

COUNTIES TO PAY LYNCHING CLAIMS

HOUSE TURNS DOWN RESOLUTION BY BUCKINGHAM.

Hot Debate On Issue.

Constitutional Principal of Law and Order Sustained by Overwhelming Vote.

Columbia, Feb. 27.—The house last night by a vote of 51 to 23 voted to continue the resolution by Mr. Buckingham, of Aiken, to have the constitution amended so as to relieve counties in which a lynching occurs to damages to the amount of \$2,000 to relatives of the victim of the mob. This action kills the resolution. The measure precipitated a warm debate at the morning session. Only one speech was made when the resolution was called up again late last night. This was by Mr. Stone, of Anderson.

Those voting for the resolution were: Ashley, Barnwell, Berry, Buckingham, Coney, Dreher, A. C. Ellerbe, Evans, Fairley, Fulmer, Gray, Hall, Harmon, Hart, Kelly, Leopard, Miley, Oliver, Orr, Pursley, Sprott, Stone and Turner.

Mr. Stone, of Anderson, said human life was cheap in South Carolina. "We can lynch a man and \$2,000 is all we are called on to pay." This was too small a premium for a human life and the law was a disgrace to South Carolina.

Some Commend Measure.

Mr. Buckingham said he had received many letters commending the measure and a few which were of an opposite character. He knew the people of the state were against the section of the constitution and would support the amendment if it were referred to them.

Mr. Hanahan, of Fairfield, opposed the resolution and made a strong plea against it. This section of the constitution embodied the basic principle of law and order. To vote for the resolution would be for the members of the general assembly to put the stamp of their approval on lawlessness in the state. The section was not made for negroes or for whites, but to protect the families of any man who had been the victim of a mob, regardless of race or color. The only question at issue was that of right and wrong. Everyone would admit that lynching was wrong, and he wanted to uphold the principles of right, of truth and of justice.

Mr. Hart, of York, which county last year was made liable to \$2,000 because of a lynching, was for the resolution. The \$2,000 was an attractive fee for lawyers, who always got one-half the amount and the relatives of the man killed the other half. It was not right to make the taxpayers foot the bill for the mob's action and he wanted the people to vote on the amendment.

Would Oppose at Any Cost.

Mr. Davis, of Barnwell, said that for the representatives to vote for the resolution would be saying to the mob, "We, your representatives, approve your conduct." The provision in the constitution was to protect the families of men killed by mobs, many white men had been thus slaughtered, and the supreme court had held that three persons constituted a mob. He would stand there and oppose the resolution in the name of righteousness and in support of the constitution if it cost him his right arm to do so.

Mr. Belser, of Sumter, thought those who framed the constitution were wise in putting in this section to preserve the law. To strike out the section would encourage lynching. No county was liable to damages unless it made itself liable.

Mr. Bellamy, of Beaufort, said he thought it was time to discard this principle of the English law and to enact a law that would be modern and in keeping with the economic conditions of the present.

Dreher Arouses Members.

Mr. Dreher, of Lexington, was bold to say that he favored lynching for some crimes, and he thought citizens were negligent in their duty when they failed to lynch in some instances. His statement brought several representatives to their feet.

Mr. Wingard, also of Lexington, called on Mr. Dreher to give the house the benefit of his observations in this direction. Mr. Wingard asked what crime would have to be committed in which he thought the man ought to be killed before he had been tried by a jury, before which conviction all men are presumed to be innocent. Mr.

POSITION AT HEAD LOST TO AMERICA

COUNTRY WAS MORAL LEADER OF WORLD.

But "Lost Its Nerve."

Secretary Baker Says Adhesion to League of Nations is Only Chance for Service.

New York, Feb. 28.—The position which America held at the close of the war as moral leader of the world was relinquished when the country "lost its nerve," said Secretary of War Baker at a luncheon today at the Brooklyn chamber of commerce.

"We made reservations until the moral leadership passed," he declared. "Reservations have no sense of proportion. They forget they are dealing with the fate of mankind. Our adhesion to the league of nations is what will save the world."

