

HEAVY YEAR'S WORK IN EIGHTH CIRCUIT

SIXTY-ONE MURDER TRIALS IN FIVE COUNTIES.

Laurens Furnished Thirty—Detailed Statement of Newberry Cases Disposed Of.

Laurens, Jan. 13.—In the Eighth Judicial Circuit, comprising the counties of Abbeville, Newberry, Saluda, Greenwood, and Laurens, there were sixty-one murder trials during the year 1907.

Laurens led the list with thirty, lacking only one of furnishing as many homicide cases as the aggregate in the other four counties. Newberry and Saluda were next, with ten each. Abbeville had seven and Greenwood four.

Of these cases 56 were disposed of, and there are six mistrials pending. There was one death sentence, nine were convicted of murder with a recommendation to mercy and sentenced to the penitentiary for life, 18 were convicted of manslaughter and 27 were acquitted. In the case in which the death sentence was passed the defendant, a negro, paid the penalty in Greenwood in April.

In Abbeville two were convicted of manslaughter, and five were acquitted.

In Greenwood one was convicted of murder and sentenced to death; one was convicted of manslaughter; one was acquitted, and there was one mistrial.

In Laurens six were convicted of murder with recommendation to mercy which means life imprisonment; seven were convicted of manslaughter; 14 were acquitted, and there were three mistrials.

In Newberry one was convicted of murder with recommendation to mercy; four were convicted of manslaughter, and five were acquitted.

In Saluda two were convicted of murder with recommendation to mercy; four were convicted of manslaughter; two were acquitted, and there were two mistrials.

The figures are taken from Solicitor Cooper's annual report to the attorney general. Solicitor Cooper's record for the year 1907, as shown by the figures, is excellent, and one in which he may take pardonable pride. At every term of court in each

of these counties he has been confronted with heavy dockets, and it has taken labor and ability and foresight to keep the work in hand. One who imagines the position of solicitor of the Eighth Circuit is an easy berth, is very much mistaken. In none of the circuits in the state is the work light, and the Eighth is one of the heaviest.

During the year 1907 solicitor Cooper disposed of 298 cases. In 237 of these trials were had or pleas entered, and 61 were discontinued or otherwise disposed of. There were 169 convictions and 68 acquittals. The bare figures convey but little idea of the immense amount of work which they represent, but the record speaks for itself. In its making energy and good management and ability of a high order have been displayed by Solicitor Cooper.

As showing the amount of work done in the Eighth Circuit during the year 1907 the figures for the Fifth Circuit, which includes the county of Richland, might be used in comparison. In the Fifth Circuit 284 cases were disposed of, of which number 211 were tried. Of these trials 32 were for murder as against 61 in the Eighth Circuit. The Fifth Circuit comprises the counties of Richland, Edgefield, Lexington, and Kershaw.

Laurens has furnished by far the heaviest criminal dockets in the Eighth Circuit. Judge Gage, who is presiding at the court in session here now, gave some interesting statistics in his charge to the grand jury on last Monday. In 1898, he said, according to the record furnished him by the clerk of court, 17 true bills were found for murder in Laurens county; 5 in 1899; 12 in 1900; 14 in 1901; 8 in 1902; 11 in 1903; 5 in 1904; 12 in 1905; 15 in 1906, and 22 in 1907. There were almost two homicides to the month in Laurens county during the year 1907, he said and the aggregate number of true bills for murder in ten years was 122. Of that number 18 were convicted of murder, 51 of manslaughter, and 42 were found not guilty. Of those against whom true bills had been found in ten years 55 per cent were convicted and 45 per cent were acquitted.

Following is the tabulated record of the cases in Newberry during the year 1907, showing the cases disposed of, their disposition, and the penalties:

Newberry County.

