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IN THE BOARD ROOM

LAWRENCE SUCCEEDS SCRUGGS AS THE CLERK.

Col. Jones Holds Over Resolution About Mr. Garris and the Trunk—The Seized Liquor to be Returned.

When the State board of control assembled yesterday morning one of its first acts was to throw open its meetings to the representatives of the press. This announcement was made immediately to the reporters, who stood waiting in the ante-room to the "dark closet" of which no little has been written and said here recently. They hastened to accept the invitation, which Mr. Cooper had secured for them, to be present at the board's meeting.

Much of the morning was taken up in considering bids for glass and discussing the quality of the bottles supplied by the different companies. The opinion of two of the employes in the dispensary formed from handling the flasks, was had as to the strength and toughness of the bottles then in use. After they had finished, one at a time, the representatives of the glass factories were admitted. Mr. Packham of the Packham Manufacturing company, Baltimore, who had submitted a written bid, as had all the others, was the first admitted. He spoke of the quality of his goods and the strength of his bottles.

Mr. A. F. Finkell of the Illinois Glass company next spoke of his goods, and after him came Mr. St. Julian Yates, for the Pennsylvania Glass company. One of the members of the firm was with him.

Col. D. P. Duncan of the Alliance exchange also submitted bids for a glass factory with which he was dealing.

The board at this point left the glass question until the afternoon session.

RETURNING INTERSTATE SEIZURES.

The question of returning liquor, seized by constables, to parties who were known not to be blind tigers, evoked rather a lengthy discussion. It was started by Mr. E. L. Farley presenting a petition from certain citizens of Spartanburg asking that about 22 gallons of whiskey which was seized be either returned or its equivalent in money be paid to the shipper, A. F. Gwynn of North Carolina. This liquor had been shipped for personal use, in small quantities, from a gallon to four gallons, to several reputable citizens of Spartanburg county, and had in due season been seized before delivery. The shipper, Mr. Gwynn, had refunded the purchase money to the proper parties and was asking that the liquor or its equivalent in money be returned or paid.

Mr. Williams of the board had also received a communication about the same liquor.

Mr. Miles moved "that the whiskey be returned to Mr. Gwynn."

Commissioner Vance informed the board that it had been dumped.

Col. Jones said the question of returning seized liquor was a delicate one, but he thought it best in every case where the parties were reputable citizens to return it. He thought it best, at any rate, to return the whiskey until the test case was decided. This seemed to be the general opinion of the board. Then, since the Gwynn liquor had been dumped, it was decided to reimburse him by paying the rate per gallon at which the whiskey could have been bought.

Mr. J. B. Douthit had received a petition from a gentleman for the release of a gallon jug which had been seized. He was a doctor, and a good citizen, Mr. Douthit said. So the whiskey was ordered sent back to him. Again, Commissioner Vance interposed with the statement that this liquor had been dumped. Another gallon of good quality was then ordered sent to the gentleman.

The following petition was received and acted upon by the board:

Columbia, S. C.
To the Chairman and Members of the State Board of Control:

Gentlemen—We, the undersigned citizens, would respectfully petition your honorable body to reestablish the dispensary on Assembly street in this city. We feel that four dispensaries is none too many and that four are necessary.

Signed: W. S. Martin, H. L. Calvo, R. F. Clark, S. B. Witherspoon, H. Steel, T. R. Maxwell & Co., J. W. H. Duncan, E. H. Dent, C. O. Corley, T. A. Dent, H. C. Sims, W. B. McGowan, A. David, W. J. Manly.

This was referred to the county board of control to report on at the next meeting of the State board.

A QUESTION OF INSURANCE.

Mr. John T. Duncan, an attorney for Dixon and for Wannemacher & Co., presented to the board of control four unpaid claims for policies for fire insurance on the State dispensary. Although Colonel Mixson since April 1st, 1896, has had no authority in this matter, it appears that the insurance has been written, as under the old law, in Mixson's name, while the board of control, or its chairman, is the party to whom these policies should be made and bills charged. The four claims amount to \$211.50. These parties were represented by brokers, Dungee & Co. of Philadelphia, through whom Maj. B. B. Evans of Columbia obtained the four policies in question, besides doing other business with them. Chairman Jones explains that it was the custom to divide the insurance among several agents, and that a certain amount was given to Mr. Evans to place wherever he could get the risks taken, there being trouble at times in placing such insurance.

