## THE STATE DISPENSARY.

THE RECENT SCANDAL INVESTIGAT ED BY THE STATE BOARD.

Governor Evans, Commissioner Mixso and Others Testify-No New Fact Brought Out-Interesting Reading-No Action Taken by the Board.

COLUMBIA, Sept. 17 .-- The State Board of Control was engaged all day yesterday investigating the dispensary scandal. The examination began in the office of the board at 9:30 and with two hours intermission was kept up continuously until S p. m. All members were present as well as all of the legislative committee. The witnesses examined were Governor Evans, Mr. S. W. Scruggs, Colonel Mixson, J. W. and W. T. Mixson and Col. D. H. Tompkins.

Chairman Jones called the board to order, whereupon Attorney General Barber, addressing the board, said that he was present in obedience to the resolution of the board and was ready to perform any duty the board might call upon him to perform as he was legally their counsel. Chairman Jones stated that the board wished him to examine the witnesses and suggested that in order that he might be familiar with the purpose of the meeting that the published cards of Governor Evans and Colonel Mixson be read

Mr. Barber thought that unnecessary, but asked that the stenographer be sworn, remarking at the same time that the board had no authority to ad minister on oath. Chairman Jones being a notary public administered the oath and the board was ready for busi-

Mr. Barber: What witness do you want to examine? Governor Evans, Colonel Tompkins and Colonel Mixson

well for the board to indicate the mine what it intends to do?

Chairman Jones: It is our intention to go as far as possible. We agreed last night that it was beyond our power to investigate beyond our employes.

Mr. Williams said that was the de-

Mr. Abney arose and stated that he had been requested by Mr. Mixson to appear in his behalf. In doing so he believed he was not transgressing the proprieties when he called to the attention of the board the word "thorough" in their resolution. There is no limitation to it. He understood that the poard came into office on April 1. If you are going to confine yourself to since that time it could be understood. But the scope of the examiniation as

Chairman Jones stated that what That's why they are here to consider the matters charged in those letters. Mr. Douthit. We are to consider

of the dispensary.

Mr. Williams: Our understanding was that these charges are to be investigated. If anything further comes

thus been definitely determined, the lawyers had a little consultation and after awhile Attorney General Barber asked that the Governor be sworn, which Chairman Jones proceeded to do. General Barber then asked him to state what he knew.
GOVERNOR EVANS.

evidence I have is hearsay. The only thing in the way of positive evidence are Mizson's statements and his boy's confession, which are in my letter, which, I believe, have not been controverted so far as the material part is concerned. The only thing I have to state is just what is in my letter. Mr. Nicholson: In order to refresh

the minds of the board would it not be better to read the letter? There was no second and Governor Evans continued: I'll just state that the facts stated in that letter were brought to me by circumstances and by statements of the clerk of the board hich led me to believe that the Com-

At this point General Barber interrupted and said that Mr. Abney had been consulting him about cross examination of witnesses and he suggested that the board grant Mr. Abney that privilege, which was cheerfully

Governor Evans resuming: These reports went on from time to time and in conversation with Mr. Scruggs he said he could get the evidence for me if he left the State. I told him he had my permission to leave and he said he wanted to go to Cincinnati. He did so and returned with evidence against Mixson's son. Then Tompkins and Mixson called at the Mansion and it was agreed that they should get a confession from the boy. The next morn ing Tompkins came to my office and wrote on a slip of paper, which he handed me saying the boy had confessed. Later in the day Mixson brought me the letter of confession, but protested that he had no knowledge of the transaction and stated that his son had been overreached by the whiskey men. I suggested that he see the boy and not let him leave the city as had threatened to do. The matter went on this way and it was suggested that Mixson resign. On the advice of his friends he refused to do so. There was no way to remove him except for cause and I had no direct evidence against him. All I knew his boy had been overreached. Tompkins and my self discussed his resignation and we knew we were powerless and dropped the matter. I never received any evidence that Mixson got rebates. The rest was suspicion, such as a letter from Francis Skelly in reference to rebates and another from Peebles, in which he stated that the price of wnis-

dispensary received rebates? had I would have acted at once.

conclusion? Governor Evans: Scruggs is more

Mr. Anney: In reference to the let-

Mr. Scruggs: It was in the fall, before Christmas. the Skelly letter?

Governor Evans: Scruggs has it on file, I suppose.

board draw its own conclusion. Mr. Scruggs promised to hunt up the letter and Governor Evans continued: Something was said about Peebles raising the price of his liquor a little. I told Mixson about it and he said he wouldn't let them raise on him. It was then that Peebles said White's

Governor Evans: I never saw it. Tompkins and Mixson reported it to me and after Mixson's son confessed. I never asked for it.

Mr. Abney: Didn't you find from your investigation that there was nothing against Mixson-that he was

had suspicion. Mixson had received overtures from whiskey men, among them White, about which he told me I told him he ought to have kicked White out. Later during the Constitutional Convention he sent me a note asking for a card of admission to the floor for White. I told him aftewards that he ought not to be asking favors for White in view of what had occur-

Mr. Abney: Having gotten all the Mr. Williams said that was the decision. The board would have no right cause for punishing Mixson you pass-

Governor Evans: Oh, yes, I told Mixson I had no desire to punish an innocen, man and if he could convince me that he knew nothing of his son's transactions I would do nothing.