	No Bill.	Discontinued.	Not Guilty.	Guilty.	Jail and Fine.	Co. Chain Gang.	Pen. For Life.	Death Sentence.
Arson				3		2		1
Assault and battery with intent to kill, aggravated assault, etc.	5	2	17	10	7			
Bastardy	1							
Breach of Trust	1							
Concealed Weapons	1	1	8	8				
Disposing of Property Under Lien	1							
Entering House With Intent to Steal	1							
Forgery			1					
Highway Robbery			1					
Larceny of Bicycle			1		1			
Larceny			1		1			
Larceny of Live Stock		4						
Larceny From Field				1	1			
Manslaughter			4		4			
Murder	1	5	1				1	
Privy Stealing From Person			1		1			
Shooting Into Train			1		1			
Rape	1							
Receiving Stolen Goods	2							
Resisting Officers				6	6			
Violation Dispensary Law	1	2	1	2	2			
	1	19	13	46	27	17	1	1

J. K. A.

Don't Forget to Assess.

Now is the time to assess your property for 1908. Read Auditor Cromer's list of appointments, and meet

him at the nearest place to you if it is inconvenient to come to Newberry. The time expires on the 20th of February. After that date the law requires that a penalty be added.

HITTING AT THE SOUTH.

New York Congressman Offers Bill to Reduce Representation Here.

Washington, D. C., January 10.—Knockers are already at work trying to reduce the representation of the Southern states in congress for the alleged reason that the negroes in the south are disfranchised and not given the right to vote. Heretofore efforts along this line have been fostered by Gen. Keifer, of Ohio, but this year a new bill has been introduced by Representative Bennett, of New York.

If this bill passes it will affect the Southern states as follows:

- Alabama from nine representatives to five.
- Arkansas from seven representatives to five.
- Florida from three representatives to two.
- Georgia from eleven representatives to six.
- Louisiana from seven representatives to four.
- Mississippi from eight representatives to three.
- North Carolina from ten representatives to seven.
- South Carolina from seven representatives to three.
- Tennessee from ten representatives to eight.
- Texas from sixteen representatives to thirteen.
- Virginia from ten representatives to seven.

It will readily be seen that should this bill pass it would require an entirely redistricting of all the Southern states, as it would be impossible for the smaller number of representatives to be chosen as the districts are at present divided. Another thing about this bill is that by breaking up the present congressional districts it would encourage the negroes of the south to come forward and vote, and many contests would have to be settled.

Mr. Bennett has always been looked upon as opposed to immigration of any kind to the south, or anything that would tend to its upbuilding or commercial prosperity.

P. H. McG.

TILLMAN WON FOR CAPERS.

Persuaded the Senate to Confirm the Nomination of the Caro- linian.

Washington, Jan. 10.—Confirmation by the senate late yesterday afternoon of John G. Capers' nomination to be commissioner of internal revenue was brought about through the good work of Senator Tillman, who succeeded in smoking out Republican senators who were desirous of finding out Capers' attitude on the presidential question.

Tillman worked openly for Capers and was gratified at the confirmation of the Carolinian.

Capers was a recess appointee of Roosevelt's. Pearl C. Wight, of Louisiana, was given the post, but has twice postponed taking charge of the office. It is believed that Capers will remain in office, and that Wight doesn't intend to assume control. If Wight does come for the office it is understood that Capers will make room.

Mimnaugh's Great Ten Day Sale.

Saturday morning, January 13, at 9 o'clock, the great sale at Mimnaugh's big store will begin. This sale is to continue for the period of ten days. Mimnaugh says the only way to down him is to kill him. He expects to prove the truth of this statement at this sale. Dry goods of all kinds and descriptions, in fact everything in this wonderful store, are to be sold at prices never before heard of in the town of Newberry. Mimnaugh has a fine stock; no store in the Carolinas can beat it. If you want anything to wear, or to make yourself look a little better than you do, go to Mimnaugh's Saturday morning. Mimnaugh says he isn't hard up for money, that he doesn't owe a cent in the world, but that he must get rid of his surplus stock. His greatest reason for this sale is that he would rather have the money than the goods.

IN SUPREME COURT.

Cases of Interest to Newberrians to be Heard This Week.

Beginning today the state supreme court will take up the appeals from the Eighth Circuit composed of the counties of Newberry, Laurens, Saluda, Greenwood and Abbeville. A number of cases in which Newberry people have an interest are to be heard.

The cases on the docket from this county are:

The State, Respondent, vs. Fred Raeder, Defendant, Appellant. Raeder was convicted here in June of manslaughter, being charged with the murder of Charlie Coleman, another negro. Special Judge Grier sentenced him to twenty years imprisonment in the penitentiary. The appeal is from sentence. Solicitor Cooper, after Raeder's conviction, offered affidavits which tended to aggravate the defendant's crime. His attorneys objected and the objection was over-ruled.