"On March 4, 1921," Mr. Baker continued, "I expect to be inaugurated—in private life, and what I say is said as one who is leaving public life."

The secretary said that while he had no complaint to make of committees investigating war expenditures "it would not be wise to take too seriously some of the things emanating from that source."

"When they assault the reputation of men who have faithfully served the republic I am forced to hope that the grateful sense of Americans will prevent these shafts, aimed by malice, injuring anyone," he declared. "I have in mind John D. Ryan, who worked so faithfully for the Red Cross and who later was director of aircraft production. I can not speak too highly of Mr. Ryan."

Mr. Baker said the war department will reclaim by sales of property in France and in this country nearly \$3,000,000,000 and that the money will be returned to the treasury, to "ease the terrible burden of taxation."

Considerably more than another billion dollars, he added, had been saved by adjustment of 23,703 of the 27,374 contracts existing at the close of the war. In urging military preparedness, Secretary Baker said: "In the next war, and I trust there never will be one, no other group of nations may hold the front lines for a year and a half for us until we are prepared."

His Choice.

"Any particular choice of cut?" asked the butcher.

"Yes," replied the customer, "I'd like a cut of about 50 per cent. in price."—Boston Transcript.

Dreher answered that he would join a mob to put to death one who had committed criminal assault on his neighbor's daughter, if he "knew the man was guilty." "That's just it," Mr. Wingard retorted. "Who is to establish that guilt?"

Another who jumped to his feet was Mr. McDonald, of Oconee, who continued to press the constitutional right of a man accused of crime to a trial by a jury. When Mr. Dreher stressed his attitude toward lynching for certain crimes, Mr. McDonald replied: "Then, you say, 'To hell with the constitution,' that constitution which you in the oath you took right there where you stand to uphold."

Would Defend Home.

Mr. Dreher said he did not mean "to hell with the constitution," but he knew when things were brought home to people they sometimes think minds. He would join any party to lynch the person who committed criminal assault on his relatives.

Mr. McDonald said he himself would defend his own home, "but I would not ask my neighbors to dip their hands in blood."

Mr. Hanahan again took the floor and echoed the same sentiment. It would be a personal matter to defend one's home. No one blamed a man for defending his home, but he would not want his neighbors to become a party to mob violence.

Mr. Dreher did not see why the county had to bear the burden of damages for mob violence when the person put to death was guilty of such heinous crimes.

At this point motion was made to continue the bill. This was withdrawn when it was contended by supporters of the measure that so many were absent and they wanted all to have the right to vote on this question. Debate was then continued until the evening session.

THE DETAILS OF DOUBLE KILLING

ALLENDALE CITIZEN FURNISHES FACTS OF HOMICIDE.

Two Cones Killed.

Defendants Calling on Girls When The Cones Arrive on The Scene.

The following account of the double killing near Allendale is clipped from the last issue of the Allendale Citizen:

Allie Cone, aged 20, and Aubrey Cone, aged 17, were instantly killed and John Brant, aged 22, was slightly wounded, in a gun battle in the parlor of the home of E. P. Phillips, a well-known white farmer, residing four miles from here, about 8 o'clock Sunday evening. John Brant, and his brother, Earl, age 17, are under arrest and confined in the Barnwell jail, in connection with the shooting. The shooting occurred in the presence of Miss Ruth Phillips and Miss Sadie Phillips, upon whom the young men were calling. Mr. and Mrs. Phillips were in the dining room at the time of the shooting.

Details as to the cause of the shooting are quite conflicting, and, indeed, the views of those present at the time of the shooting as to who fired the fatal shots differ. John Brant, in an affidavit submitted with his application for bail, swears that he killed both the Cone boys. However, Miss Ruth Phillips testified at the coroner's inquest that John Brant killed Aubrey Cone and that Earle Brant killed Allie Cone. Both of the dead men were shot through the heart, with, apparently, the same calibre pistol. It is said that revolvers were found upon the person of the Cone boys when searched after the shooting.