Senate and he was confirmed? recommend a law so as to put these things at rest and take away the pur-

Mr. Abney: Subsequent to this you heard no charges?

Governor Evans: Charges were made every day. I told my informants to give me no facts unless they been trying to get the evidence, but haven't been able to substantiate them . have only acted in my capacity as Governor.

Mr. Abney: In your letter you state that Mixson received a desk. Is that not being used now?

Mr. Abney: I only want to show that you have not been derelict in your duty and had no cause to remove him. Governor Evans: Well, there have been many reports, but no one ever

thing else, Governor. If anything else is brought out I will have something to say.

letter about "Mixson" dealing with whiskey men. What Mixson? Governor Evans: Commissioner

ceeded and got evidence against "Mixson." Was that the Commissioner? Governor Evans: No, the boys.

Mr. Williams: You also say that all could see the reason of the opposition things which have happened may have to you. What did you mean by that? Governor Evans: Well, Mixson fe'l out with me because I was trying to secure the evidence. He was made Scruggs was appointed by him. Weren't you.

Mr. Scruggs: Yes, but you know you said I was to be your personal have read these letters only once—and epresentative and see that things were then hurriedly-and for that reason kept straight.

General Barber: There was never any report of this matter made to the Attorney General's office? Governor Evans: No. because

boys. SENSATIONAL STATEMENT. Mr. Williams: You speak in your letter about "these men." To whom do vou refer?

Mixson. Mr. Williams: You have never

seen his evidence? Governor Evans: No. Mr. Barber: What positive evidence have you against Col. Tomp-

Governor Evans: None, except Scruggs' statement, and the intimacy that existed between him and Mixson. Tompkins got mad about the bill I recommended, saying it would be a reflection on him, but I have no evidence except hearsay.

Mr. Scruggs: Please state exactly what I said Governor Evans: I don't remember

Mr. Scruggs: You remember I said sary. And this after he had told me Mixson-Colonel Mixson?

ALL ABOUT HUBBELL. In reply to a question by Mr. Wes-Hubbell was given:

was being paid commissions by other whiskey houses. He stated to me what you have already seen in print. key must be raised or somebody's his prices were less than those being to me by the Commissioner, and were written statement of it whenever he sioner, which was a commission would stop. These were paid I would see that he got an order. duly deposited in the bank to the credit wishes me to do so. He told me to affirmative.

Mr. Williams: You never saw those telegrams and letters until they were published? Governor Evans: No, but Hubbell told me something about the R. M.

over a year ago that all the avidence had been submitted to Senator Tillman?

board about it, and Tillman wrote you gratitude to buy from Hubbell in view of what the Mill Creek Company had

of introduction to Hubbell?

and said he had seen R. M. Mixson, done and had evidence to the same ef-

would be given an opportunity and he asked Mr. Tompkins if he wished to make a statement, to which he received a negative answer. THERE WERE OTHERS.

testimony, remarking that all he had o say was in his letter when Mr. Abney asked: Were the rumors you speak of confined to one man?

everal of them. It was rumored that was in it. I couldn't act, though some of the rumors came in such a way that I had to notice them. Mr. Nicholson: You say there were rumors afloat concerning yourself.

HE NEVER GOT ANY. Governor Evans: No, sir. Nobody has ever offered me any. Mixson had the exclusive privilege of purchasing, and I only asked him to buy from Cranston—to give him a small order. and represented Baker's whiskey, for

with Mixson on the subject, warning The Governor concluded by saying that his services were at the disposition of the board, and he would be

Mr. Barber said that a great deal of importance attached to those letters referred to in the testimony and he wanted them produced. Mr. Scruggs said it would take him some time to hunt them. He was excused from the search just at that time, as his testimony was wanted next.

SCRUGGS'S TESTIMONY.

pend on his memory and make statements from recollection. He had a treacherous memory on account of the business he was in-bookkeeping-but collections of conversations, etc.,

the following: the published letters of Governor Evans, Commissioner Mixson and W.

T. Mixson, as I remember them. I would not undertake to confirm them unequivocally, lest possibly some point of issue contained therein escaped

didn't have the evidence and the State Evans's letter, so much thereof as relates to my official investigation of this matter, is in the main correct although his statement of the details leading up to the investigation are not wholly correct. This I can easily account for from the fact that he is depending entirely on his memory for said Tompkins was as deep in it as every detail relating to the earliest period of this case. It is true, as Governor Evans states, that I reported to him that I believed commissions were being paid to some one; but not as he states, that I arrived, in a broad sense, at these suspicious from letters indiscriminately opened by me during the absence of the Commissioner. My recollection on this point, I think, is disinct, and I am confident Governor ing statement. The only letters which ing with Governor Evans which at the time bore any evidence to my mind

