

The Newberry Herald and News.

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TWICE A WEEK. \$1.50 A YEAR

EDITORS IN GEORGETOWN.

HANDSOME ENTERTAINMENT OF THE STATE PRESS ASSOCIATION.

The Members of the Association Welcomed to the Homes of Prominent Citizens. The Business Session.

[News and Courier.]

Georgetown, May 29.—Georgetown is certainly covering herself with glory. Her entertainment of the newspaper editors has been superb. It seems to be a hospitality peculiar to Georgetown, and some idea of the unanimity of the welcome may be had when it is stated that the good women of the city are themselves making the salads and salting the almonds and making all the preparations. That is real work, but it is simply typical of Georgetown's way of doing a thing right, and of the commendable manner in which everyone here is pulling together. That pulling together and co-operative spirit is what is making the new Georgetown so conspicuous in the commercial world. Today the editors had a good day's work, and besides they had a glorious day of pleasure. The day was ideal, indeed the weather has been perfect since they came here.

This morning, after the business meeting, the editors and their lady friends were shown the beauties of the city and took things leisurely until 2 o'clock, when the trip around Georgetown harbor began, and at night there was a brief business meeting to select the next place of meeting and elect officers and two splendid addresses by Mr. Julius E. Boggs and Col. J. J. Dargan.

Georgetown has just reason to want everyone to see her harbor and especially to know that she has about fifteen feet of water, and that the shipping of the place is increasing wonderfully.

The committee, of which Mr. Marks Moses was chairman, made excellent arrangements for the entire trip, and not only was a delightful trip arranged, but there was plenty to eat and abundance of fun and a joyous time altogether, and from the time the Burroughs left the dock until she tied up there was a very merry crowd on the vessel and a thoroughly delighted gathering. The Burroughs was supplemented by the revenue cutter Forward, and no more congenial host could be found than Capt. Mitchell, and he certainly made things most agreeable and delightful for his friends and guests. The Burroughs and the Forward covered thirty two miles, all within the jetties, and the editors had a chance to peep at the granite walls that are to bring Georgetown a so much deeper harbor and so much more traffic, but fortunately the boats did not go out to sea. The steamer first went down Sampit River to take a bird's-eye glance at the immense plant of the Atlantic Coast Lumber Company, and then up Waccamaw River to Prospect Hill, where the old mill at which Lafayette was entertained was seen, and down the Waccamaw to Winyah Bay, and down Winyah Bay to the light house in North Island and then back to Georgetown. A landing was made at North Island, and the editors and their friends, especially the young ladies, had a delightful romp around the beach and they climbed up into the light house and then they went to picking up shells and souvenirs of the trip. At North Island Capt. Mitchell sent out two of his boats and a number of those on the Burroughs joined the visitors on the Forward on the return trip home. Mayor Morgan and quite a number of citizens went on the excursion and added to the pleasure of the trip.

The delegates who are here now and who are attending the sessions of the Convention are as follows: Mr. and Mrs. E. H. Aull, with Mayor Morgan. Miss Carrie Jones, with Mayor Morgan. C. C. Langston, at Windsor Hotel. August Kohn, at Mr. H. Kaminiski's. J. L. Stoppelbein, at R. M. Barne's. Mr. and Mrs. J. F. Foose, at C. J. Crane's.

Mrs. V. D. Young, at Mrs. O. J. Butte's.

Mr. and Mrs. J. M. Knight, at J. S. Beatty's.

Mr. and Mrs. B. L. Berry, at J. B. Johnson's.

Mr. and Mrs. W. P. Houseal, at G. R. Congdon, Sr.'s.

Mr. and Mrs. W. W. Williams, at Winyah Inn.

Mr. and Mrs. J. N. Stricklin, at C. L. Ford's.

J. E. Norment, at Walter Hazard's.

J. T. Parks, at J. I. Hazard's.

Mr. and Mrs. J. C. Mace, at Windsor Hotel.

Col. J. T. Bacon, with J. B. Steele.

L. W. Cheatham, with J. B. Steele.

C. W. Wolf, with W. Hazard.

J. C. Garlington, with Mrs. Burris.

Mr. and Mrs. C. W. Birchmore, with T. S. Daggett.

Miss Susie Perryclear, with W. T. Turberville.

N. G. Osteen, with Dr. D. S. Black.

Miss Honghson, with J. W. Doar.

J. J. Dargan with H. L. Oliver.

Miss Theo. Dargan, with H. L. Oliver.