It is declared by men who went to the scene of the killing Sunday night that a witness to the shooting said that the killing occurred over the fact that John Brant intimated that he smelled the feet of Aubrey Cone. This witness said that the following conversation immediately preceded the shooting:

John Brant: (to Aubrey Cone) "I smell something; it must be your feet."

Aubrey Cone: (to John Brant) "You don't smell my feet, because I've got on father's new shoes. It must be your own feet."

To this the witness said Sunday night, John Brant replied, "Don't you say that to me," and began shooting.

Miss Ruth Phillips testified at the inquest, and later told the editor of the Citizen, that, without preliminaries, John Brant walked over to Aubrey Cone, said: "I want you to understand that I am here too," and began shooting. This version, however, is contradicted in the affidavits made by Roy Brant and Ben All, who accompanied the Brant boys to the Phillips home. They swear, according to their affidavits attached to the application for bail for the Brant boys, that one of the Cone boys cursed John Brant and that Allie Cone shot at John Brant twice and that John Brant then began shooting.

Magistrate W. L. Brant, Ulmers, was informed of the shooting after it occurred and he arrested the Brant boys and held them until the arrival of Sheriff L. C. Bennett and his deputies. Magistrate Brant, acting coroner, held an inquest at the home of Mr. Phillips early Sunday morning, and the following were jurors: T. J. Deer, foreman, John Goodson, Jake Deer, Percy Lyons, C. B. Dukes, J. W. Allen, Ed Harter and Ira Bowers.

The Brants are members of the large and well-known family by that name residing near Ulmers and the Cone boys were members of an equally large and well-known family residing in the Jenny section. Both families are mostly composed of substantial and highly respected farmers. The Cone boys were buried at Hickory Grove cemetery on Monday afternoon, a large crowd attending.

Extracts from the testimony of E. P. Phillips and Miss Ruth Phillips, given at the coroner's inquest, and affidavits by the men under arrest attached to their application for bail, are printed below. Messrs Harley and Platt, Barnwell, and R. P. Searson, Allendale, have been employed by the defense.

According to a copy of the proceedings of the inquest Mr. Phillips, in whose home the shooting occurred, testified as follows:

"I live in the above state and county and know the boys that were killed.

FUEL CONTROL TO BE CONTINUED

EXECUTIVE ORDER ISSUED BY PRESIDENT.

Will Divide Powers.

Director General Hines Exercises Joint Control With Howe, Peale, Whittaker and Fisher.

Washington, Feb. 28.—Coincident with the signing of the railroad bill tonight, President Wilson issued executive orders providing for continuation of the powers of the fuel administration, but dividing them between the director general of railroads and a commission of four. Director General Hines will retain jurisdiction over domestic distribution, while the commission will handle bunker and export coal matters.

The commission will be composed of A. W. Howe, Rembrandt Peale, F. M. Whittaker and J. F. Fisher. It will function through the Tidewater Coal exchange which is restored for that purpose, having been suspended before the resignation of Dr. Garfield as fuel administrator.

The order creating the commission is effective until April 30, next.

The order said the action was taken "because of the present emergency and in order to insure an adequate supply and equitable distribution and to facilitate the movement and to prevent locally or generally, scarcity of coal. It directs specifically that the order issued by the United States fuel administration, November 6, 1917, "relative to tidewater trans-shipment of coal at Hampton Roads, Baltimore, Philadelphia and New York, and for the employment of and cooperation with the Tidewater coal exchange, as a common agency to facilitate trans-shipment and to reduce delays in the use of coal cars and coal carrying vessels," suspended by Dr. Garfield, February 20, 1919, be reinstated. The commission named are authorized to "exercise the power reserved to the United States fuel administration by said order of November 6, 1917, and they are further from and after 12:01 o'clock on March 1, 1920, vested with the authority now vested in the director general of railroads relative to the export of coal from the United States."

It happened in my house Sunday night, February 22, at about 8 o'clock.

