

MRS. JOHNSTON IS GIVEN NEW TRIAL

Judge M. M. Mann Issues Order For Rehearing In Case Against Local Store

Judge M. M. Mann issued an order on December 15th granting a new trial in the slander case of Mrs. Marguerite Johnson against the Belk-McKnight company as a result of a hearing here at the last term of court when Attorneys Blease and Griffith petitioned the court to reopen the case which Mrs. Johnson lost as a previous term.

The case grew out of a check presented to the Belk McKnight company on November 3, 1936 bearing the signature of Fred H. Dominick and endorsed by Mrs. C. W. Johnson. On November 4 the check was presented by the Belk Company at the South Carolina National Bank here and found to be forged.

The following day, or November 5, Mrs. Marguerite Johnson was apprehended on the streets here, near the McSwain funeral home and charges lodged against her for uttering the forged check. She was bound over by Magistrate Koon to appear at the March term of court to face the forgery charges.

Following the apprehension Mrs. Johnson was taken to the Belk store here where Mrs. Gladys Jacobs and Mrs. Ruth Cousins identified her as the one who passed the check after purchasing a pair of hose. The check was for \$6.75. It was alleged by the clerks that Mrs. Johnson bought a 79c pair of hose and was given the difference in cash.

Before the March term of court here in which Mrs. Johnson was scheduled to appear to answer the forgery charges the case was withdrawn by the Belk company.

Sometime in March of this year three other forged checks were passed at Newberry stores by a woman who in each instance bought small articles of merchandise and received cash for the balance of the face of the checks.

Mrs. Johnson started suit in March of this year against the Belk-McKnight company seeking to recover damages for alleged slander of her character. The case was tried in the April term of court and resulted in a verdict for the Belk company, or a denial of any damages for Mrs. Johnson. At this time Mrs. Johnson appearing in her own behalf and the only witness to do so, denied that she had issued or uttered the checks and stated she knew nothing about them and was not in the city the day the check was passed.

In this trial Mrs. Gladys Jacobs and Mrs. Ruth Cousins positively identified Mrs. Johnson as the one who passed the check on the Belk concern.

In July of this year a woman named LaBoon or Griffin was arrested in Columbia for passing several checks in stores in Columbia and its suburbs. A man named William LaBoon, posing as her husband was also apprehended and held for writing the checks. Mrs. LaBoon, or Griffin was arrested when she tried to pass a small check on a suburban grocery in Eua Claire, Columbia, bearing the name of Cole L. Blease on the signature line. The clerk became suspicious and while the woman was detained by others in the store he phoned Mr. Blease who told him that he had issued no such check, whereupon officers were called and the woman arrested. All of the checks passed in Columbia were on prominent people there, including a Catholic priest and the Rev. Karl Kinard, a graduate of Newberry College and now residing in Columbia.

Sheriff Tom Fellers and Deputy Hub Quattlebaum thinking the woman arrested in Columbia might possibly be the one issuing checks here investigated her case with the result that warrants were issued for her and her companion charging them with forgeries here.

LaBoon, and Mrs. LaBoon or Griffin plead guilty in the September term of court in Richland county for the forgery charges lodged against them there. At the October term of court here the pair plead guilty to passing the four checks here, including the one on the Belk company. LaBoon and his companion are now serving four and two year terms, respectively, in the penitentiary. LaBoon was given four years for the Newberry forgeries and the woman two years, both sentences to run concurrently with the Richland county sentences.

Due to evidence disclosed in the investigation leading to the trial and confession of the LaBoons, Mrs. Johnson, through her attorneys applied to the court of common pleas for a new trial against the Belk company.

The motion for a new trial was heard by Judge M. M. Mann on November 19th. Mrs. Johnson was represented by Blease and Griffith and the Belk company by Alan Johnstone and J. C. Hiott. During the proceedings Judge Mann had Mrs. Johnson stand before him in different poses while he compared her features with the picture of Mrs. LaBoon contained in the exhibits. Attorneys for Mrs. Johnson presented much evidence including many affidavits, testimony of handwriting experts tending to show that the writing on the checks was not that of Mrs. Johnson, and much other evidence. Attorneys for the Belk company

presented affidavits from Mrs. Ruth Cousins and Mrs. Gladys Jacobs, clerks at the Belk store, reiterating their conviction that Mrs. Johnson was the woman who presented the check to Mrs. Jacobs at the Belk store. Mrs. Jacobs at the first trial said she had known Mrs. Johnson for four or five years and could not possibly be mistaken as to her identity.