was selling his liquors to the Dispen-Colonel Tompkins was as deep in it as I was his personal representative, and State Tompkins, who is my neighbor. that he was depending on me to keep and reported to him the facts in the that he opened. Ar the affairs of the Dispensary straight. case as a member of the board. I told from Mr. Barber This letter, to the best of my recollecton the following information about tion, stated that the writer, though he my house. Col. Mixson came around to the Attorney Gel would be able to get "you" (meaning and I told him of my discovery and the Live Oak whis In regard to this matter of purchase Commissioner Mixson, some freight told him that the indications were to unquestionably by Hubbell said he couldn't do business rebates on whiskey shipments, but my mind that he was a party in it. All the fine whisk with the Dispensary because Mixson that the Commissioner must keep it This he solemnly swore was not the from Ross & Co., perfectly quiet, and he would send the case. The next morning I called on Co., about three four rebates in currency by mail or express. Governor Evans and made a verbal re-Subsequently the rebates were sent by port to him of my investigation, and purchases made by the I told him if he could show me that mail in currency and were turned over told him I was ready to hand in a made by requisitions

for future rebates.

Evans told me that he had reason to fect, and asked me had I noticed anypicion. I frankly told him I did not, Mr. Williams: You never knew connection with the Dispensary. Alanything about R. M. Mixson's letter though I think it was before the Govto get rebates srom Ross & Co. From that time on Governor Evansand my- certified copy. The amounts appearself discussed the matter on divers ed in the the cash book of the comoccasions. Meanwhile I was on the pany. I made a memorandum of lookout for anything that would lead | dates, but haven't them with me. The reported after the confession of the boy to a confirmation of these rumors. As books were for 1895 and 1896, the last

> it. I explained to the Governor that was wrong he would stop it. all the relates which I know of were the 5 per cent. allowed and denoted on the invoices and that the books showed that they had all been duly credited up to the State, and which amounted to \$21,000 in eleven months. I also explained that if Mixson was getting an additional rebate for his own private gain that it would not show on the invoices and that, therefore, there could possibly be no record of it in this office, that the Commissioner was receiving bates he would not be foolish enough to let

it appear in the invoices. Some time in the fall of last year, Mr. White of Cincinnati came here and remained for several days. Dur-ing his stay I became satisfied from Mixson? Have you in any shape or form ever the trend of his remarks that he knew something more than he would state, and that he knew or believed that W. T. Mixson was receiving brokages charges on the sales of whiskey to the Dispensary by the Live Oak Distilling Company. During this visit I think he called on Governor Evans, but 1 am He was an old friend of my family not positive about that. Now, for the and represented Baker's whiskey, for first time, I believed that I had tangiwhich there is a demand. Beyond ble evidence of wrongdoing and in conthat I never had anything to do with versation with Governor Evans he told purchases, and drummers rarely came me that I must do my best to detect the to me. I have dared any man to even | guilty parties; that I was his personal keep everything straight, and for me to consider that I had his authority to had, I suppose, 100 conversations go anywhere at any time in the prosecution of this investigation. It was my intention to proceed to Cincinnati at once, but the vast amount of work which I had done that year in straightening out the terrible condition in which the books of the State and county dispensaries had gotten proved so great a strain on me that I was laid up with a severe case of sickness and was threatened with nervous prostration. On account of my illhealth and the rapidly increasing demands on my time in consequence of the large volume of fall and winter business, I was forced to defer my trip until the following February. Reaching Cincinnati I asked the manager of the Live Oak Distilling Company why his firm had discharged Mr. White. He replied that Mr. White had not been listed as a salaried employee (or employer, I disremember which) of his firm. That he (White) had represented to them that he had great influence with the Dispensary authorities in South Carolina and could control the trade in the interest of any house he chose and he had recommended the Live Oak Distilling Company as a house that sold the best grade of whiskies for the money of any house in the West. Upon that representation they agreed to pay him a commission on brokerage of all whiskies that he would sell and stated to me that they had done so to the amount of between \$1,800 and \$1,900. They further stated, as a reason for subsequently declaring their trade "off" with Mr. White, that they could not afford to pay a brokerage to both White and Mixson; further stating that it was a strictly business agreement which they had with Mr. White to pay him a brokerage on all the trade which his efforts or influence brought to the firm; that subsequently he was informed that Mr. White's in influence had come to an end and that he entered into the same agreement with W. T. Mixson-W Mixson making the same representations which Mr. White had formerly

made as to his ability to control the trade. was being imposed upon or else the purchasing power of the Dispensary suggested that he discontinue his practice. He replied that the Dispensary authorities were strangers to him and that it was only a business matter with his firm; that the proposition had been made to them these parties to throw the trade into their hands for a ressonable commission and as a business proposition it was agreed to, but if questionable he would stop it.

This is to the best of my recollection the conversation which took place be first to buy. Co nel Mixson intertween the manager of the Live Oak jected that he was ne first to buy from Company and myself. The result of them. my investigation was I discovered that the sum of \$2,669.45 had been collected by W. T. Mixson and \$690.50 by James Mixson, aggregating \$3,359,-

night of the morning after my return

claim, that if the matter was made report whenever he desired it, and he public it would destroy their chances replied that he would let me know when he wanted it; that W. T. Mixson had confessed and as there was no

It was my intention to proceed to then preceded to Baltimore from here did I dismissed the idea of any further

QUESTIONED BY LAWYERS.