"About dusk John Brant, Earl Brant, Ben All and another boy, who I understand is Roy Brant, came to my house. The came in and in about 15 minutes time Aubrey Cone drove up. I was standing at the foot of the steps with Ben All and this young Brant when Aubrey Cone and Allie Cone came up. They spoke and shook hands with all of us, and I told them to go in and I heard them speak as they reached the door. The three of us then came into the parlor. I stayed in there about an hour and a half talking, when my wife called us to supper. I asked them all to supper. Allie Cone refused, saying he didn't care for any and John Brant said "No, Mr. Phillips, we had a late dinner and don't care for anything." I went out to supper; had said grace and started to help myself when I heard pistol shots. I jumped up from the table, ran in the room, grabbed my pistol; just as I turned from the mantel-piece somebody ran against me. I heard one other shot. I had heard five before this last shot. I ran out to the cars, knowing they had to both be cranked and expected to catch whoever did the shooting at the car. I waited there a few minutes and called to my wife to bring a light. I heard someone toward the big gate and asked who was there and Ben All answered and said this is me, Mr. Phillips, I said all right who is that with you and he said "Roy Brant." I told them to come on and stay with me. That I had sent for the sheriff and they said all right. I asked them who had done the shooting, and they said they were sitting in the car and they said they were in the car when the shooting began and that they jumped out and ran toward the gate. I told the boys to come in the house. Ben All said yes he wanted to see who got shot. I told him my daughters said Ally and Aubrey Cone and we came in and Ben struck a match and looked at Aubrey Cone and said "Yes, this is Earle Brant." "No, man, you can see better than that, that's Aubrey Cone." He stooped down and caught hold of his scarf pin and said this is Earle Brant; turned his scarf pin over and said yes, this is Aubrey

GOVERNMENT TURNS BACK RAIL LINES

RELEASED FROM WAR-TIME REGULATIONS.

Labor Heads Silent.

Hines Advocates Continued Development of Inland Waterways.

Washington, Feb. 29.—America's rail transportation systems, operated as one great public utility since December 28, 1917, again will be divided among their 230 respective corporate owners when the government releases control at midnight. Director General Hines, as the agent of the President, will hand over the properties and equipment, valued at approximately \$20,000,000,000 to their old direction free except for the jurisdiction retained by the government in the new railroad reorganization bill.

While all arrangements for formal restoration of the carriers to their owners were completed yesterday by Mr. Hines, instructions went out today to operating representatives of the railroad administration informing them that they would "report to the proper officials of the corporations which resume control at 12:01 a. m., March 1."

Organization Gone.

Of the gigantic organization created by former Director General McAdoo as a war time expedient, only a small part will remain. Regional officials, federal managers and treasurers and many high officials comprising the director general's staff, will cease to function as such at the designated hour. Some of these have gone back to their former places as officials of the corporations while others have entered into new lines of endeavor.

Mr. Hines will continue in his present capacity until about May 1. Although without any railroads to direct, he still faces the settlement of literally thousands of claims, contracts and grievances. Only 147 of the 230 compensation contracts with the corporations actually were signed during government control and the remainder will continue to be subject of negotiations. Damage claims have arisen of which many are still pending. Labor has several thousand cases before the government wage boards and Mr. Hines has assured the labor spokesmen these will be concluded. Some will require the payment of retroactive wages, if decided in favor of the workers and others will mean the establishment of interpretation of agreement which labor, of course, will refuse to have altered by the corporations. Many affect general labor policies and represent vitally important questions from the labor views.

Cone. Then he turned around and said "Who is this over there. He is not dead is he?" I said yes, he is dead; his pulse is gone. He caught hold of his wrist, felt his pulse and said, "Yes, he is dead." Ally had fallen on his knees with his head down between the hearth and graphophone, when Ben caught him by the wrist. He rolled over on his back and a pistol was under his hip-pocket, whether it fell out then or not I don't know. I told the boy then to sit in the hall while I put a lock on the car. Ben and young Brant went on the back porch to get some water and disappeared. I have not seen either of them since.

"E. E. PHILLIPS."

