenges allowed him by the law before the panel was filled and the trial proceeded.

The prosecutrix was in the courtroom, having a seat well in front, while the jury was being empaneled. She is a young woman of exceptionally attractive manner and appearance. She was well dressed in a becoming hat and coat. She made an intelligent witness and stood the ordeal of cross examination pretty well.

She was the first witness. She lives with her father. She knew the defendant about eight months. She saw him at a picnic at Aynor. She went with him on that day. First met him near the barber shop. She introduced her friend to him and he introduced her to a friend, who was with him by the name of Floyd. It was proposed that they go to ride. He asked her to ride with him to scatter some sale papers. She agreed to this and went about three miles alone, until they came to the end of an old road. She asked him to turn around. He turned up an old road. She asked him what he was doing this for, and he said he wanted to go where he could kiss her and not be seen. She refused and tried again to get him to go back. He refused to do so and continued to make improper proposals to her and attempted to enforce his demands by the use of force, refusing to let her leave the car where it was stopped. She screamed once or twice and told the defendant she "hoped to God someone would hear her."

He forced her down on her knees and himself close to her face and she told in detail of how she protected herself the best she could, and prevented him from accomplishing his purpose. He looked on in court as her tale was told on the witness stand. She explained how, after a time, she jumped out of the car and tried to run away, but that defendant ran after her and forced her up against the side of the car. She got back in the car, thinking that she could protect herself better in there than out, and sat there with her head down crying. He told her to "stop that," etc., and after a while he consented to drive back to Aynor.

She got out of the car at Aynor and went back home with another young man.

On cross examination she explained that some men passed along and she made no call for aid because at that time he had not attempted to do anything except ask her to kiss him, which she refused to do; that he waited until after the men had gone on out of sight and then he bit her on the shoulder and forced her head back and kissed her; that he had said he could do worse than kiss her or words to that effect. When she got back in the car the defendant did not get in until after he cranked the machine. She had got back in the car because she could do more in it than out on the ground. At first she had decided

The leaven of time works in unexpected ways. It brings out as most important things that were looked upon as of no significance; and this proves that there is nothing which is commonplace. The smallest atom forms a tie which binds together a mighty structure.

to keep it a secret as she had not been hurt otherwise than she had told, and getting her elbow and hip skinned and bruised and one of her stockings torn. On the next day her mother had heard

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## SEND LETTERS WITHOUT NAME

### Grand Jury Pestered by Unsigned Notes at The Court

STATE OF SOUTH CAROLINA, COUNTY OF HORRY. Court of General Sessions March Term 1923.

To His Honor W. H. Townsend, Presiding Judge:

The Grand Jury make to you its final report for the March term of the Court of General Sessions.

I. We have received from the solicitor during this term of court thirty-six bills, which we have returned to him without findings, there being 30 true bills, and six no bills.

II. We organized by electing Mr. George M. Fowler foreman, who was appointed by the court. We have also appointed the following committees:

1. On public buildings—B. F. Singleton, F. C. Todd, W. F. Hucks, and W. L. Rhodes.

2. On schools—Geo. M. Fowler, C. R. Page, J. W. Humphrey, S. C. Davis, L. D. Suggs, J. J. Enzor, and J. W. Hughes.

3. On roads and bridges—J. W. Marlow, F. H. Clarity, H. C. Gore, Perley Doyle, J. D. Watson, L. D. Clarity and W. J. Dorsey.

4. On county officers—G. H. Fowler, W. F. Hucks, and S. C. Davis.

III. We have received at this term a number of anonymous communications concerning alleged crimes in various communities. We have paid no attention to these communications and do not feel justified in presenting any person without the good faith and the probable facts are vouched for by some member of the Grand Jury. We desire that all local complaints of crimes committed be made as fully as possible to the magistrates of the community in which the alleged crimes are committed.

We recommend that the solicitor, where possible to do so, have the presentation for crimes which are made by the Grand Jury, investigated by magistrates in the vicinity of the crimes alleged; that the magistrates do so under instructions to examine all witnesses for the State, and to return in writing the testimony taken to the solicitor for his decision as to the disposition of the charge.

IV. The members of the Grand Jury desire to recommend to the Road Commissioner of the County, that those liable for road duty be required by the Road Commissioner and his overseers to do their work on the public highways during the spring and summer or early fall, and not during the late fall or winter.

Presentations. We present Sadie McElvin and Talmage Richardson for adultery. Witnesses: Walter Bruton, Albert Todd, Ida Todd, Clara Singleton, Walter Capps, Homes Brown, John Capps, Sr., Roky Brown, Ola Brown, Alva Todd, and W. L. Brown.

We present Martha Johnson for keeping a bawdy house. Witnesses: Walter Bruton, Albert Todd, Ida Todd, Clara Singleton, Walter Capps, Homer Brown, John Capps, Sr., and W. L. Brown.

