# SUPPLEMENT TO THE ENTERPRISE.

# BARBER STRIKES BACK

Some Very Plain Talk in the United States Court.

### "SLANDEROUS AND FALSE"

The Attorney General So Charac terizes Charges of Conspicacy Made Against Himself, the Governor and Other State Officers in the Bluthenthal & Bickart Complaint.

Charleston, S. C., Oct. 7.-Somewhat of a sensation was caused to-day in the United States circuit court when Attorney General Barber, in a very eloquent speech, denounced certain charges in the bill of complaint in the case of Bluthenthal & Bickart against Long and others, which case was heard yesterday. Those who head the attorney general's speech said it was an able effort. Every sentence was delivered with telling effect. The bill charged conspiracy on the part of Governor Ellerbe, Attorney General Barbor, Assistant Attorney General Townseud, S W. Vance and other officials and constables of the state. The bill was afterwards withdrawn.

The court convened at 10 o'clock. Before the continuation of the hearing of the original package cases, Mr. Barber rose and said :

### Mr. Barber's Plain Talk.

May it blease your Honor, I unlawfully and wrongfully to ask your Honor, before resuming seize and confiscate the goods of the case under consideration, to your orstors, and that unless rehear a motion in the case of lieved by this honorable court by Bluthenthal & Bissart against the issuance of an injunction and Long and others. The motion is restraining order protecting the under the supplemental bill of goods of your orators so shipped complaint which was filed at a as aforesaid into the state of court, and if this man who makes late hour yesterday afternoon. South Carolina from such unlaw-There have been in the course of ful and wrongful acts of the said these preceedings in this court, William H. Ellerbe and William from time to time, sworn state. A. Barber, C. P. Townsend, S. W. ments and sharges in bills of com- Vance and other parties to your plaint which I have permitted to orators unknown, and the agents go unnoticed; but, if your Honor by them appointed to do such please, the line has been reached wrongful acts, your orators are and crossed beyone which I can. remediless in the premises." not permit these statements to go unchallenged. The occasion, therefore, if your Houor please, necessi- ones in this bill, reflect seriously, tates some very plain talk, and, most seriously, upon the responwith your Honor's permission, I dents to your honor's rule, that at the earliest possible moment, liquor sold were not original propose to do it. I hold in my I have the honor to represent; and that your honor will at once packages. hand a copy of this bill of com- they reflect upon the officers of grant to us a right to clear our- the entire day's sitting of the plaint. If your Honor is not the state; and, may it please selves of the charges that reflect o'clock, familiar with it, I would invite your honor, more than that-they against all of us as officers and as your attention to the allegation reflect seriously upon my assistant individual citizens of the state. in the bill which is marked "I," and myself as attorneys of this Now I have naught to say which page 7. After alleging various court. If I am guilty of entering I trust the facts would not entireliquors, the complaint alleges worthy to practice here. If his there is now pending a proceedparties above named by the statutes of the United States, we conspiracy between the governor of and pursuant to a conspiracy, moved from office. C. P. Townsend, S. W. Vance and that the records of this court are pose that the state of South Caro-Oklahoma, 90; Indian Territory, and I suitable rates can be obtained the cadets of Clemson College will visit of South Carolina, unknown to tion, these allegations not only rum business in Atlanta. This your orators."

of the United States, caused and against them, or either of them, directed the agencies of your or any of them." &c. orators at Union, Elko and Ches-

seizures to be made by different

state constables, in each instance,

by this court and heretofore ob-

tained by your orators for the

send and S. W. Vance, have

together and threaten with parties

South Carolina at the various

agencies hereinabove set forth,

and purpose to seize and con-

fiscate such goods by authorizing

different constables or agents in

each instance to make such

seizure; and that it is manifestly

impossible for your orators to

make, as parties defendant to

this bill, all parties who might

possibly be authorized and

directed by the said William H.