In three other criminal cases the same point is raised in the appeals. In each of these the defendants' attorneys moved to quash the indictments because Magistrate Counts was a member of the grand jury returning them, it being claimed that a magistrate was ineligible as a member of the grand jury. Judge Grier refused to grant the motion. The persons convicted, and whose appealing, are John Graham, for violation of the dispensary law; Tom Todd, violation of the dispensary law; Harry Lyles and Henry Dawkins, for assault and battery of a high and aggravated nature.

In the above case Messrs. Blease & Dominick represent the defendants, while Solicitor Cooper will appear for the state.

Another case from this county is that of W. B. Harmon vs. Jno. L. Cook. At the June term of the Common Pleas Court, Harmon obtained a verdict for \$700.00 against Cook because of Cook's forcible ejection of Harmon from certain disputed lands. Judge Purdy refused to grant a new trial, and Cook appealed to the supreme court. Messrs. Schumpert & Holloway, and Hunt, Hunt & Hunter represent Cook; Messrs. Johnstone & Cromer are attorneys for Harmon.

While not a Newberry case, because of local attorneys being employed, the appeal of G. Wash Hunter, charged with murder in Laurens county, is of interest here. In this case there have been one conviction, with a new trial granted, and two mistrials. Upon Solicitor Cooper's motion the case was transferred from Laurens to Greenwood county by Judge Gary. Hunter is now appealing from this change of venue. Col. O. L. Schumpert and Senator Cole. L. Blease represent Hunter.

From Saluda county the case of William L. Henderson and Alfred Free will be heard. These men were charged with the murder of Mat Morse, and after two mistrials were had, they were convicted of manslaughter. Henderson's sentence was twelve years, and Free's was ten years. An effort was made a few days ago to have the supreme court to remand the case to the circuit court for the purpose of permitting a motion for a new trial, on the ground of after discovered evidence, to be made. This motion was refused, and the case will now be heard on the exceptions from the verdict of conviction.

The case against Lewis Burton, Elmore Mayes and Lawson Johnson, who were convicted at the November term of arson, and that of Mrs. Annie P. Oxner vs. the Western Union Telegraph Company, will not be heard at the present sitting of the supreme court. The record in these cases was not completed in time for them to be heard at the present term, so they will go over until the court meets in April.

The crowd of negroes caught by Magistrate Blease last week gambling were fined by him Tuesday, the sum of \$185 was received from the gang.

LEGISLATURE OPENS TODAY.

Some of the Important Measures— State Probation Law

Special to Herald and News

Laurens, Jan. 13.—With the assembling of the legislature on Tuesday comes the talk of politics and of politicians. When this general assembly met for the first time, last year, it was with the expectation and the purpose of abolishing the state dispensary, to which purpose a majority of its members with the governor were pledged, and the session was devoted largely to that end. Now the dispensary is out of the way and the legislators can give their attention to other matters. True, an effort will be made to enact a state prohibition law and the liquor issue will again come up for a considerable discussion and a parliamentary fight, but it will not be the absorbing issue. The indications are that the prohibition bill will fail and that it will be an issue in the election of the next general assembly. Gov. Ansel will suggest certain amendments to the present law, which will doubtless be enacted.

The governor has said he will recommend an increase in the tax levy of two mills for the purpose of getting the state on a cash basis; he will also recommend increase in the salaries of the governor and other officials, the erection of a governor's mansion, and a supreme court building, all of which matters will be threshed out in the two houses.

The governor will also transmit during the session the proposition of President Finley of the Southern as to reduction of passenger rates in this state and the Coast Line will likely join in this plan. Some legislation to carry the reduction into effect and to secure uniformity will be necessary. There are already on the calendar a number of bills seeking to regulate the railroads and others still will be introduced.

This general assembly is in sympathy with the forward movement in education and is disposed to deal liberally with the state colleges. At the last session, the sum of \$50,000 was voted to start a system of high schools and this money has accomplished good results, although not all of it has been expended. The work will doubtless be continued. There are several compulsory education bills pending, one of which may be passed, as the sentiment in the general assembly has been tending in that direction the last few years. The surplus from the state dispensary, amounting to not less than \$250,000, perhaps more, may be used for the schools in some form.