Attorney Hiott of the Belk company presented an affidavit, or statement to the effect that he and Manager J. N. Beard of the Belk store went to Columbia and interviewed the LaBoon woman at the penitentiary. It was set out that the woman said she was "double crossed" and denied to them that she had anything to do with the Newberry checks. An affidavit was prepared to that effect, according to Attorney Hiott, but the woman refused to sign it after talking with a penitentiary official. The statement of Mr. Hiott set out that the woman said she had been "double crossed" by the Newberry county officers who promised her, she said, immunity, if she would admit the Newberry forgeries. The statement also set out that the woman said she was going to "tell the truth" as she was disappointed on returning to Columbia and learning that she received sentence in the Newberry court. At this point Judge Mann interrupted Attorney Hiott to ask if the woman was not sentenced in court at Newberry and knew of this before her return to Columbia. Mr. Hiott said such was the case, adding "but that is what she said." Attorney Johnstone summed up for the Belk company and Judge Blease for Mrs. Johnson. The "judge" waxed warm and even poetical at times. His words showed that he strongly resented the implication of alleged crookedness on the part of Deputy Quattlebaum whom he termed "the best deputy sheriff in the state."

Mrs. Estelle Taylor who is employed by the Fashion department store and who in the first trial gave evidence tending to implicate Mrs. Johnson made a trip to Columbia with Deputy Quattlebaum to see the LaBoon woman. An affidavit from her was to the effect that she could not be absolutely certain that Mrs. LaBoon was the one who passed the check at the Fashion but after seeing her she was certain that the forger was not Mrs. Johnson.

Judge Mann held a week of court at Saluda following his court here and after returning to St. Matthews, his home, went into the case presented to him here. He studied the voluminous evidence for several days, including all material at the first trial and on December 15th passed an order for a new trial. The new trial will be docketed for the April term of court here and if no appeal is taken by the Attorneys for the defendant company it will be tried at that time.

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Society

SHEALY-STOCKMAN WEDDING OF INTEREST

Of interest to a wide circle of friends throughout the State is the marriage of Miss Frances Louise Shealy to B. Eugene Stockman which took place Saturday evening at 6 o'clock at the home of the bride's parents, Mr. and Mrs. Joe M. Shealy, in Pomaria. The ceremony was conducted by the Rev. Ernest K. Counts, pastor of the bride, in the presence of relatives and intimate friends of the couple.

Mrs. Stockman attended the University of South Carolina. Mr. Stockman, son of Mr. and Mrs. Moses Stockman of Prosperity, is a graduate of the class of '36 of Newberry College. He taught in the Bamberg schools last year and now is deputy treasurer of Newberry county.

Mr. and Mrs. Stockman are making their home in the city with Mrs. L. M. Wilson.

ANNE HENDRIX CELEBRATES BIRTHDAY WITH PARTY

Anne Hendrix, small attractive daughter of Mr. and Mrs. Milton Hendrix, celebrated her fourth birthday at the home of her parents on Boundary street Saturday afternoon. She invited 35 of her small girl and boy friends to help her celebrate the occasion.

The children played a series of indoor games, conducted by Mrs. J. D. French. The home was attractively decorated in the Christmas motif.

Ice cream and cakes were served late in the afternoon when the group was invited into the dining room where the table presented a pretty scene in its novelty decorations of miniature Christmas trees, Santa Claus, and reindeers. The birthday cake, centering the table, was iced in pastel shades and topped with four burning pink candles.

Upon leaving the children were given favors of cellophane bags of candy.

THE TELEPHONE GIRL

The producer of a local dramatic society was given some final instructions before the curtain went up on the first night of the show.

"Now don't forget," he told the heroine, "when the villain takes you in his arms you have to call out loudly, Oh! oh! oh, please save me!" But the heroine was a telephone

DOWN MEMORY LANE

20 YEARS AGO

Washington, Dec. 17.—The House of Representatives late this afternoon passed the national prohibition amendment by a vote of 282 to 128. The advocates of the measure had 8 more votes than were needed to give the necessary majority of those present and voting. A prolonged demonstration from the galleries, participated in by Wm. J. Bryan, followed the announcement of the vote.