Miss Moneta Osteen, with J. W. Doar.

Miss Kate Blue, at Windsor Hotel.

Mr. and Mrs. H. H. Watkins, with John Burns.

John Bell Towill and Miss Towill, are stopping at the Windsor Hotel.

Ed H. DeCamp, Gaffney, at the Windsor Hotel.

Mr. and Mrs. T. J. Drew, Darlington Messenger, with Mr. O. V. King.

Mr. and Mrs. R. W. Nash of the Belton Times, with the Windsor Hotel.

Mr. and Mrs. A. B. Jordan, of the Dillon Herald, with the Winyah Inn.

J. R. Earle, Oconee News, with Mr. H. L. Smith.

Josiah Doar, Georgetown Times.

J. Walter Doar, Georgetown Outlook.

A. P. Wilson, Charlotte, with Mr. F. G. Tarbox.

Mr. Jas. L. Sims, Orangeburg Times and Democrat, with Mr. T. S. McConnell.

Mr. Hartwell M. Ayer, Florence Times, with Mrs. H. H. Gardner.

Mr. A. G. Kollook, of Darlington News, with Mr. F. G. Tarbox.

Mr. F. P. Cooper, of The State, at the Winyah Inn.

Col. James Armstrong, with Mayor W. D. Morgan.

J. W. Ragsdale, Timmonsville Enterprise, at the Winyah Inn.

Miss Angel Cheatham, of Edgefield Chronicle, Winyah Inn.

Miss Daisy Sawyer with Mr. R. P. Montague.

When the Association met this morning the first business was reading the reports of the standing committees. The first report was that of the

COMMITTEE ON OFFICERS' REPORTS.

1. In accordance with the recommendations contained in the president's report we recommend (a) that the secretary, in behalf of the South Carolina State Press Association request Mr. Yates Snowden to furnish him with a complete manuscript of "Scraps of South Carolina Journalism," and have the same printed at the expense of the Association; and further that the association pay Mr. Snowden such necessary expenses as may be incurred in collecting and recording the desired data; (b) that the president appoint a committee of one to copy from the files of the News and Courier the minutes of the Association from 1882 to 1889; provided the said copying does not exceed \$50.

2. We recommend that the balance, \$9, due the secretary, as shown by his reports, be paid him by the treasurer.

3. We have examined the treasurer's report and find the same is correct.

All is respectfully submitted.

J. Y. Bacon, C. W. Birchmore, J. N. Stricklin, James T. Parks, J. Frank Foose.

THE FIRST PAPER READ

during the morning was that of Mr. A. B. Jordan, of the Dillon Herald, on "How to Make a Country Weekly a Financial Success." Mr. Jordan

is himself a successful newspaper man, and, therefore, what he had to say had much force and effect, and was very much to the point and will be of advantage to the members of the Association. He is thoroughly up on the business end of the newspaper business and the points he made were well conceived.

PAPERS IN SMALL TOWNS.

The committee arranged for a series of articles on "How to Publish a Good Newspaper in a Small Town." The first paper was that of Mr. John Bell Towill, of the Batesburg Advocate. He took up the case of the weekly paper, and then the daily was discussed by Mr. Hartwell M. Ayer.

The committee selected successful types of editors, of the two types of papers, to present arguments on the topics. Both of the editors are young men, who, by hard and diligent work have taken front rank in the State among the editors.

Mr. Towill is something of a new comer in the newspaper fraternity, and he read a paper of exceptional merit, which took well. It was heartily applauded by the members, because it was a forcible and a manly statement.

Mr. Ayer will read his paper at a subsequent session of the Association.

Other papers were reserved for later sessions of the body.

CHARLESTON EXPOSITION.

Chairman J. M. Knight, of Sumter, read the following resolutions, which were adopted by a rising vote:

Whereas, The Charleston Exposition is about to close, and we, the State Press Association of South Carolina desire to put on record our appreciation of the great benefit which it has been to the State, both as an exhibit of her resources and an educational influence for all who viewed it, therefore be it resolved:

1. That the State Press Association, in annual session convened, does hereby convey to the management of the South Carolina Inter-State and West Indian Exposition its cordial congratulations upon having successfully carried through so great an undertaking to so magnificent a consummation.

2. That the whole State is indebted to the men who made the Exposition for this magnificent setting forth of her resources and industries, and thus placing her in a most favorable light in the eyes of the country.