C. P. Townsend and S. W. Vance,

May it please your honor, that ter, in the state of South Carolibill of complaint stands sworn to na, to be seized and the said goods by Mr. Bickart, who swears to of your orators to be taken pos- facts of his own knowledge. Can session of by various parties we stand it? You have issued a claiming to act as state constables. rule returnable on the 12th day and that the said William H. of this month. I cannot permit, Ellerbe and William A. Barber, and I will not permit allegations C. P. Townsend and S. W. Vance, of this character to stand unfor the purpose and with the inchallenged against my colleagues tention of evading the injunctions and myself for a single day. The of this court, have caused such allegations of conspiracy is

#### Slanderous and False

and the allegation as to financial claiming that injunctions issued it is as damaging as it is false.

protection of their business as aforesaid in the state of South Carolina only affected the parties named in said bill, and that the said William H. Ellerbe and William A. Barber, C. P. Townagreed, combined and conspired unknown to your orators further state of South Carolina which to seize the goods of Bluthenthal to seize and confiscate all goods they hold. of your orators in the state of

upon us, feeling it as keenly as I fied that such statement made by a telegram to his excellency the governor and the state com- the attorney general that upon the charges of conspiracy between strike from the bill the names of Ellerbe and William A. Barber, qualifiedly false.

> I state to your honor now, as I have always stated, that the of- the attorney general that the ficers of the state have endeavor- charges in said bill were incorrect. ed in every every instance in the complaintant asked leave to these proceedings to obey every withdraw said bill from the files order issued by this honorable of this court.

the charge against us of conspiracy and financial irresponsibility, your honor to force him to prohereafter stand the consequences of Walterboro. of false swearing.

other gentlemen who stand be- which is contrary to law, hence for this court, I ask permission the seizure was made. The questo make

#### An Immediate Return.

the oath thereto is false. We ask yous honor not to have us forced to submit to these things.

#### The Charges Withdrawn.

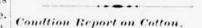
Upon the conclusion of the remarks of the ettorney general, Mr. Gadsden, of the firm of Mordecai & Gadsden, stated that upon the filling of the amended and supplemental bill of Bluthenthal & Bickart against J. G. Long and others on yesterday conference between himself and the attorney general late on yesterday afternoon at the Charlesirresponsibility is, as to some of ton hotel. That at that conference us at least, as false as can be, and the question of the charges of conspirach made in the bill was What I ask, may it please your fully discussed, and that the athonor, is that we shall not stand torney general had stated fully for days before this court with a to him the facts and circustances record like this charging us with connected with the matter. That an offense, with which if be guilty he had convinced Mr. Gadsden I should not be heard to open my that there had been, as a matter mouth in this court and if my of fact, no preconsidered arrangecolleagues be guilty they should meet or combination or agree not administer the offices in the ment between the state officials

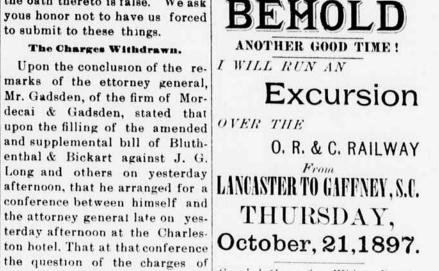
& Bickart, and that owing to the When I read the bill of com- close personal relations which Governor Ellerbe Asks Ministers plaint yesterday, feeling the out- existed between Mr. Gadsden and rage that had been perpetrated the attorney general he was satiscan express to your honor, I sent the attorney general was in every particular correct; and that interview last night he stated to missioner for authority to de his statement of the facts he was liquor problem : nounce the charges as false and satisfied that the charges made untrue, and I speak for my col-leagues as well as myself, that this morning move the court to this morning move the court to this morning move the court to certaining the sentiment and opinion certaining the sentiment and opinion the officers of the state of South himself, the governor, the assis-Carolina are absolutely and un-tant attorney general and Mr. Vance; and that he now begged to say that, having been thorough-

#### The Bamberg Case.

case of Ferst's Sons & Co., against, to which , he swears, is he has J. G. Strobel and others was then in his possession any proof, I ask resumed and arguments were made by Mr. Bostick of Walterboro. Assistant Attornep Genduce it at once in open court, or eral Townsend, and Mr. Gruber

The state claims that the agents On behalf of myself and the of Ferst's Sons & Co., at Bamberg. sold liquor to a drunken man. tion as to what an original package is, was also brought up. Mr. Townsend said the packages of The case consumed court and was cancluded at 3





Special Cars for White People, Divided by a Refreshment Car.

Don't fail to take advantage of this opportunity to visit this wide awake and hustling city of the Piedmont Belt. The people of this young city are warm hearted and courteous to a fault and will spare no efforts to make the trip a pleasant one. For further in-For further infomation see hand bills.

> Respectfully, F. R. Massey.

## for Their Opinion.

Gov. Ellerbe is sending out to all the ministers the following circular letter, in which he asks their opinion in regard to the

of Christain citizens with reference to the dispensary law.

