

The Laurens Advertiser.

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LAURENS, SOUTH CAROLINA, WEDNESDAY, MARCH 23, 1910.

NUMBER 34

ANDERSON MUST PAY THE DEATH PENALTY

Judgment of Circuit Court Is Affirmed.

WILL BE RESENTENCED

Condemned Negro Was Convicted a Year Ago for the Murder of Josh Carter.

Unless his sentence is commuted by the governor after a new day has been named for his execution, John Henry Anderson will have to pay the death penalty for the murder of old man Josh Carter, his father-in-law, whom he shot and killed at Cedar Grove church, near Waterloo, September 1, 1908.

The supreme court last week handed down a decision affirming the judgment of the lower court, thus remanding the case for the setting of another date for the hanging. As the remittitur was not received by the clerk of court in time for Judge Dantzler to resentence Anderson at the session of the court held last week, the matter will go over to the June term.

Anderson has been informer of the court's decision, but he seems to be unable to understand it and still contends that he has been pardoned by the governor. "Day ken hang me, I can't hep myself; but I done been pardon by de gov'ner an' if he's word is no good, if he do not rule dis state, den he better gib up de job." The foregoing may be taken as showing the mental condition of the condemned negro as he expressed himself to a reporter of The Advertiser who visited Anderson at his cell on Wednesday. He gives no evidence of regret for the commission of the crime, but on the other hand he declares that he would do the same thing again under the same circumstances, and that any other person would have killed old Josh. Anderson says "as near as he can get at it" he is 41. He has been in jail about 18 months and has made a very good prisoner.

This case has attracted considerable attention, for it presents some unusual circumstances. The killing of Carter occurred at Cedar Grove church while the funeral of one of Anderson's children was being held. There had been trouble between the two, and it was said that Josh had on one occasion shot at his son-in-law. For a long time Anderson had not been allowed to come to the old man's house, even after his children who were living with Josh fell sick with fever. Two of them died within a week of each other, and it was at the burial of the second that Carter was slain by Anderson.

At the March 1909 term of court for this county, Anderson's case came up for trial. He had no attorney, whereupon the court appointed Messrs H. S. Bulackwell and W. R. Richey, Jr. to conduct his defense. After his conviction the young attorneys without pay or hope of reward, appealed the case to the supreme court, and thus the matter has stood until last week.

In the consideration of this case there arose some interesting legal questions before the supreme court touching the matter of the Judge's power as to testimony and the responsibility of the trial judge.

The court, opinion by D. E. Hydrick, A. J., says:

"The exceptions impute error to the circuit judge: 1. In not leaving the examination of witnesses wholly to the attorneys. 2. In charging that the only form of justifiable homicide known to our law is where the sheriff executes a man pursuant to the mandate of a court of competent jurisdiction. 3. In refusing to charge the law of self-defense. 4. In refusing a motion for a new trial on the minutes, because it appeared that defendant was not responsible for his acts. 5. In refusing a motion for a new trial on after-discovered evidence. 6. In sentencing appellant to be publicly executed.

"In support of the first ground, appellant relies upon the cases of the state vs. Atkinson, 33 S. C., 100, and Wilson vs. Ballway, 52 S. C., 527.

"In the former, the report of the case shows that the trial judge practically took the cross-examination of some of the witnesses from the solicitor, and showed clearly, by the questions he asked, his opinion as to the weight to be given to the testimony. In passing

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CONTRACT AWARDED FOR THE MONUMENT

Clinton Chapter U. D. C. Will Erect Granite Shaft to the Memory of Confederate Dead.

Clinton March 21.—A contract has been entered upon by the members of Stephen D. Lee chapter U. D. C. for the erection of a granite shaft to the memory of Clinton's Confederate dead. The monument is to cost \$1,600. It will be erected by a Winstonsboro company who secured the contract through their local representative, Mr. Joe Smith, who is a member of Camp R. S. Owens, U. C. V. It will be put in place next September.

The ladies at first planned to pay \$2,000 for the monument but they were especially pleased with the design selected and it was offered them at \$1,600. It is understood that Mr. Smith gave up his commission, thus enabling the company to make a better price than would otherwise have been possible.

Now that the monument is bought the ladies expect to work harder than ever for money to pay for it. Thursday they will give a turkey dinner and oyster supper in the city hall.