We wish to thank his honor the presiding judge and the officers of this court for the courtesies extended during the term.

Respectfully submitted, G. M. FOWLER, Foreman. Conway, S. C., March 7th, 1923.

## FARMER PASSES IN SUDDEN WAY

Eddie Graham, son of the late Isaac Graham, of Bucks township, and who was operating the farm of J. D. Oliver, died suddenly last week after being brought to Conway in the hope that something could be done for him.

Mr. Graham was plowing in the field when he was seen to sit down on the ground between the plow handles. A neighbor went over to him to see why he did not get up. Other members of the family also came to him and he was found to be in a serious condition. He had taken off one of his shoes and when an attempt was made to replace the shoe, he shook his head, showing that he could not speak and that he had taken off his shoe doubtless on account of pain in the right foot.

The sick man never spoke again. He was completely paralyzed. He did not flinch when a pin was tried at any place in his body. His case was pronounced as hopeless by physicians here and he died soon after being taken back home.

He was struck with the fatal maldy on Wednesday of last week. On Thursday he was brought to Conway in the hope of finding some relief for him. On Friday, the day after he was carried back home, he passed away. He was not an old man. He was about in the prime of life. He was known as an honest and industrious farmer, having many friends among the farmers of Bucks township.

to keep it a secret as she had not been hurt otherwise than she had told, and getting her elbow and hip skinned and bruised and one of her stockings torn. On the next day her mother had heard

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## THE KEEPING OF THINGS APART

The matter of cleanliness, which is said to be next door to Godliness, is nothing more than keeping the good away from the bad.

It can be expressed in another way which will carry home the meaning we wish to convey: It is the keeping apart of things which were not intended to go together.

Some of us are fine at allowing things to become mixed up. It takes activity, observation, and close attention to prevent things not intended to go together.

It would not be correct to say that it is the keeping of the unclean away from the clean. The dust of the earth is the foundation upon which everything earthly rests. It is therefore a necessary thing and a good thing, provided it is kept in its place. Like other things in this world it tends to spread on and over other things where it was not intended to be. It gets on our hands, our faces even, and on our clothes. To be clean we must keep it off and away.

We have seen hands and faces so dirty that the dirt had become a part of the human skin and mixed in so deep that it could not be removed.

It is one of the most important things of life, this keeping of things which do not go well together, entirely apart.

## THREE GUILTY FOR RIOTING

### Shot Up a Widow Woman's House in The Night

### FLOYDS TOWNSHIP CASE

#### Jim Gibson, Ossie Horn and Emory Hayes All Involved

On Friday night the court tried Austin Horn, Jim Gibson and Emory Hayes on a charge of riot.

It was charged that on August 28th, 1922, they shot the home of Susan Hewitt and that they used sticks, bricks and other things in committing the crime.

These defendants, with the exception of Hayes, had been mixed up in breaches of the peace with others, involving Lawrence Bailey, the other case coming up in the fall term of the Sessions court, and which was followed by the shooting of Bailey one night after the court was over.

Susan Hewitt said she saw Ossie Horn and Jim Gibson. Went to her window and said, "hello." She heard some men walking in the yard. They turned away from the window and met Emory Hayes with a gun in his hands. Hays threw something in the well and cursed an oath or two. They left the well and turned around and shot twice into the house. It was a moonlight night. They used some vulgarity. They spoke loud. "We were living on Kate Edward's place when this happened. I got the house from or through Emory Hayes."

She said that at the preliminary she testified, but everybody was drunk, even the magistrate, Gainus, was drunk and that one of the lawyers was either drunk or crazy and no one could now tell what she said at that hearing, as she was not treated right on that day.

Emory Hayes had met the defendants, Horn and Gibson, at the edge of the yard with his gun in his arms; that they went to her well and threw something down in it, and Hays said: "Well, I'll be G—d, Jim Gibson," and just after that they shot twice in the top of her house. Witness has four children who lived at this home with her. She has been a widow for thirteen years. Her oldest child is about nineteen years old. She had been moved into this house with the understanding that L. B. Bailey would employ some of the family and Emory Hays would work others of them.

She explained that after the windows had been broken out and the house shot, Emory Hays came up and called out Oscar Hewitt and asked him why he had allowed these men to come in there and do all this damage.

She decided to move to a little house on Bailey's place and that house was also shot that night.

She told of how Hays had made threats a few days before and when Hays had said that "if his 'bacco stalks 'wazzent' cut by Friday night, that it would be a 'wusser' time at her house that night than ever had been."

According to her the stalks were not cut and the bad time took place as had been predicted.

According to her, there was a rough-house at the first preliminary trial when the court was drunk, as she alleges and the place was no place where a lady should be.

It has been told outside this case that on the occasion of the preliminary at the magistrate court in Floyds township, the constable laid his pistol down on the table and said he would resign.