From this it appears that Mr. Evans undertook to place for the dispensary an amount of insurance, and through Dungee & Co., brokers, placed various risks with companies.

The dispensary is held by Mr. Duncan responsible for the "acts of its agent," B. B. Evans, to whom they paid the premiums, charging that he has never paid over the same to the companies' agents, Dungee & Co.

The board of control deny that Evans is their agent, but the agent of the other parties, while Duncan contends that B. B. Evans acted for the board of control, while Dungee & Co. represented the various companies. The matter was referred to the attorney general.

Mr. Evans, at the last meeting, it is said, claimed that the amounts were paid, and produced two receipts, which, he claimed, covered said amounts, though the amounts did not tally. At this meeting the correspondence between Evans and Dungee was in evidence.

If Mr. Duncan's contention is sustained the board will have to pay these accounts a second time and look to Evans for redress.

Major Evans says there is nothing in the whole matter; that he has paid Dungee & Co. all that is due them, and it is nothing more than an attempt to come back on him.

CONFERRED WITH THE GOVERNOR.

It was about 1 o'clock when a message from the governor was received asking that the board come immediately to his office. They went, and remained there until the hour for dinner. While there it was arranged that Mr. Williams would make affidavit against Mr. Scruggs for official misconduct.

SOME RECOMMENDATIONS.

The board, on reassembling at 4 p. m., received a number of recommendations from Commissioner Vance about the details of the dispensary. Among them was a suggestion that a room be rented for storing liquor—a surplus of bottled goods—in order to meet the increased demands of the fall trade. He wished by working every day to get enough bottled and on hand in order to avoid night work altogether. This matter was continued until the next meeting.

It was also decided, on Colonel Vance's recommendation, to build a wagon shed and a shed for the storage of empty barrels.

The salary of Head Drayman Dorn

was increased to \$10 a week by the board, and the salary of Constabulary Clerk W. W. Harris was increased to \$1,200.

BOTTLES BOUGHT.

The purchase of bottles was completed at the afternoon session. The Packham company received an order for 10 cars of half pint flasks and five cars of pint flasks; the Illinois Glass company got an order for five cars of quart bottles, and the Alliance exchange, through Colonel Duncan, received an order of five cars of pint bottles.

In connection with the purchase of bottles, a committee consisting of Messrs. Cooper and Douthit was appointed to draw up a contract with the glass men. The contract provides that the bottles shall be of a certain weight, height and come up to certain other requirements.

CLARIFYING MR. GARRIS.

This ended the routine work of the board. Mr. Cooper then introduced the following resolution, which was unanimously adopted:

Resolved, That it is the sense of this board that the Hon. C. W. Garris came into the possession of the Beckroge trunk in an honorable and legitimate way and that the price for said trunk be fixed at \$5.

Mr. Cooper prefaced his resolution by a few remarks. He had seen the trunk, he said, after Mr. Garris got it, and knew the condition it was in. The other members of the board left it to Mr. Cooper to say what the trunk was worth, as he was the only one to see it. He placed the price at the above amount.

AS TO THE SCANDAL.

When the price of the Beckroge trunk was thus disposed of, Mr. Cooper said he desired to make a statement publicly about the governor's action in the matter. He did so by saying that he thought Governor Elberbe had done the State board an injustice in proceeding in this investigation in the way he had. He thought the governor might have left the matter to the board to deal with as it came within its province. Since seeing the governor today, however, he said he had heard certain things which made his action seem more justifiable.

Col. Jones said that the governor had seen him about the investigation and announced his determination of pushing matters.

THE CHAIRMANSHIP.

This reached the point where the election of chairman was to be had. Col. Jones at the outset said that an explanation on his part was necessary. "Yesterday" (Wednesday) said he, "I said to Mr. Williams that I was going to nominate him for chairman and vote for him. I resigned Tuesday to promote harmony, but that has not produced it. My friends stuck to me in the last election, and instead of producing harmony it will make the situation worse. I will have to stick to them, but before doing so I ask Mr. Williams to release me from my word which I gave voluntarily to him."

Mr. Williams said, "Certainly," in reply to the request of Col. Jones.

MR. COOPER'S POSITION.

Mr. Cooper said that for Col. Jones to retire now would look as if he was doing so under fire; it would look very bad for him, and it wouldn't do.