Miss Ruth Phillips, one of the girls upon whom the young men were calling when the killing occurred, and a witness to the shooting, testified, according to a transcript accompanying the application for bail for the Brant boys, as follows:

"Johnnie and Earle were sitting on the sofa. Allie, Aubrey, Sadie, my sister, was up at the fireplace. We were all joking, laughing and going on and never even thought of no such matter. Johnnie Brant jumped up and said, please remember, Aubrey, I'm in the room, and Johnnie pulled out his pistol three or four times, I don't remember which, but he is the first one done the shooting, and he threw his pistol down and ran out the hall back door, and Allie jumped up to help Aubrey and I jumped up and got between Allie and Earle, and Earle shot Allie over my shoulder twice. Earle turned around and ran and when he got to the door, he turned around and shot at me. Ally did not shoot. Aubrey did not draw his pistol, both of them had a pistol each.

"RUTH PHILLIPS."

Roy Brant, who in his affidavit sub-

HARD COAL DIGGER WANTS MORE PAY

SIXTY PER CENT. INCREASE ASKED BY UNION.

To Work Six Hours.

Also Week of Five Days for Men on Regular Basis is Among Demands.

Philadelphia, Feb. 29.—Demands for a 60 per cent. increase in wages for contract miners, \$2 a day raise for day men, and a six hour day and five day week for men paid by the day or month, will be presented to the anthracite coal operators in New York on March 9 by the union representatives of the hard coal diggers. These demands were formulated at a convention of the anthracite miners in Wilkes-Barre, last August and ratified by the national convention of the United Mine Workers of America in Cleveland in September.

The conference of operators and mine workers next week will endeavor to negotiate a new agreement to take the place of the contract now in force.

The present general wage agreement covering the anthracite industry was entered into in May, 1916, for four years, ending March 31 this year. Because of war conditions, wages have been since readjusted by supplemental agreements between the miners and operators.

Large Number affected.

About 170,000 mine workers will be affected by the new contract to be negotiated. The miners' scale committee which will meet the operators will be composed of the new officers and executive board members of the three districts comprising the anthracite fields, the three international board members in the hard coal regions and three mine workers from each district. No announcement has been made as to the number of men who will represent the coal mine owners. It is expected, however, that after the demands are formally presented and views are exchanged between the two sides a small subcommittee will be named to carry on the actual negotiations.

When in final form the agreement will be presented to the full committee for adoption. In the case of the miners, the agreement will have to go back to a convention of the mine workers for ratification.

Whether the mine workers will remain at work, if an agreement is not reached by March 31, will depend largely, it is said, how strenuously the operators oppose the demands. No opinion has thus far been given by either side as to the outcome of the negotiations. The opinion was expressed, however, that the negotiations probably would not be taken up seriously until the bituminous wage scale has been agreed upon.

Waterman Fountain Pens always at Herald Book Store.

mitted with the application for bail, says that he went to the Phillip's home with John Brant, says, in the same affidavit, that he heard a voice, which he recognized as that of one of the Cone boys say, "I will kill you," and that he saw Allie Cone throw his gun on John and shoot. He also says that then John pulled his pistol from his pocket and shot the man who had shot at him twice. While John was shooting at Allie, Aubrey began to pull his pistol, which was wrapped in a handkerchief, from his hip-pocket, and began pulling the handkerchief from around the pistol, when John made a sharp turn and shot Aubrey.

An affidavit made by Ben All, which also accompanies the application, substantiates the affidavit made by Roy Brant.

An affidavit made by John Brant, who claims that he killed both of the Cone boys, and substantiated by Earle Brant, says that Allie Cone cursed him (John Brant), and said: "You will have to leave this house right now, and if you don't we got your medicine. I knew that you were here and d— you I will kill you."

John Brant, in this affidavit, further swears that at that time Allie Cone pulled his pistol from his right hand hip-pocket, and began firing at him (John Brant). John Brant says he then shot Allie Cone, who fell mortally wounded, and that he then turned, saw Aubrey Cone unwrapping his pistol and that he (John Brant) then shot Aubrey Cone.

The affidavit further says that Earle Brant did none of the shooting.