3. We desire respectfully to commend the patriotic and energetic labors of the able president of the Exposition Company, Capt. F. W. Wagener, who has given so liberally of his time and money for the good of Charleston and South Carolina.

Mr. August Kohn, of the News and Courier, stated that he had been requested by Mr. J. C. Hemphill, manager of the department of publicity and promotion of the Exposition, to express the cordial thanks and appreciation of the Exposition management for the valuable and very great service rendered by the press of the State to the Exposition. Mr. Kohn stated that he had been asked to say by Mr. Hemphill that it was a matter of sincere regret to him that he was not able to be present to express his personal appreciation for the co-operation given him by the editors of the State and to assure the editors of the gratitude he and the Exposition management had for the splendid services of the press of the State.

AT THE NIGHT SESSION.

There was a spirited contest for the next place of the association, White Stone Luthia Springs, Glenn Springs and Cheraw were the formidable candidates, and to pour oil on the troubled waters Mr. J. Walter Doar invited the convention to return to Charleston, and this brought forth rounds of applause. Mr. Garlington and Gen. Stoppebein particularly pressed the claims to White Stone Luthia Springs and won, the final vote being White Stone Springs 18, Glenn Springs 12 and Cheraw 3. The editors expect to have a great time as the guest of Mr. J. T. Harris.

Concluded on 4th page.

DUNCAN'S RETURN.

ANSWER TO THE CHARGES MADE AS TO IMPROPER CONDUCT.

Charges As Made by the Columbia Bar Association—Case Heard.

[Columbia Record, 2nd.]

The action brought by the Columbia bar association, through D. W. Robinson, Esq., to disbar John T. Duncan was set for a hearing today before the supreme court. When the case was called it was continued until tomorrow afternoon at 4 o'clock, owing to other pressing business on hand. Ex Judges Benet and Hudson were appointed to hear the case with other justices, in the absence of Chief Justice McIver and the disqualification of Associate Justice Gary.

The charges against J. T. Duncan are pretty generally known, it being alleged that he borrowed \$250 from M. Frank, which money was loaned to Ella Taylor, through Duncan, upon the faith of a mortgage of real estate given by Ella Taylor December 21, 1900. The loan was made to Taylor for the purpose of paying the purchase price of the real estate mortgaged, which price was to be paid to Eliza Mitchell. The money was loaned upon the statement and representation of Duncan, who drew and prepared the note and mortgage, that the title to the lot was all right, was complete and in the defendant Taylor. It is alleged that the title to the real estate was not at the time, nor had been at any prior time or subsequent thereto, in said Taylor, and that John T. Duncan knew it.

That the money was not used for the alleged purpose for which it was borrowed, but was deposited in the bank of Columbia and was checked out and used by Duncan for his own purposes. That after the note and mortgage became due, Duncan refused payment, and that suit was entered for the amount and that the master awarded it. That Judge Buchanan confirmed the master's finding and also ordered Duncan to pay \$250, with interest from May 8, within ten days, to which order Duncan consented. That Duncan failed to comply, and on May 12 Judge Gage adjudged Duncan guilty of contempt of court and ordered his (Duncan's) imprisonment. That after Judge Gage's order Duncan paid the money the same evening notice was served on him.

Mr. Duncan is represented by Joseph Daniel Pope, L. F. Youmans, R. W. Shand, F. G. Tompkins and W. D. Mayfield. In the return Mr. Duncan states that in October 1900 Ella Taylor informed him that Eliza Mitchell would sell a lot in Waverly for \$350 and that Ella Taylor wanted to buy it and secured his services in drawing up necessary papers. He made an examination and found no deed to Eliza Mitchell, but she was in possession through her deceased husband, who had paid all the purchase price except about \$25. Eliza Mitchell asked him to straighten out the title and that she was willing for the remainder of the debt on the original purchase to be satisfied out of the proposed purchase money.

Mr. W. H. Lyles was the attorney for the original owner and Mr. Duncan offered to pay him the \$25, and drew up a deed, which he left with Mr. Lyles to be executed, and it was his understanding that it would be. Duncan says he explained fully the situation both to Frank and Ella Taylor, and finally Frank consented to lend \$250. The money was finally secured by check on Columbia bank later on he arranged with Ella Taylor for a second mortgage of \$162.50, which would, with other money, realize \$400, out of which he was to receive \$50 as his fee. Subsequent events occurred and these papers were never used. Having secured the money from the bank he offered to pay Mr. Lyles \$25 for the deed he left to be executed, but did not get it. Then followed delays, owing to his inability to get the deed, and he informed Eliza Mitchell of the circumstances. He did not keep the \$250 separate from his other funds and did use some of it in his private business, but he was always

able with cash on hand to replace all or any part of it.