MR. MILES' IDEA.

Mr. Miles said that in the newspapers he had seen a card from Mr. Gaughman which said the State administration was backing Mr. Williams, and thus he thought to be a slap at the members of the board. That was his position in the matter, he said.

COL. JONES' POSITION.

Col. Jones said that the board could not run this business with three members thinking one way and the other two having different opinions as to the management. "We must have harmony," he declared. The people did not like it about the board being at odds. He would be delighted, he said, to get out of the business. He

would give a great deal to be free from the whole affair, but he felt it his duty to remain.

Mr. Williams said he would, like Col. Jones, give a great deal to get out of this much and go back to his family. "There is no honor or money in this," he asserted. He went into it for patriotic motives. He was put up by his friends. He desired harmony. It is a thing that must be had or the whole board would make an ignominious failure.

MR. COOPER AGAIN.

Mr. Cooper again took the floor and said just at this time Col. Jones could not afford to retire from the position of chairman. Later, if matters were working harmoniously he would not object to him retiring. But just at this time, he said, Col. Jones could not afford to retire. In view of what had transpired he felt that Col. Jones would be doing himself harm, and as a friend he felt that he would be doing wrong to permit him to retire.

COL. JONES AGAIN.

Col. Jones said that up to yesterday morning he felt that he ought to get out of the place, but his friends had talked to him and he did not think for the present it would do. He had no ill will in the matter whatever.

Mr. Miles said he had no ill will in the matter either.

Mr. Douthit said that he was prompted in the way he would vote by a desire to act for the best interests of South Carolina and the dispensary. Feeling this way he would be recreant to his duty if he voted otherwise.

COL. JONES WILL HOLD ON.

The ballot was taken and resulted: Jones, 2; Williams, 1; blank, 1.

When the ballot was announced, Mr. Williams said from the position taken by Mr. Cooper he thought the best thing to do was to let the entire matter go over until the next meeting. This was agreed to.

SCRUGGS RETIRES.

The election of a clerk was next entered upon. Before the balloting began, Mr. Scruggs desired to make a statement. "In view of the action of the board this morning," said he, "I will not stand for re-election. I was advised to take this action by my friends, until I am vindicated."

Col. Jones and Mr. Cooper both thought Mr. Scruggs' action proper under the circumstances.

LAWRENCE MADE CLERK.

The candidates for the place of clerk were: E. G. Morgan of Johnston, J. H. White of Johnston, and W. H. Lawrence, of Darlington.

The first ballot was: Lawrence, 3; White, 1; blank, 1. Upon motion of Mr. Williams the election was made unanimous.

Messrs. Miles and Douthit were appointed a committee to examine the vouchers. The meeting then adjourned sine die.

WILL REMAIN A FEW DAYS.

Mr. Scruggs will remain at the dispensary for several days to make out his balance sheet and get his books in proper order to turn over to his successor.

WEBSTER ON TOP.

S. C. Appointments Must Have His Endorsement—The Lily Whites Will Remain in Washington All Summer to Carry on the Fight.

[Special to The State.]

Washington, May 3.—At the post office department to-day Representative Latimer was informed that all applicants for appointment must show the "O. K." of Mr. E. A. Webster. When seen by The State's representative to-night the original McKinley Republican had already heard the news, but was keeping it all to himself, thinking it too good to let it go. There's no present indications that the warring factions will ever get together. Both factions will camp here and fight it out, they say, if it takes all summer.

Representative McLaurin returned Saturday. He has accepted the invitation to deliver the literary address before the two literary societies at Belton college May 10. Judging from the bushels of letters he found here on his return, his two tariff speeches have struck a popular chord in South Carolina.

BOTH UNDER BOND

MESSRS. SCRUGGS AND GASTON ARRESTED YESTERDAY.

Official Misconduct—Outcome of the Beckroge Trunk Investigation—What Mr. Williams Affidavit Charge Them With.

[The State, 8th.]

As forecasted in The State, the Beckroge trunk dispensary scandal, which has been the all-absorbing topic all over South Carolina for a week past, culminated yesterday in the arrest of ex-Clerk Seth W. Scruggs of the State board of control, and ex-Commissioner John T. Gaston, upon the common law charge of official misconduct. Both have given bond for their appearance at the next term of the court of sessions in this county, and will be free until the court meets in the summer.