Some opposition has developed to setting the monument in the middle of the square as was intended, and it is possible that those who wish to have that whole square and leave it open may have their way. The intersection of Broad and Pitts streets has been suggested, and also the intersection of Broad and West Main.

Municipal Improvements.

The work of street improvement goes on. Granite curbs are being put on all the chief streets now. Water mains are being extended on several. The telephone company has recently at considerable expense put heavy cables on its lines all over town.

Mr. A. E. Spencer has just completed, on Cleveland avenue, a picturesque cottage of the bungalow type, and Mr. and Mrs. Whitman Smith have moved into it.

Foundations are being dug out by Mr. J. W. Copeland for a handsome residence on Hampton avenue and Young street.

Spring Openings.

The millinery openings of J. W. Copeland and Bailey Brothers drew throngs of ladies last Friday and sales were brisk at both places. The hats are generally considered unusually beautiful this year.

The ladies' aid society of the Methodist church seized so favorable an opportunity as "opening day" to spread a bountiful turkey dinner and oyster supper, and they thereby added considerably to their treasury not to mention the comfort they afforded many gentlemen whose wives were too interested in hats to go home for dinner.

Rabun Facts and Personals.

Rabun, March 22.—As last week was pretty weather the people did a good deal of work in their farms. Some are nearly ready to plant cotton seed.

Miss Carrie Mohon was in the city last Monday.

Mrs. T. F. Babb and daughter, Miss Mae spent last Tuesday with Mrs. Jane Bolt in Hickory Tavern community.

Mrs. Florence League was the guest of Mr. and Mrs. James Summerel Wednesday.

Miss Jenavie Babb of Eden spent Saturday night and Sunday with Miss Edna Owens.

Mr. and Mrs. Clinton Babb of Fountain Inn were over to see his brother Mr. G. W. Babb Saturday night.

Mrs. Janie Owens who has been real sick is able to be up and about again.

Mr. and Mrs. John Bolt were up on a visit to his people, Mr. and Mrs. Samuel Bolt.

Mr. Martin Mahaffey spent Sunday with Mr. and Mrs. John Mahon.

Mrs. Lula Baldwin spent last Wednesday with her father, Mr. Anderson Abercrombie.

Mr. Laurens Babb of Green Pond community visited Mr. Zeb Vance Saturday.

Mr. T. F. Babb was in the city Monday on business.

Captured Georgia Convict.

Hendrick Hill, colored, who proved to be an escaped convict from Washington, Ga., and for whom a reward had been offered, was arrested on suspicion by sheriff Owings, near the court house, Sunday afternoon. He was committed to jail until the Georgia authorities could be communicated with. Yesterday Sheriff Bobo of Washington wired that he would come for Hill today.

MRS. JULIA FARROW M'GOWAN.

Her Death Occurred in Charleston—Body Brought Here for Burial.

The remains of Mrs. Julia Farrow McGowan whose death occurred in Charleston Friday night, after a short illness, were brought to Laurens for burial Sunday afternoon. The funeral party, traveling in a special attached to 52, arrived from Charleston shortly after two o'clock and an hour later the burial service, conducted by Rev. C. F. Rankin of the First Presbyterian church, was held at the city cemetery.

The officers of the Presbyterian church met the party at the station and acted as an honorary escort in the procession to the cemetery, six young kinsmen and friends of the family from Charleston being the pall bearers. A large assemblage gathered at the cemetery for the service, there being present in the city quite a number of friends and relatives from Charleston, Spartanburg, Columbia, Augusta and other points. A very pathetic incident in connection with the burial service was the appearance at the grave just as the casket was about to be lowered to its final resting place, of old "Aunt Mary", a former servant of the McGowan family while residents of Laurens, who begged that she be allowed to see "my ole Missis for the last time." Her request was granted, upon the suggestion of Mr. Samuel McGowan, one of the sons of the deceased.

Mrs. McGowan was known to her friends wherever she lived as a beautiful character and the announcement of her death caused genuine sorrow.

Her maiden name was Miss Julia Farrow and she was married to Mr. Homer L. McGowan about the close of the war. Mr. McGowan was a gallant Confederate soldier, and after the war he practiced law and devoted several years to newspaper work in Laurens, afterwards serving as solicitor of this judicial circuit. He died in 1873 and now the remains of his widow repose by the side of his tomb.

After removing from Laurens Mrs. McGowan lived a while in Spartanburg, afterwards going to Washington to live with her sons. Recently she went to Charleston with Samuel McGowan, pay inspector in the navy who had been assigned to duty in that city.