The bill to establish an insurance department, with a commissioner, will be pressed at this session, having the backing of the insurance agents association. Comptroller General Jones has asked for laws governing domestic companies operating under South Carolina charters.

There is only one important election place at this session—that of an associate justice of the supreme court to succeed Hon. Eugene B. Gary, who is a candidate for reelection and who will be opposed by Hon. Thomas P. Cochran, member of the house from Greenville and one of the authors of the Cady-Cochran law.

This being the second session of this general assembly, little or no time will be taken up with the work of organization and each house can get down to business without delay if it will.

From present indications, the effort to repeal the lien law is apt to succeed this time. The fight has been made for years and last year the house passed a repeal bill, which was killed in the senate by a few votes. There is reason to believe that the conditions in the senate have somewhat changed and that the repeal bill will pass that body. Akin to this is the legislation in regard to the farm labor contract law, which has been declared unconstitutional by the federal court and which will be passed on by the state court en banc this week. If the state court also holds the law null and void, some substitute law will be deemed necessary.

Despite the so-called hard times,

the state is in excellent condition and the people are not divided on any factional issue, so that this session of the general assembly might well be devoted to measures for the upbuilding and progress of the state and the good of her people. It is campaign year however and there will creep into the minds of the legislators some thought of the speeches to be made on the stump next year. For state offices, the incumbents, with few exceptions will stand for reelection however and the only big fight will be for the United States senate.

Hoyt.

Needs the Money.

For the last several days there has been a rumor on the streets that one of our merchants was in trouble.

The merchant was E. L. Bailes. A representative of this paper called at Mr. Bailes place of business and being interviewed Mr. Bailes said: "I know full well there has been a great deal of gossip about me for several days. They have gone so far as to spread the report I was going to quit business in Newberry. I will give you the facts of the case. I have been in Newberry one year and a half. Since coming here I have been compelled to move three times. In other words I have been simply playing checkers. They would tell me it was my move and as they were king out I would have to go. I have lost considerable of my trade by moving so much. I bought an immense stock of goods for this season expecting a big business. In this I was mistaken and I am frank to say that I am in need of money to pay my creditors. I am not ashamed of it. There are thousands of merchants in my predicament. I owe \$10,000 and must have the money. That is my trouble in a nut shell, and I will get it. I have engaged H. L. Gilmore & Co. of N. Y. City and turned over my stock to them for the purpose of raising this money. I know I must make a big loss and sacrifice my stock but there is nothing left for me to do but turn my merchandise into cash and the necessity of the case makes it imperative. I do so at once."

Mr. Gilmore of Gilmore & Co., being seen said: "I don't know anything about Mr. Bailes business. We were brought here to raise \$10,000 and this we will do without delay. We appreciate the enormity of this undertaking, especially these panic times, but we are not uneasy about it for we intend putting prices on the stock that will move it rapidly. The store will be closed until Thursday for the purpose of inventory, remarking and getting the stock in shape for the money raising sale which we will open Thursday morning and you may say to your valuable readers that a bargain feast awaits them. The stock I think will inventory about \$30,000 to \$35,000. For any other information you will have to see Mr. Bailes."

SKULL CRUSHED.

Little "Jack" Mace, the bright 4-year-old son of Dr. and Mrs. J. C. Mace of Marion, was brought to the Columbia hospital this week to undergo an operation for a fracture of the skull, he having received a very severe kick on the forehead by a horse Wednesday afternoon. The skull was crushed just above the right eye and it was found necessary to remove a section about 2 by 3 inches.

The operation was successfully performed and the little fellow is getting along astonishingly well. He has not been unconscious since he received the wound and yesterday seemed as bright and cheerful as ever he was. His brain does not appear to be affected in the least by the blow and if his condition continues favorable for the next three or four days the physicians at the hospital believe he will recover entirely.

Mrs. Mace came up yesterday to be at the bedside of "Jack" and Dr. Mace returned to Marion to attend to some important business but expects to return to Columbia this evening. The injury to the little fellow was a severe blow to his parents but they are hopeful of his recovery.