Yesterday every one was still talking about the scandal and the affidavits that had been secured, and wondering what the State authorities were going to do about it.

It was about noon when Mr. L. J. Williams, the member of the State board designated to swear out the warrants, went to Magistrate Smith's office and made the affidavits having the warrants issued.

THE SCRUGGS WARRANT.

The warrant in the case of Mr. Scruggs charges that "on or about the first day of March, 1897, one Seth W. Scruggs did commit official misconduct by taking and carrying away from the contraband room in the dispensary four boxes of cigars and four cans of peaches and other articles, the property of the State, while engaged in the discharge of his duties as clerk and bookkeeper of the State board of control in said State dispensary, with intent to defraud the State of South Carolina, as fully set forth in the affidavit hereto attached."

MR. WILLIAMS AFFIDAVIT.

The affidavit was made before Magistrate Smith by Mr. L. J. Williams, and is as follows:

Personally appeared before me, L. J. Williams, who, after being duly sworn says: That he is a member of the State board of control; that Seth W. Scruggs, of the county and State aforesaid, was duly elected clerk of the State board of control on the day of April, 1896, and at the time entered upon the duties of said office and continued in the discharge of the same until the 17th day of May, 1897 when his successor was duly elected; that during the time he was clerk of the said board, his duties were defined and prescribed by said board, which were to act as bookkeeper of said board, to have the custody and control of the books and all papers in the control of said board, and to keep the minutes of the board and to discharge all other duties appertaining to the clerk of the board.

That he is informed by a number of persons, who have made affidavits, and believes that Seth W. Scruggs, while so acting as bookkeeper and clerk of the said board of control, did on or about the first day of March, A. D. 1897, procure a key to a room in the State dispensary in which all liquors and other property seized and forfeited to the State are kept, and which was in the keeping and control of the State commissioner, but under the general control of the board, and with the said key did enter the said room, without the knowledge or consent of the State commissioner and the State board of control, and take therefrom and carry away four boxes of cigars and four cans of peaches, property of the State of South Carolina which had been forfeited to it, of the value of \$1, and did appropriate the same to his own use, with intent thereby to defraud the State and damage the public and in grave violation of his said duties as clerk and bookkeeper.

That he is informed by the persons who made affidavits as aforesaid that the said Seth W. Scruggs, while acting as such bookkeeper and

clerk of the board of control as aforesaid, did on divers occasions between the day of April, 1896, and the 7th day of May, 1897, enter the said contraband room with a key then in his possession other than the one in the possession of the State commissioner, claiming that the said key was or was provided for the use of the State board of control, when in fact, so far as he knows, the board had no such key, and had not authorized him to provide such a key for the said board, and that with such false key the said Seth W. Scruggs did open and enter the contraband room aforesaid and did take therefrom one box of cigars and four cans of peaches of the value of \$1, the property of the State of South Carolina, with the intent to defraud the State of South Carolina by appropriating the said articles to his own use, in gross violation of his duties as such clerk and bookkeeper, to the damage of the public and to the evil example of all others in like cases offending.

That he is informed by the persons aforesaid that Seth W. Scruggs, while acting as such clerk and bookkeeper and holding said office, between the day of April, A. D. 1896, and the 8th day of May, 1897, on divers occasions procured a key and entered the said contraband room which was under the control of the commissioner, subject to the general control of the State board, and did carry away therefrom cigars and other articles of personal property of the value of \$200, the property of the State of South Carolina, with intent to defraud the State by appropriating them to his own use, and to the damage and injury of the public and by such acts was guilty of gross official misconduct; that all the acts herein charged were committed in Richland county of the State of South Carolina.

That Charles J. Lynch, M. H. Mobley, C. H. Charles, Robert E. Blakely, S. W. Vance, W. H. Harris, C. A. Koon, H. E. Watts, L. J. Williams, S. H. Douthit and D. M. Miles are material witnesses to prove said charges.

AGAINST COL. GASTON.

The warrant against Col. Gaston alleges that "on or about the 1st day of March 1897, one John T. Gaston did commit official misconduct by taking and carrying away from the contraband room in the State dispensary one pair of shoes, part box of cigars and other articles the property of the State while acting as State commissioner in charge of said room and while in the discharge of the duties of said office, with intent to defraud the State of South Carolina, as fully set forth in the affidavit hereto attached."