The following children survive: Mrs. A. L. White of Spartanburg, Mrs. Rosa Cantey of New York, Pay Inspector Samuel McGowan of the U. S. navy, Mr. P. H. McGowan, a well known newspaper writer and correspondent of Washington.

Composing the funeral party were Samuel McGowan, U. S. navy, Charleston, Messrs. C. R. McGowan and J. G. Holmes of Columbia, Col. L. H. Charbonier and Mrs. Jas. F. McGowan of Augusta, Mr. and Mrs. P. H. McGowan and daughter, Miss Susie, of Washington, Messrs. W. H. Duncan, Dan Ravenel, Geo. Moffett, Pat Farrow of Charleston, Casper Whitner of Atlanta.

In addition to these there were present from other points Mr. and Mrs. White, Mr. and Mrs. Stobo Simpson, Messrs Homer and Hamlin White of Spartanburg, Mr. and Mrs. W. W. Simpson of Woodruff, Messrs Paul and Harvey Simpson of Glenn Springs.

Preliminary Oratorical Contest.

On Friday night, April 1st, a "speaking contest" will be held in the school auditorium by boys in the Laurens high school. The object of this contest is to select a boy to represent the high school in the County High School Oratorical Contest to be held on April 22nd.

The winner in this preliminary contest will be awarded a medal.

The following are the speakers for Friday night, April 1st:

William McGowan, Russell Poole, Samuel Austin, Charles Fleming, Phil Huff, Willie Nelson, James Todd, Harry Gasque, J. D. Sullivan, Hastings Dial, Tom Lake, Grover Richey, William Drummond, Richard Dunlap, John Wofford, Edwin Moseley.

There will be an admission fee of 10 cents for the benefit of the high school athletic fund. All are cordially invited to come out and encourage the boys.

Two Clinton Ladies Ill.

Clinton, March 21.—Miss Clara Duckett has been and still is extremely ill. Her brothers-in-law, Dr. Jones of Petersburg, Va., and Dr. J. B. Townsend of Anderson, were called here for consultation Saturday. Both left on Sunday.

Mrs. A. M. Copeland is critically ill and has been for several days.

CROSS HILL GLEANINGS.

Mrs. Nance Quite Sick—Barnie Parrott Won in Oratorical Contest.

Cross Hill, March 21.—Dr. W. Preston Turner is spending a few days with his father, Rev. W. P. Turner. Dr. Turner has been in Chicago several months taking a special course in medicine. The doctor is looking well and says he enjoyed his stay in the Windy City.

A good crowd enjoyed the exercises at the school auditorium last Wednesday evening. The exercises consisted of dialogues by the pupils and declamatory exercises by the boys to decide on one to represent the school at the oratorical contest at Laurens in April. Mr. Barnie Parrott was chosen. The ladies of the town furnished splendid music on the piano, with Mr. Hugh Pinson as violinist.

Quite a large number of ladies attended Miss Lida Rudd's millinery opening last Friday and Saturday.

Rev. G. M. Hollingsworth is off on a ten days' visit to relatives and friends in Georgia.

Rev. Mr. Pritchett of Columbia preached at the Presbyterian church yesterday morning and evening.

Mrs. R. D. Nance who has been sick for several months is very seriously ill at this time. Mr. Lambert Nance of the Atlanta Dental college, also Mr. and Mrs. W. L. Daniel of Saluda are here on account of their mother's serious illness.

Mrs. Annie Payne and son, Hall, and Mrs. Lucia Simmons of Greenwood are with relatives here.

Mr. B. A. Wharton's little son, J. B., has been very ill with pneumonia. He is better today.

Dr. and Mrs. J. L. Fennel of Waterloo attended church here yesterday.

Messrs Hugh and Austin Leaman were with homefolks yesterday.

The Southern Presbyterian church is allowed one hundred delegates to the Laymen's missionary meeting at Chicago in May. Mr. R. A. Austin has been appointed one of the delegates.

Passion Week and Easter Services.

At the Church of the Epiphany (Protestant Episcopal), Passion Week services will be held Friday afternoon at 4:30 and Saturday morning at 10 o'clock. Litany and lectures, Sunday at 11 a. m., Easter service and sermon. The Rev. Mr. Parker will conduct services in Clinton, Wednesday and Thursday; Newberry, Thursday and Friday, and Newberry again Sunday evening at 6 o'clock.