Mr. Scruggs: Yes, but I have no and said to me that was the way it was time rolled by, the talk about rebates payment being made in 1896. I didn't grew, and finally Governor Evans see any receipts for the amounts. said to me that it did seem to him that Manager Yost talked to me and showif Mixson was getting rebates I, as ed me the books. He said it was sim-Mr. Barber: Colonel Tompkins has | bookeeper was in a position to discover | ply a business proposition but if it

Mr. Barber asked him about those letters previously referred to. Mr. Scruggs replied there were only

Governor Evans: I am positive there is a letter about White's commission. I told you to keep it. Mr. Scruggs: No that was only a conversation.

Baltimore? Mr. Scruggs: Just analogy. I supposed if they were being gotten in Cincinnati the same thing was going on in Baltimore.

SUSPICIONS AS TO TOMPKINS. Mr. Scruggs: No. That's just the trouble. I saw nothing to show that he knew his sons were getting commissions, I saw nothing against Colonel Tompkins. There was only one suspicious circumstances against him, which I remarked to Governor Evans, and that was his intimacy with Mixson. I asked him why he stuck to Mixson and he said he didn't believe he was guilty.

anything conspicuous about that? Mr. Scruggs: Again Colonel Tompkins was at my house and I was copying what was paid to W. T. and James Mixson. He was looking over my shoulder. I put down a certain amont and said that was "for James." He replied "No, that is for William." Mr. Tompkins: Why did I say

Mr. Scruggs: I may have gotten i grong.

of letter paper in the memorandum book. Mr. Tompkins: Well, how was it

suspicious as to me anyway. Mr. Scruggs: Because I didn't know how you knew what was William's and what was James's. Mr. Tompkins: You said there were

thev? suspicious because of your friendliness for Mixson.

any letters implicating Tompkins? Any whiskey drummers, say so? Mr. Scruggs: No; White said he was guilty and then said he wasn't. Governor Evans: Didn't Farnham say Tompkins was too smart to be

caught? Mr. Tompkins! That's right. You'd never get me through any boys. Mr. Scruggs: To the best of my recollection White said he was in it. I

nied it. Mr. Tompkins Yes, I pulled him out of bed ear in the morning and he denied it.

In reply to fur her questions by Mr. Barber Mr. Seru zs said: I saw nothing in Cincinnali against Tompkins. Saw an entry against Mixson and no drummer ever to d me anything. By reason of his relation to his two sons I suspected his full. I don't know whether he received any rebates or whether any officer of the dispensary did.

Governor Eval: Did Tompkins vis-Mr. Scruggs:

know. He was stairs now.

Mr. Nicholson not visit the disr reason of being a ember of the board. Mr. Tompkins didn't come in that owing to adjacent buildings two per nothing wrong in him having it in his capacity, but sileply as a friend of cent. was an equitable rate and no room. Mixson. ANOTHER LINE.

Mixson's incumbe not made from ;h live Oak Co. Mr. Scruggs relied that he did not that he had gotten and gave it to tht Mixson was the others. know, but he thou

money? ecause he thought en to you? Mr. Scruggs: they could control he trade. He said Co.

names were mentil al. He said that was purchased the Live Oak days. s from Ross. Mr. Nicholson asl

Governor Evans: He knows nothing gram. about it. These charges are against Barney. He don't make any charges. Mr. Tompkins was then asked did he wish to say anything else and he re-

sponded that he did not. After some consultation Mr. B. B. Evans was called to the stand. He testified: Just before Mixson's appointment, he came before me in front of the Executive office and we walked to the end of the building. He asked me to take his son W. T. in business with me. He said we could run a brokerage business in whiskey and said; "I'll buy all the whiskey from you and nobody would know anything about it." you get that letter? I told him I would think it over. The the Senate chamber and said his father all such correspondence. had talked to him about the conversation with me. I said I don't care to

ters. In January I was about to leave ed to me. "Be sure and make that arthe latter part of March, when I asked John what he thought of the proposition. He said, "Don't you have any connection with it." I said I didn't see why. He replied that if I was in it they would connect him. I didn't want to do him harm and told him so. Later in the day I mentioned the pro-

gave me the same advice. I saw a telegram from J. W. Mixson asked to be sent memorandum. Scruggs showed me a letter from Peebles asking F. M. Mixson to come out to Cincinnati and bring "friend Tompor three more carloads per week and let the cars be labeled "Sold to the South Carolina dispensary."

Mr. Scruggs-I suppose every man connected with the dispensary has can't get any more commissions. been invited. I suppose this board has. Chairman Jones and Mr. Nicholson simultaneously, "'I haven't."
Mr. Scruggs said he had turned over the telegram and letter to F. M. Mix-

Mr. Evans resuming said the tele gram was sent about July 15, 1895. Mr. Abney-This conversation with Mixson was during the session of the

Legislature?
Mr. Evans—Yes. It was conceded he would be appointed. I knew he would be. I didn't think there was anything wrong in his proposition then, but I do think so now. I asked him whether he was to get the commissions. He replied no; he would colonel Tompkins: Well, is there red to me it was an improper proposi- Was filed in his desk.