Miss Clara Bowers who teaches at Richberg, is home for the Christmas holidays.

In response to the government's appeal for fuel conservation, the trustees of the city schools have decided to lengthen the Christmas holidays to January 7.

Messrs. W. G. Houseal, Jr., O. B. Mayer, Jr., and E. W. Sease, members of the freshman class of the State Medical College at Charleston, will spend the holidays at home, the college closing Saturday, to be resumed January 2.

Mr. Herman Langford has returned home after completing the course at the Poughkeepsie, N. Y., Business College. This young honor graduate of Newberry College is now well equipped for clerical work in the commercial and industrial world, having graduated from two fine institutions. His classical and business qualifications, combined with his natural and inherited merits of character, will insure for him a rare combination of theoretical and practical proficiency.

Clerk and Treasurer J. W. Chapman, who has filled this position very efficiently for several years, will be a candidate for reelection. It is not yet known whether or not Mr. Chapman will be opposed.

The recently elected city council of Newberry will take the oath of office about December 24, and the first duty of the new council will be the election of police officers and clerk and treasurer for the ensuing year.

Misses Lottie Lee and Mattie Half-acre leave tomorrow for Wadesboro, N. C., where they go to spend the holidays with their sister, Mrs. Sam Burns.

Mr. McK Hutchinson was called to Greer to attend the burial of his father, Mr. J. R. Hutchinson, Wednesday morning. He has returned from his sad mission. His father who was 85 years old, had retired apparently well Monday night, but was found dead Tuesday morning, having died suddenly during the night.

The good ladies of West End in Newberry certainly took good care of their fighting men.—Greenville News. Then follows an enumeration of the nice things sent the soldiers.

With a splendid address at O'Dowds theater yesterday afternoon, Dr. J. Henry Harms, president of Newberry College, inaugurated the Florence county campaign for new members to the Florence Chapter of the Red Cross. A large audience heard his address. Dr. Harms, always a speaker of unusual force and charm, was at his best and he made the most of his great subject. Before the meeting adjourned many new members were added to the roll.—Florence cor. The State 18th.

"And the personals are always so interesting."—A little sentence from a bright and beautiful young lady in another county. Thank you ever so much, you sweet little creature. The personal compliment preceding the above quoted remark we will keep locked up.

CATHOLIC MINISTER HERE

Rev. Baum Conducts Services Monday

The Rev. Charles J. Baum, assistant pastor of St. Joseph's Catholic Church, Anderson, spent Sunday night in Newberry. On Monday morning he conducted services for local Catholics at the Wiseman Hotel, celebrating Holy Mass and administering the Sacraments of Penance and Holy Communion. Six were present. Father Baum, though having his residence in Anderson, is an occasional visitor in Newberry since Newberry county is a part of the Catholic mission parish of St. Joseph's of Anderson.

THIEVES ENTER PAMPLIN'S FILLING STATION AND ROB

Thieves employing crow bars entered Pamplin's filling station at the intersection of the Greenville and Whitmire roads Thursday night and stole a quantity of merchandise. A reward of \$25 has been offered by the sheriff's office for the apprehension of the thieves.

More than 6000 cigarettes, several boxes of chewing tobacco, cigars and chewing gum was taken.

girl, and she brought down the house when she cried, "Oh double oh, please save me!"—Pearson's.



One of the Joys of Yuletide is the opportunity to put aside the routine and customs of everyday business and in real sincerity wish you a

VERY MERRY CHRISTMAS

G. B. Summer & Son



NO ONE
Could wish you a Better
Christmas
Or a Happier
New Year

Home Stores



Sincere Good Wishes
for Christmas cheer
And may the Coming Year
Be Bright with Happiness

Lake's Machine Shop



May Christmas peace be yours
And Christmas pleasures, too
And all thruout a glad New Year
May joy stay close to you

A. J. Bowers, Jr.



Health, Happiness, Prosperity,
Good Cheer,
Merry Christmas!
Happy New Year!

Miss Mattie Adams



MERRY CHRISTMAS!
And a wish for your Happiness
All through the New Year

Newberry Creamery



YOU'VE HEARD IT BEFORE!

Here's hoping you will
many times again—
Merry Christmas!
Happy New Year!

Ritz Soda Shoppe



With kind remembrances
And all Good Wishes for a
Merry Christmas
And a bright New Year

Gilder & Weeks