Please answer each question in the pace following it, and after signing and stating to what denomination you belong and your postoffice ad-dress, return this in the enclosed envelope to the undersigned. prompt attention will be apprecied. Very respectively yours, W. H. ELLERBE, Governor.

1. Has the dispensary system inreased or decreased drunkennes drinking in your community; and to The hearing of the Bamberg what extent, indicating your opinion by percentage of increase or decrease? What is the preference of your people as between (1) prohibition, (2) dispensary law, and (3) high license, under the restrictions in the state onstitution, and which is most p cable as a temperance measure, under isting conditions ? Remarks

Name Denomination Postoffice County

#### STATE NEWS.

A fire occurred on Mr. Drayton Brown's place near Prosperity last Monday night in which a large barn containing a quantity of hay, fodder, etc., together with three horses, three mules and three cows were destroyed. The place is rented by Mr. L. S. Darby. There was no insurance and the origin of the fire is unknown Columbia Register, Oct. 8.

Serious Reflections.

These allegations, and kindred

reflect upon us as officers and at- bill cannot with my consent stand

1 would invite your Honor's at- torneys of this court, but there upon this record, and together 5 deaths from vellow fever retention further to the allegation are charges in this bill that are with the rule issued thereon pos- ported on Friday last in New died suddenly Sunday morning in the bill of complaint which is damaging to us as individuals, sibly be used in the hearing be Orleans. numbered "L," on page 8 thereof, The charge contained in the alle- fore Judge Newman, the district in which it is alleged that "Your gation marked "Q." "And your judge in Atlanta, upon a hearing What It Cost orators further show that the said orators further show that protec- there fixed for the 9th instant. 1 William H. Ellerbe and William tion of your orators in the prem- earnestly ask your honor to hear A. Barber, C. P. Fownsend and ises at law involves a multiplicity our testimony in open court, and one week's duration, foot up as died early next morning. S. W. Vance have, notwithstand- of suits against all defendants, I am ready to testify, and my follows: ing the rights of your orators as and that all of said defendants assistant on my left and the two importers of liquors in original are financially irresponsible, to- gentlemen on my right, who are unbroken packages in this state tally insolvent and unable to re- parties to this bill, to be insultunder the constitution and laws spond to any damages whatsoever ing and absolutely untrue, and

The bureau report given to the things as to some shipments into into a conspiracy to thwart the ly sustain, nor would I state any. public by the agricultural dethe state and seizures of these decisions of this court, I am un- thing upon mere suspicion; but nartment at Washington Monday, dents, indicates an average condition of that "the seizures above set out, excellency the governor and the fing in the United States court of 78.3 on Sept. 1st. The average bringing a good price. 70 on Oct. 1, as compared with reported as being very good and at Union, Elko and Chester, in other state officers have entered Georgia, instituted by the same condition on Oct. 1, 1896, was said state of South Carolina, were into a conspiracy in restraint of complainants as in this case, in 60.7. and the average on Oct. made and done by the said trade, which is a crime under the which it is sworn that there is a 1st for the last 10 years is 74.5. authority and under the direction should be impeached and re- of the state of South Carolina follows: Virginia, 70; North Caro- 2:10 train, Oct. 8, and were laid to rest and the Southern railway to sup- lina, 78: South Carolina, 74: in the Episcopal cemetery at 4 o'clock, agreement and combination of The charges, therefore, may it press what they say is their legal Georgia, 70; Florida, 76; Alathe said defendants, William H. please your honor, are of the most business. I think they magnify bama, 73: Mississippi, 74: Louis Columbian, has been detailed for duty Ellerbe and Willirm A. Barber. serious character, and I take it their importance when they sup-

-There was 49 new cases and

The expenses of the recent term of court, although of only

1	Grand Jurors	\$ 98
	Petit Jurors	
1.	State Witnesses	395
1	Constables and Bailiffs	74
L	Total	\$838

Converse College began its eighth year with an enrollment of 402 stu-

The remains of the late Dr. W. D Bratton, Passed Assistant Surgon of the United States Marine hospital The averages by States are as service, arrived at Winnshoro on the

Lieut, Hagood, U. S. A. a former

the State Fair.

-Sally Washington, colored, last of heart disease. She lived on Mr. A. W. Heath's place just over the state line. She ate a hearty supper Saturday night and went to bed apparently well. She

-Under the new Tariff Law .00 the duty on horse shoe nails, hob 25 nails and all other wrought iron 10 or steel nails, is two and one-35 fourth cents per pound.