Mixson was absent. I placed it on file. any more from them because they would not give me enough per cent. thought so now.

Governor Evans remarked that it wasn't a question for this "boy" to say what was right or wrong, and Mr. questions.

to go into a legitimate business. He asked Major Evans did he not consider that his office would receive the advantage over other firms.

Mr. Evans said he so considered it. Mr. Abney-Why then did you advocate his appointment? Mr. Evans-That was before

thought that anything was wrong with him. Governor Evans-It is not a ques tion what he thinks or Mr. Abney thinks is right or wrong. You know you are not bringing out testimony right.

Mr. Abney -I want to bring out the facts and am acting more a friend of your brother than you.

Mr. Evans-I don't need any one to defend me. My statement is clear and explicit. In reply to Mr. Abney, he said he

refused to discuss the proposition with young Mixson because he didn't want to and he told his brother nothing about it until March, because he had been to New York and had thought nothing more of it until he came back. Mr. Abney-You mentioned something about Peebles's letter writing Tompkins to come on. Anything it to me. (Laughter) wrong with that. Gov. Evans-Let the letter speak

for itself. Mr. Abney and Mr. Barber had some talk about the irregularity of the that would connect James and Colonel examination, both admitting that the Mixson in receiving rebates before legal forms had been very much disregarded. Mr. Abney said he didn't propose to make any objections.

this boy (B. B. Evans) saying what is right or wrong. That is for the board to decide.

DISPENSARY INSURANCE. before I was placing this insurance the ked whether he did tariff association issued a circular taksary frequently by ing dispensaries out of the barroom class. This gave them a lower rate and agent of the Southeastern Tariff Association is authorized to make it low-Mr. Abney asked whether prior to er. He went on to say that the Govcy purchases were ernor had never given him a dollar of marked: "Let's stop this irregular insurance, but had taken away some examination.'

> Gov. Evans-That's all been settled. Mr. Douthit-I want to ask a question or two to correct any wrong, if

reported by him business in another company.

board had refused the information.

shown me by Scruggs.

I made Scruggs make out a price list of the Dispensary fund, as the records keep the matter quiet just then and that he would see me and talk over the matter within a few days. Sever the matter within a few days. Mr. Scruggs asked Governor Evans There was some discussion as to what them. Only saw them.

Miles.

On reassembling at 4 o'clock Mr. Scruggs stated that he could not find the letters wanted. He said there was nothing in the Francis Kelley letter. The letter Governor Evans refers to can't be obtained unless it is written

because the writer said something

Mr. Mixson-No, sir. If it is on file next day W. T. Mixson came to me in Mr. Scruggs has it; he has charge of didn't try to. I was a candidate for Mr. Scruggs-The second letter dis

I didn't want a partner and that was to was from the Live Oak Co., which Mr. Scruggs said he couldn't rememfor New York and F. M. Mixson call- ber the date of the letters. But by reference to his cash book he could rangement.' I paid no attention to tell the time. But there is nothing in

> in the bank and the first letter was dissipated. spondence?

Mr. Scruggs: I and Col. Mixson. All was put together and filed away. Mr. Abney: You didn't say anyposition to Judge Eugene Gary and he thing to Mixson about your first suspicions? When the second letter came to his father, who was at Old Point you say your suspicions were dissipat-

In answer to another question he said the Live Oak letter referred to was kins," and asking can't you buy two one in reply to one written by Mr. Mixson to the Live Oak Company. I judge he had written about a mark down in prices. The substance is that if our goods are marked down White Mr. Abney: What's that to do with

Mixson?

without protest. Mr. Abney: Do you see anything rong in that? Mr. Scruggs: I see no wrong in

White getting rebates.
Mr. Abney: Was any attempt to Mixson?

Mr. Abney: The Governor say exhibited letters to him? Mr. Scruggs: That was the letter. Mr. Abney: You showed it to him? Mr. Scruggs: Yes, but I told him of desk. I received and opened more let- or lesser than those of your predeces-Mr. Abney-I want to show that the ters in his absence. I don't remember

their correspondence. Mr. Scruggs said he had looked for the J. W. Mixson telegram but Mr. Gray of the Western Union told him it had been forwarded to New York

Mr. Abney remarked that this tele telegram. He said it was sent in July, 1895, and was, "Send memorandum at once," and signed by James Mixson

ences for the board. Mr. Barber next questioned the witness about when the telegram came. He said he was sitting at his desk. B.