THE SPECIFIC CHARGE.

This affidavit is also made by Mr. Williams before Magistrate Smith, and alleges:

That John T. Gaston was required by the State board of control to act as a State commissioner in the State dispensary between the 25th day of October, A. D. 1896, and the 15th day of April, A. D. 1897, in the place of F. M. Mixson, who had resigned.

That on information and belief he says that during the time he was acting as State commissioner under the authority and direction of the State board of control, the said John T. Gaston, who was as such commissioner in charge of the room in the State dispensary, which were placed for safe keeping all the liquors and other personal property seized by the State constables and forfeited to the State, or in process of forfeiture, did on the first day of March, A. D. 1897, take and carry away from the said room one pair of shoes and part of a box of cigars, the property of the State of South Carolina, and entrusted to his care and custody, of the value of \$1.25, with the intent to defraud the State aforesaid, and to appropriate the said property to his own use, which was in gross violation of his duty as acting State commissioner to take care of the said articles, which had been entrusted to his keeping by law, to the great

damage of the State of South Carolina.

That on information and belief he further says that the said John T. Gaston, while discharging the duties of State commissioner by direction of the State board of control and while in charge of the said contraband room aforesaid did on divers occasions between the 25th day of October, A. D. 1896, and the 15th day of April, A. D. 1897, take from the said room shoes, cigars, coffee and other articles of personal property belonging to the State of South Carolina of the value of \$50, with intent to defraud the State and appropriate the said articles to his own use, which was in gross violation of his duty as acting State commissioner to take of the said articles, which had been entrusted to his keeping, by law, to the great damage of the State of South Carolina.

That all of these acts were done in Richland County, in the State of South Carolina.

That S. W. Vance, Willie Jones, H. E. Watts, L. J. Williams and C. A. Koon are material witnesses to prove said charges.

L. J. WILLIAMS.

BOTH GIVE BOND.

It was about 2:30 o'clock when Mr. Gaston walked into the office of the magistrate and surrendered himself, he having been informed by the magistrate's constable that he was wanted. He waived a preliminary, and gave bond for his appearance at the sessions court in the sum of \$400. His bondsmen were Gen. John Gary Watts and Maj. B. B. Evans.

About four o'clock the same proceeding was gone through with us to Mr. Scruggs. He came up in response to a similar notice from the constable, Mr. Hartin. His bond was fixed in the same amount. His bondsmen were James G. Payne and W. J. Scruggs.

Attorney General Barber says that the punishment for the offense charged is imprisonment and fine in the discretion of the judge, the imprisonment not to exceed seven years. It is not of necessity in the State penitentiary.

Mr. Gaston said yesterday that he had nothing to fear; he had done nothing wrong so far as he knew, and intimated that he did not even think he would employ counsel to defend him.

There has been considerable talk as to what offense the two men should be prosecuted for. Branch of trust, grand larceny, house-breaking in the case of Scruggs and numerous other offenses were looked into, but the attorneys could not find where any of them would lie upon the evidence presented. Attorney General Barber yesterday said: "You can just say for me to the public, that if there is any other offense for which these parties can be indicted, then this office stands ready to prosecute therefor."

Cancer Of the Face.

Mrs. Laura E. Mims, of Smithville, Ga., says: "A small pimple of a strawberry color appeared on my cheek; it soon began to grow rapidly, notwithstanding all efforts to check it. My eye became terribly inflamed, and was so swollen that for quite a while I could not see. The doctors said I had Cancer of the most malignant type, and after exhausting their efforts without doing me any good, they gave up the case as hopeless. When informed that my father had died from the same disease, they said I must die, as hereditary Cancer was incurable."

"At this crisis, I was advised to try S.S.S., and in a short while the Cancer began to discharge and continued to do so for three months, then it began to heal. I continued the medicine a while longer until the Cancer disappeared entirely. This was several years ago and there has been no return of the disease."

A Real Blood Remedy.

Cancer is a blood disease, and only a blood remedy will cure it. S. S. S. (guaranteed purely vegetable) is a real blood remedy, and never fails to permanently cure Cancer, Scrofula, Eczema, Rheumatism or any other disease of the blood. Send for our books on Cancer and Blood Diseases, mailed free to any address. Swift Specific Co. Atlanta, Ga.

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