Frances Hewitt, a daughter of Mrs. Hewitt, testified that she heard these men turn the chicken coop over. Then they came to the window and called

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## GO OUT FROM GRAVE YARD

### Henry Skipper Gets a Fright Passing Princeville on Friday

### KLAN VISITS LORIS

#### Parties Said to Have Been Out of the Way at the Time

Henry Skipper, going home from the court last Friday night, got the scare of his life. He lives at Loris. Just this side of Loris is a country spot known as Princeville. There is a graveyard there.

It was just after dark as Mr. Skipper approached the place. Nearly by was a band of white robed figures which he at first thought must be ghosts. It was enough to frighten any man.

He soon learned that it was a gathering of the Ku Klux Klan, as what he had thought must be ghosts all got into automobiles and went to driving out and away from the place.

As Skipper passed on the white hooded band passed him in their cars and it is said that his fright was considerably increased by the firing of a pistol.

So far as could be learned they had no business with Skipper and he was not bothered further than the big scare that he got.

Reports from Loris are to the effect that on that same night the band went through that town calling at some of the homes. They were looking for certain young men, it is said, but these were not at home and so far as could be learned were not located.

Some small boys near the drug store were given a lecture and warned about staying out late after dark and hanging about the drug store.

E. W. Prince was at his store as the band passed nearby. He was soon relieved to see that they were not looking for him.

It is being told that the purpose of the visit was to warn certain young men in Loris about certain matters, but it appeared that the Klan failed to find the persons they were looking for.

## COURT STOPS WITH FRIDAY

The court of General Sessions was ended last Friday afternoon. A number of cases had to be continued over until the summer term of the court. At that time the judge will remain two weeks and all of the cases can be tried and cleaned up. All of the cases tried in the court were reported last week or in this present issue. All the others were laid over.

John Rogers pleaded guilty to an assault of a high and aggravated nature and was fined in the sum of \$100.

## PARTY FINED FOR CONTEMPT

Fred Cook, of Aynor, was up before the judge last week, charged with contempt of court. It was alleged that he had violated an injunction of the court prohibiting his entry on certain land involved in a law suit between William Page and J. B. McCutchen and Fred Cook. He had been ordered by the court to stop going on the land and it was shown that he had continued to walk across the property.

The court heard the case and fined Fred Cook the sum of \$10 or serve thirty days on the public works.

The facts show a dispute over the matter of a little piece of land in Gallivants Ferry township.

## EVENING STAR BIG FESTIVAL

### Brought by Civic League on April 10th to the 13th

The Civic League is bringing to Conway on April 10-13, the first Evening Star festival ever brought here, and which is on the order of the lyceum, Chautauqua programs, but still different, and entertaining to the highest degree.

It will consist of evening programs on four consecutive days. They are explained and described as follows in this article, beginning with an explanation of the Evening Star festival itself, and then taking up the attractions that will appear on each of the four nights.

The Piedmont Evening Star Festival. The Piedmont Evening Star festival will present its first program on April 10th, when Vierra's Hawaiians will appear.

The festival gets its name "Evening Star Festival" from the fact that all the programs are presented in the evening—when the shadows of eve dim the sun's last ray and the shades of the night slowly rise—when all the world is relaxed and in a mood for entertainment, to listen to the soft strains of the violin, the dulcet tones of the harp, or the plaintive wail of the Hawaiian guitar.

The Evening Star festival is made up of four programs presented on consecutive evenings, in the community auditorium. There is much of advantage in this arrangement, making it possible to present the attractions to the best advantage under all conditions of weather. There is also the freedom from outside distractions which make it possible to enjoy the program without interruptions of any kind.

Each attraction is chosen on its merits as an entertaining and instructive organization thus ensuring experienced and capable people in the personnel of each company.

Vierra's Hawaiians. Appearing as the first number of the Piedmont Evening Star festival are Vierra's Hawaiians, an exceptional organization giving an educational program.

This organization is well and favorably known throughout the United States through the phonograph records they have made for the leading recording companies.

The Hawaiian music, weird and enchanting, which makes up their program, will be a delight to all who hear it. The program embraces vocal selections as well as solo and ensemble playing on the Hawaiian guitar and other popular Hawaiian instruments.

The Kendree Concert Company. The second program of the Piedmont Evening Star festival consists of Scotch custom recital by The Kendree Concert Company, a trio of artists of the best type.

To those who thrill to the plaintive notes of the violin in the hands of a master, to those who enjoy the clear, lilting soprano of the Highland Maid, or the wail of the bagpipes in the stirring battle songs of this sturdy race, the second evening will be one of solid enjoyment.

This novel program also includes the Scotch dances to the accompaniment of the pipes, tenor and soprano duets and piano solos. Those who attend this second program will find it to be one which is well worth while.