Mr. Scruggs said he had sent it to Mixson's house, knowing that he was Mr. Barber: Do you know anything

James left? Mr. Scruggs: Not a thing. James had nothing to do with the Dispensary Gov. Evans: I object to you having I had charge of the invoice books, but Colonel Mixson had access to them. They lay on my desk and his sons could look at them if they wanted. I don't know as a matter of fact that Major Evans said the dispensary in- they did, but one might when I left it the dispensar equently? surance business had been drawn in work. Colonel Mixson and one of his Mr. Scruggs: es, he came here and it had been asserted that he wrote sons were left in the office. When I surance business had been drawn in work. Colonel Misson and one of his Mr. Tompkins Don't you know I than it could be put at. He asked to in Colonel Mixson's room. This was insurance at a higher rate in Anderson | came back next morning the book was | have been here as nuch since the board be heard on that question. After conseveral days before receiving the tele-has been in offices before? Sultation the board decided to hear gram. I think it was W. T. Mixson in the room, but don't know as a matter of fact that he looked at it. In answer to Mr. Abney he said Col.

Mixson had a right to look at the books end ordinarily there would be

Before introducing Colonel Mixson as a witness Mr. Abnev said: We applied to the Western Union for that telegram of July 15 and Mr. Gray Mr. Williams: id Yost assign any any was done in those questions I gave says he finds the record of no message reason why he page the Mixson boys Judge Earle. Was only insurance passing between J. W. and F. M. MixMr. Barber said if any additional

estimony was put up, Mr. Abney would be given the opportunity to reply, with that Colonel Mixson was called. MIXSON'S STORY.

Mr. Abney: When were you appointed Commissioner? Col. Mixson: I don't recollect the date, but was elected in January, 1895. but my commission dates from Feb-

ruary.
Abney: There has been some question about the letter of introduction from you to Hubbell of R. M. Mixson.

What was the date? Col. Mixson: I don't know except from his published letters and they first letter had a suspicious statement | make it December, '94. At that time I had nothing to do with purchasing whiskey. Mr. Traxler was the Commissioner and I the Superintendent. I don't know of any influence that I could have exercised over him to induce him to buy from any one and Commissioner at the time. At first Mr. Dukes of Orangeburg was my op-ponent and later Mr. Traxler decided

> troduction to Hubbell was given to my nephew, R. M. Mixson. Abney: From favors extended to your nephew by introducing him what could you make in return? Mixson: Nothing. I was simply superintendent and could not aid my

nephew. Abney: Evans refers to a conversation with you previous to your elec-

said about the purchase of whiskey. and absolutely whether his statement is true according to your views? Colonel Mixson: It is not true. He

was in business in Edgefield at the time and moved here after that. I don't know whether he applied for the Dispensary insurance or not, but I gave it to him. I did not sacrifice the interest of the Dispensary for him. He insured as cheap as anybody else. That was done in a fair and proper way. Abney: When you first came in

from? Col. Mixson: The bulk was purchased from the Mill Creek Company. I made a purchase from them. I need ed some Bourbon. I had seen Hubbell but he refused to give me 5 per cent. off. I wired him to send twenty five cars of one and two X Bourbon sions and Colonel Mixson knew it each with 5 off. The next day he telegraphed that he would ship immediately. On Wednesday I received a letter saying that the goods had been sent because they thought I was in a hurry, but they couldn't take 5 off. too far; for me to take it and the 5 would be taken off. I never bought

I have never seen Hubbell's reduced figures the Governor refers to. Gov. Evans: I pulled them out of my drawer and we talked over them. Abnev: So far as purchases are concerned, were the prices paid greater

Col. Mixson: The original price was less except on XXX, which was Mixson wrote to White. I never read the same. In addition on January 1 the Internal Revenue tax was increas ed 20 cents a gallon, and I got 5 per cent off which my predecessor did not. He paid for X Rye \$1.50 and the tax was 90 cents. I bought better whiskey for \$1.45 and got 5 per cent. off. That saved in eleven months about

\$20,00. Abney asked whether Live Oak whiskey was in demand? There is more call for it than say other, was the reply. The board now

they pay the same price. Mr. Abnev-Who is this man White? Col. Mixson-He is a member of the firm of White & Cramer, a supply house of Cincinnati. He claims to have started the dispensary off. He came to represent the Live Oak Co. and maybe Peebles.

Did he offer you any inducements! I ordered two bills of goods from him. About March or April he came in two or three days ahead of Yost and Peebles. Then he told me he was getting commissions on what he sold and he would give me half to purchase from him. I told Yost, which I can prove by Scruggs, that he needn't send White here any more. I would not buy from him. Mr. Scruggs said the statement was true.

Mr. Abney: Something was said

Col. Mixson retired and returned with a letter which he read. In it Peebles extolled three brands of his liquor and asked Commissioner Mixson to buy several car loads and he would be pleased with the stuff. It wound up by expressing the hope that Governor Evans, Colonel Tompkins and Colonel Mixson would all visit Cincinnati. Colonel Mixson continuing in reply

seen any letter in which it was said that White's commissions must stop. He never received such a letter. Mr. Abney: Did you have any individual or partnership connection whatever which would influence or encourage you to purchase from him?

to a question said that he had never

Col. Mixson: No. Nobody. Mr. Abney asked did he know that Mr. Scruggs was really the personal representative of the Governor, and was always on the alert, although appointed bookkeper by him?