"THE ADVERTISER" COMMENDED.

Mr. Norman H. Johnson Sends an Appreciated Criticism.

The Advertiser has received a most highly appreciated letter from Mr. Norman H. Johnson, editor of The Merchants Journal, Lynchburg, Va., who recently visited Laurens, on the occasion of the special meeting of the Merchants' Credit association, and delivered the principal address of the evening.

In his letter Mr. Johnson says, in part: "I am just in receipt of your issue of March 16 and feel that you will appreciate a word of commendation from a brother publisher as well as advertising man.

"I don't believe that I have ever seen a country weekly gotten up in better shape. Such a paper must necessarily command the respect and patronage of its clientele. If every local paper was as neatly and nicely gotten out and showed the same progressiveness there would be thousands of dollars spent by large advertisers in the country weeklies instead of ignoring this very desirable class of advertising entirely. I have always believed in the strength of the local weekly, and I recognize the fact that in a large number of cases they give a better paper than the patronage affords. There are too many newspapers where down right laziness and insufficient knowledge of the publishing business exists, which are detrimental to progress. I love to see progress in the local weekly, and I just could not help from dropping you these lines, because editors do not generally get either full appreciation or profit for the labors they expend."

Rural Policemen Appointed.

Under a special act passed by the general assembly at its last session which provided for the policing of the county by special officers, designated as rural policemen, Gov. Ansel has appointed Messrs. A. R. Sullivan of this city and S. W. Lowe of Cross Hill to these positions.

HOME TRUST COMPANY HAS BEEN ORGANIZED

New Corporation, With Capital of \$50,000, Selects Directors and Officers at Stockholders' Meeting.

On Thursday at the Enterprise bank, was held a meeting of the shareholders of the Home Trust company of Laurens for the purpose of formally organizing the new financial institution, under a commission recently issued by the secretary of state. The capital stock of the company is placed at \$50,000, and a charter will be applied for as soon as arrangements are perfected.

The board of directors named are: N. B. Dial, H. B. Kennedy, D. H. Connts, S. M. Wilkes, C. E. Kennedy, C. H. Roper of Laurens, R. H. Kennedy of Ora and R. L. Gray of Gray Court. At a subsequent meeting the directors elected N. B. Dial as president and C. H. Roper, secretary and treasurer. The offices of the company are in the Enterprise bank building.

FACTS FROM GRAY COURT.

Final Lyceum Attraction—Boys' Oratorical Contest Friday Night.

The closing attraction of the lyceum course was given Wednesday night, March 16, by the Boston Ladies Quartette which was quite a success. A full house was present and every one went away more than pleased with the performance.

Miss Sarah Beeks spent from Friday until Sunday with her sister in Greenville.

Miss Mary Lathan visited home folks at Little Mountain Saturday and Sunday.

Prof. J. C. Martin spent Saturday at Ora and on his farm near the Enoree river.

Mr. James H. Shell went to Augusta Sunday where he has accepted a position with the C. & W. C. Ry. as flagman.

Mr. and Mrs. J. W. Wells spent Saturday and Sunday with relatives in Woodruff.

The G. C. O. I. boys and the Laurens high school base ball team played an interesting game Friday afternoon, score standing three to five in favor of G. C. O. I. until eighth inning when the locals scored 13 men, calling the game with final score 18 to 3 favor G. C. O. I.

Prof. Soard of Tennessee will give a show at the school building next Wednesday night.

The preliminary oratorical contest will be held at the school building Friday night. There are six boys in the race to represent this school in the county contest at Laurens in April. No admission will be charged and everybody is invited to attend.

Mr. Alvin Watson, a prominent railroad man of Washington, D. C., visited relatives here last week.

Local and Personal.

Mr. John R. Finley, one of the county's popular citizens, was in the city yesterday from Madden. He has been kept within doors since January with an attack of grip until the pleasant weather set in.

Mr. T. C. Turner, Sr. of Greenwood spent a few days the past week in this city.

They are hustling house builders alright, J. D. Sexton & Son, for instance, Saturday afternoon at 2 o'clock they closed a contract for building a certain cottage. Before night three loads of material had been placed on the grounds and other preliminaries arranged.

Messrs. O. B. Simmons and H. K. Aiken have purchased the Bailey block, consisting of the postoffice building and two storerooms. The former owners were M. S. Bailey & Son of Clinton.