The Tooley Opera Company. The third evening of the Piedmont Evening Star festival brings us the noted young operatic tenor, H. W. D. Tooley, and supporting cast, in that tunefully sparkling little Japanese opera, "The Mikado," by Gilbert and Sullivan.

The program will also include operatic arias, duets and trios from several of the well-known operas.

Mr. Tooley, a pupil of Oscar Seanger and Richard Hageman, of the New York Metropolitan Opera Company, is supported by Miss Kietha Ward, as the little sweetheart of the Japanese prince, and a company of carefully selected and trained artists.

Special scenery by the Gustave Schell Studios, which is an exact reproduction of that used by the Metropolitan and Chicago Operas, as well as special lighting and electrical effects, insures a perfect performance.

The Galgano Duo. The program on the fourth evening of the Piedmont Evening Star festival is given by the Galgano Duo, two extremely accomplished musicians with wide repertoire, of classical and popular selections.

Their program will consist of solos for the harp and guitar, harpologues and ensemble numbers.

The playing of Mr. Galgano, master harpist, is full of color and delicate shading of tones, while Mrs. Galgano never fails to please with her readings and selections on the guitar.

The program of the Galgano Duo will prove to be a fitting climax to the four splendid programs composing the Piedmont Evening Star festival for 1923.

J. O. Norton, the Deputy Clerk of the Court, took the place of the Clerk, Mr. W. L. Bryan, during the session of the court last week. Mr. Bryan was too ill to attend to the duties of the place and had to remain at his residence.

## MAN IS TRIED ON UGLY CASE

### Draws Biggest Crowd of The Week to The Court House

### VERDICT IS GUILTY

#### Neighbors of Parties Called to Testify on Each Side

Last week the charge of seduction against Albert Singleton was tried in the court of General Sessions. He is a brother of James Singleton who was tried on the day before on a charge of criminal assault.

There was much testimony in this case of neglect of training in families, the loss of character by those who prosecute in the courts under the statutes providing remedies for different violations of the criminal laws, and which shows a condition of affairs prevailing in the community where this occurred that is to be deplored. Ignorance and dissipation exist in some sore spots regardless of the many influences for good now operating their best to overcome such things.

This case drew the biggest crowd of all that attended any of the trials of the week. The court house was packed full and standing room was at a premium. It is noticeable that such cases always draw a crowd, when they ought not to have this effect.

Many times the officers of the court, and even the court itself, had to call for order.

Several witnesses said things that were so ludicrous that even the court had to smile, and that is a fact, but this did not excuse the loud guffaws that came from the crowds of men filling the opera seats, and standing in the open spaces near the door and around the bar.

Those who wished to hear slander got what they went after. That much is so. Men should not be anxious to hear such testimony. Even the thought of things like this should make them turn in the other direction of a courtroom, but such is not the fact.

The prosecutrix was the first witness, as usual in such cases. The usual accusation, with the accompanying promise of marriage was made by her on the stand, under her solemn oath on the Holy Bible; and the usual exhibit was displayed for the detection of the jury in the shape of a baby about five months old. She did not hesitate as to any of the details about which she was asked, and she said that any who might come to tell a contrary tale were liars and the truth was not in them.

She bitterly denied any intimacy with any other man before and since. She had done this because of love and in the expectation that the promise, which she alleged had been made her, would be kept. Did the baby favor the alleged parent? The prosecuting officer argued that it did. The jury inspected the exhibit with all of the care usually used in trying these cases.

She testified that she lived with her father and mother. She had gone to the defendant after the trouble, but could not get any sense out of him.

Missouri Brown testified that she had heard him say that he would marry this girl; that the girl had received a ring and that the man had bought her a coat.

Penny Brown, an aunt, also told of hearing the talk about marriage. All this was for the purpose of getting in some testimony to corroborate the word of the prosecutrix, because the law plainly reads that no conviction can be had upon the uncorroborated tale of the woman.

A. N. Johnson was sworn but it turned out that this man knew but little of the affair and his testimony was not even recorded.

Will Brown swore that he is the father of this woman who had sworn out the warrant. He said that he had gone to see the man after this thing came out and that the man would not agree to marry the girl, and had said that he would never get him under bond. He also claimed that Singleton had asked him for his daughter.

Ester May Brown, a cousin, was sworn in order to prove that the parties had gone together as sweethearts, and this too was intended to corroborate what the prosecutrix had said about the case on the stand.

The Defense. Then the defense put up its witnesses, and it was then that most of the amusement among the audience took place.

Toy Johnson testified as to the time before Singleton had ever called on the prosecutrix. He was subjected to a most severe cross examination by

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Education depends on the desire for knowledge awakened. The only way that the adult students will be trained is through their desire to learn first awakened. Education never ends. There is no limit to it except human capacity to take it in. No one is ever too old to learn.