Col. Mixson: I did not. I entrusted him with everything. Nothing was kept secret from him. He opened letters in my absence and in my presence. I only knew of his trip to Cincinnati after his return. He had told me he wanted to go home for several days. A party came to see me on business which required his presence, and I telegraphed to Greenville for him to come back. The message was returned undelivered, and I didn't know why Scruggs didn't return. I don't

After coming from breakfast, I don't recollect whether I went by the State House or not, but Tompkins sent for me and told me Scruggs wanted to see me at his home. I went and he privately told me of his find in Cincinnati. That just knocked me up. Unnerved me. I never susected such a thing. He shhowed me the figures. Nobody was present. I came back

Governor Evans: Wouldn't it be scope of its examination and deter-

or power to go outside. Mr. Barber said undoubtedly board would not have that right.

intimated is not in keeping with the prompted him to call the board together was the open letters of Governor Evans and Commissioner Mixson, He thought it necessary that the matter be looked into after that. If they had not appeared he would have seen no cause for calling the board together.

those and any others that may come out of them.
Mr. Nicholson: In other words we want a searching investigation of all matters pertaining to the management

up, we will investigate that unless some objection is made. The scope of the examination having

Governor Evans testified: I don't know anything further than what is contained in my letter. Most of the

missioner or parties connected with him were getting money from whiskey

with White (Peebles' representative.) There was no letter. cnow positively that Colonel Mixson or any other one connected with the

Governor Evans: All I know is Mr. Scruggs: You didn't have sufficient evidence; that was your final

familiar with it than I am. CROSS-EXAMINED.

ter shown you by Scruggs, when was Governor Evans: It was previous to his going to Cincinnati-about month.

Mr. Abney: What has become o

Mr. Abney: Let's have it and let the

commissions must stop. Mr. Abney: Was Scrugg's evidence

innocent? Governor Evans: Well, everybody

ed the matter over?

Mr. Abney: Didn't you afterwards send in Mixson's nomination to the Governor Evans: On, yes, it was a matter of form. I had nothing direct against him. The Legislature was in ssion when these things were brought out. In view of them I determined to

could produce the evidence. I have I have never made any charges but

Governor Egans: I don't know. Other reports were made and I told

brought me positive proof. Attorney General Barber-Governor Evans: All I know is about employees which I have stated.

BY THE MEMBERS. Mr. Williams: You speak in your Mr. Williams: You say Scruggs pro-

ecause of the fact that Scruggs went out of the State without his knowledge.

had nothing to do with the Mixson

Governor Evans: Well, Scruggs

kins?

peaaed in the papers. Hubbell again treasury. told me that Mixson was getting commissions, and I told him to go and

eresay. I had no direct evidence. If state his case to the board, which he

Mixson letter. Mr. Williams: He never told you

Governor Evans: He never said

He said, in reply to a question by Mr. Weston, that Scruggs furnished him with assurance that he had gotten testimony some time in February. He

COLONEL TOMPKINS. been brought in and I suggest that he be heard. Colonel Jones said he certainly

Governor Evans had completed his Governor Evans: No, there were

received or been offered any rebates? chasing power from the Commissiongate that I got one cent. I told Mixson to divide his orders, else people would say he was getting rebates.

glad to answer any questions at any

There has been a feeling pervading all shades of public opinion that Clerk Scruggs could a tale unfold that would harrow up the very souls of the people. Consequently when he was called every body drew up close so as not to miss a Mr. Scruggs prefaced his testimony by saying that he would have to de-

he had hurriedly written out his rewhich to the best of his knowledge and belief were true. He then read What I shall say relating to the details which led to this investigation by me of this rebate question must of necessity come from memory and some passed from my mind, but I think all essentials are still remembered by me. All the knowledge which I have of this affair bearing upon my official in vestigation when fully told cannot do much more than confirm as a whole

my attention. From my recollection of Governor Evans will bear me out in the followhave any recollection of ever discuss of suspicious circumstances was a letter from an Eastern whiskey dealer who

Mixson said Hubbel! had offered him Evans, I told him there was nothing al days after I called again to see the Mixson said Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him Evans, I told him there was nothing at uassaid Hubbel! had offered him the first letter, as the second letter Governor. He then told me that fully to see. Attorney General Barber: Do you chase from him after that. Then the had brought forth the freight abate- Colonel Tompkins and Commissioner correspondence between the two ap ment and it had been turned into the Mixson had called to see him on the The present board have dealt with from Cincinnati, and that they had the same firm and have also received stated that W. T. Mixson had confessfreight rebates from them, as the re- ed everything and that no case could cords show. My purpose in withhold- be made against Commissioner Mixing the name of this firm is because son. I remarked to Governor Evans they have requested it, stating, as they that I was ready to hand in my official

Silamina.