Mr. and Mrs. Ross Dorroh of Gray Court visited in the city last Sunday. Miss Teocoa Caine will arrive Thursday from Converse college and will bring her friend, Miss Nelle Johnson to spend the Easter holidays in Laurens with her mother, Mrs. Rosa Caine.

Misses Lucia and Annie Simpson will be home Thursday from Converse college to spend the Easter holidays.

A large party of Laurens D. O. K. K's. went to Greenwood last night to attend a special ceremonial of the D. O. K. K.

Mr. M. C. Nichols and family of Fountain Inn visited relatives in this city Sunday.

Miss Nora Taylor, accompanied by her brother, Mr. Milton Taylor of Greenwood, visited home folks at Princeton on Sunday.

Medicines that aid nature are always most successful. Chamberlain's Cough Remedy acts on this plan. It loosens the cough, relieves the lungs, opens the secretions and aids nature in restoring the system to a healthy condition. Sold by Laurens Drug Co.

COURT ADJOURNED FRIDAY AFTERNOON

Three Young Township Negroes Given Life Terms.

PARROTT MILAM 8 YEARS

Case May be Appealed to the Supreme Court—Under a Bond of \$5,000.

The spring term of the general sessions court adjourned on Friday afternoon. The jurors were discharged at the noon hour on Friday and Friday afternoon was taken up in hearing motion for new trials and passing sentences. Judge Dantzler refused all motions for new trials.

In the case of Parrott Milam, convicted of assault and battery with intent to kill upon W. M. Irby, Judge Dantzler, after refusing a motion for new trial, sentenced Milam to serve eight years. His attorneys gave notice of intention to appeal to the supreme court, and pending appeal Milam was granted bail in the sum of \$5,000.

The report in the last issue of The Advertiser closed with the trial and conviction of Milam. The next case taken up was that of the State vs. Lewis Simmons, a white man, charged with assault and battery with intent to kill, the alleged assault being the cutting of Policeman Brown, at Clinton, in December of last year. Policeman Brown had gone to Simmons' home, at the Clinton cotton mill, in response to a request from one of Simmons' neighbors that he go to Simmons' home to investigate a disturbance. He testified that he knocked on the door and asked Simmons what was the trouble, when Simmons slashed him on the neck without provocation. Simmons contended that he was acting in defence of his home. He was convicted by the jury, but was recommended to mercy, and was sentenced by the court to serve five months. His attorneys, Messrs. Cannon & Blackwell gave notice of intention to appeal, and pending the appeal bail was granted in the sum of \$500.

Cleve Thompson, Willie Harris and Willie Gray, colored, were convicted of murder, with recommendation to mercy, for the killing of Will Hand, colored, at Double Springs church, near the Spartanburg line. They were represented by Messrs. S. M. Pilgrim, Cannon & Blackwell, and W. R. Richey, Jr. The life sentence was imposed.

George Martin, colored, was tried on Thursday for murder, in the killing of Tom Dean, colored, at Martin's home, near Ora during the Christmas holidays, and was convicted of manslaughter, with recommendation to mercy. Dean with some other negroes had gone to Martin's house to take supper. Martin's contention was that Dean became angry and after being put out of the house was in the act of returning and making as if to draw a weapon on Martin when Martin fired. Martin was represented by Messrs. Cannon & Blackwell. He was sentenced to serve four years, and pending appeal he was granted bail in the sum of \$1,500.

Will Fowler, colored, was acquitted of the charge of assault and battery with intent to kill. The charge was that he had shot a negro, Press Watts, in February, 1907. He denied the shooting. He was represented by Messrs. Richey & Richey.

Will Fuller, colored, was convicted of assault and battery of a high and aggravated nature, with recommendation to mercy, and of carrying concealed weapons, and was sentenced to serve three months. He shot a negro, John Workman, at the home of a negro woman. He was represented by Messrs. Cannon & Blackwell.

Bill Garrett, colored, pleaded guilty to the crime of rape, and by consent he was recommended to mercy by a jury, and sentenced to ten years' imprisonment. He was represented by Messrs. Cannon & Blackwell.

J. Ferrell Milam, white, was convicted of adultery, and sentenced to serve six months, or to pay a fine of \$150. Pending appeal, he was granted bail in the sum of \$500. He was represented by Messrs. Richey & Richey.

J. M. Winn, white, convicted of violation of the dispensary law, was sentenced to serve five months or to pay a fine of \$250, \$100 of the fine being suspended during good behavior.