Now as to the history of this investigation, as my memory serves me, way to reach him through the law he shortly after I tock charge as book did not then see what good the rekeeper for the Dispensary Governor port could do. believe that Commissioner Mixson Baltimore from Cincinnati to investianything about it to me. Tillman nev- was using his office for profit aside gate at that end of the line, but I deer told me. We did speak to your from his salary, or words to that ef- cided to first return to Columbia and a letter, saying it would be an act of thing in his conduct to arouse my sus. But as the investigation resulted as it for it was in the nature of a surprise prosecution of the investigation and done to help the Dispensary at the to me, as I had never believed that this was the end of the matter so far any corruption had ever existed in as I was concerned. ernor had made this remark to me turn to that portion of his evidence, not the place to talk about such mat. I cautioned Mr. Scruggs to keep. Governor Evans: No, not until it Barney Evans had made a similar one referring to amounts paid to Mixson's was published. Hubbell told me he and told me that W. T. Mixson had boys and asked where he got his inforwas satisfied something was wrong, gone to Baltimore, and as he believed, mation, from the books?

that?

I told the manager that either he was prostituting his authority and

I immediately returned to Columbia, arriving here late at night. The next morning I sent for Secretary of him to tell Colonel Mixson to call at investigation was ev

Mr. Barker asked Mr. Scruggs to

Mr. Barber: What facts led you to suppose rebates were being gotten in

Mr. Barber: Did you find any facts that would be conclusive on F. M.

Mr. Tompkins: It was in a little memorndum book. Where is it? Mr. Scruggs: No it was on a piece

suspicions as to me. Now what were Mr. Scruggs: I had no proof. I was Mr. Barber: Have you ever seen

I told Tompkins and then White de-

Mr. Scruggs relied that he did not him and he said, In November, 1894,

In reply to Mr.

whether all how it was that Judge Earle had said we can't help it. The last we heard poard were not that he (Douthit) couldn't get infor- of them they were in the hands of the Commismation from dispensary officials?

Clerk Scruggs and the Gavernor.

Governor Evans said he had said the They will have to explain. the Commis- mation from dispensary officials?

the evidence would be read over care- said that "dispensary officials" would not give the information. The board adjourned until the after-General Barber then suggested that noon in order to give Mr. Scruggs a Major B. B. Evans next be examined. chance to hunt up the letters and tele-

AFTERNOON SESSION.

I stated in my testimony I said the

about freight rebates and the money being sent by currency. Mr. Nicholson-Col. Mixson,

ipated suspicions about the first. talk to you about it and he said we could make good money. I told him nothing in that. The letter I referred matter. Up to that time I had no con-I said nothing more about it until it. The second letter brought the freight rebates which were deposited

> Mr. Abney: When the board went into office, who had charge of corre-

Comfort. It was from Atlanta and ed when Mixson placed freight rebates in the bank? Mr. Scruggs: Yes.

> Mr. Scruggs: That's for the board to say. Mr. Abney: Was anything in that letter which came officially that justified you in thinking Mixson dishonest? Mr. Scruggs: It was a curious thing to me that White was getting commis-

Mr. Abney: Was any attempt to immediately ordered them to recall conceal letters made on the part of shipment, but they replied it had gone Mr. Scruggs: I got it first while

Abney ought not to be asking such other letters and then filed them in his proposition of Mixson was for his son the time of this Live Oak letter. Think it was last winter. I don't know when

> and had kept no record of it. Records were only kept six months, then degram was very important and the chairman could get it by sending to headquarters in New York. He asked Mr. Scruggs to tell what was in the

in Atlanta. It came to the office unsealed. Mr. Abney: What was in that to say any man was dishonest? Mr. Scruggs: I cad't draw infer-

B. Evans was there and read if before Mr. B. B. Evans: No, you showed going away that morning.

Mr. Barber started to ask him whether he believed anything wrong had been done, when Mr. Abney re-THE STAR WITNESS.

cancelled that hadn't expired and giv-en to you? son on that date or in 1896. If the board will apply in New York they Mr. Evans-No, sir. There was a can get it. Mixson ought not to be put the Baltimore firm was C. H. Ross & company that was going out of busi- to the expense. We feel confident ness in the State. The policies would there is no such telegram. Then we reston he said no all have been out in ten days and the applied to the l'o tal Telegraph. Their ed in any letters agent was willing to waive that and files were examined by manager J. E. wering a question though Colonel Mixson objected, it Moore and the record of no such mes said none of his was finally waived and I reassured the sage has been found. Really this is about the only thing againt Mixson. In reply to Mr. Douthit he said the If there is any other evidence to be had regular annual rate was charged. It against Mixson or in an off-hand way demand for it. | was just before the board came in, but about Tompkins it should be presented are purchased the policies would expire in a few in justice to them. I am ready to ask Mixson to take the stand. In refer-Mr. Nicholson asked Mr. Douthit ence to those letters, if they are lost Governor Evans: I haven't had

trol over purchases. The letter of in-

tion as Commissioner. Tell what took Colonel Misxon: I asked Evans to take my boy in partnership in the insurance business, and nothing was Abney: Will you state positively

office what firms were being bought

purchases it, but I don't know whether

about a letter from Peebles inviting you and "friend Tompkins" to come to Cincinnal. What's in that?

remember when he returned. Think it was February. My recollections of his return are:

CONTINUED ON PAGE 4.