After advertisement, which advertisement he alleges he never saw, the land was sold and he tried to secure titles from the purchaser by payment of the bid and costs, but the purchaser refused to yield to his tax title. Frank demanded the money which he refused to pay because Eliza Mitchell had rights prior to tax sale, but he offered to return it if Frank would allow Ella Taylor the amounts she paid to Frank in part payment of the loan, which Frank refused to do.

He declares that the master's findings were based upon testimony which was not true, and which reflected severely upon him. After some negotiation he finally consented, with Mr. Robinson, to sign an order wherein it was stated that the findings of the master were approved but he never intended to admit the correctness of any of the findings except that he should pay Frank \$250.

He delayed in making payment in ten days by reason of unavoidable absence from the city, and partly by the bond from whom he expected to get the money, and by whom it was promised before his absence and from whom he did get it. He paid the money May 13. He denies all improper and unprofessional conduct and of any intentional wrong doing.

SUMMARY OF THE TESTIMONY AND ARGUMENTS.

[The State, 4th.]

The State supreme court yesterday afternoon took up the proceedings to disbar John T. Duncan of the Columbia bar instituted by D. W. Robinson, Esq., and for the first time in the history of the court oral testimony was taken, the messenger's stand being used by the witnesses. Save for the four justices on the bench the hearing very much resembled an ordinary case in the magistrate's court. One feature of the testimony was the plain and bold admission of a negro woman witness that she had in her testimony before the master told what she was told to tell. The court room was crowded throughout and the court sat from 4 o'clock until everything had been disposed of. The decision of the court in the matter will probably be announced this morning at the opening of the court.

When the court met the clerk of court of Richland county, Mr. J. Frost Walker, was put on the stand and testified as to the circuit court records.

Mr. W. H. Lyles was then placed on the stand. He testified as to matters related in the complaint and answer in regard to the deed, as published in the return of Mr. Duncan. He was cross-examined by Gen. Youmans. This cross examination was a pretty piece of legal cross fencing.

Mr. M. Frank was then sworn and testified as to the loan made, and said that Mr. Duncan had told him that the title was all right. When he found the mortgage was no consequence he demanded his money back from Mr. Duncan.

Gen. Youmans considerably tangled the witness as to testimony he gave before the master. This was in regard to the reading of the receipt to Frank by Duncan and Frank's request to Duncan to set forth certain facts in the receipt. The cross-examination was persistent and lengthy, and directed to bringing forth statements from the witness in conflict with those made at the hearing before the master.

Ella Taylor, black, with pearly white teeth, wearing a man's straw hat and a pink and white striped shirt waist, the heroine of the \$250 loan, gave her testimony in police court mannerisms and in a rare contralto voice. She went over the statements she had made in the complaint. She said she ran a boarding house and a restaurant and always paid her bills. Mr. Frank had told her to swear that the money she was paying him back was on her store account and not on the note, so he could get his money back from Dan-

can. She went before the master and swore as he had told her and when she came out Frank told her that she had "talked like a damned fool." Frank had told her she must swear that way or she would have to be locked up. Frank had told her the papers were all right. She said "Jesse Williams is a drinking man; and you know you can't tell when he is drunk and when he ain't." This was in answer to a question as to whether the witness, Jesse Williams, was drunk or sober when he testified before the master.

The court gave permission to ask the witness leading questions as it wished to have everything throwing light upon this matter.

Mr. McFadden was put up to testify as to the looking up of the titles.

Mr. W. H. Squier, the county auditor, was then put up and asked to produce the subpoena served upon him, which was accompanied by a letter asking for certain information from his office. He had examined his records for 10 years and found no property charged to any of the persons named in connection with the case.

At this point Mr. Robinson rested his case so far as the testimony was concerned.

The defense opened by putting Mr. John S. Verner, master of Richland county, upon stand. He was questioned as to the testimony taken before him, when Mr. Robinson said he would admit all the stenographic testimony taken before the master. There was a lively legal discussion as to the method of bringing out points desired.

It was 6.30 o'clock when Mr. Duncan, the defendant, took the stand. Ella Taylor was one of his first clients. Gen. Youmans conducted his examination at first along the line of the looking up the title. The witness gave the different steps taken in his efforts to have the title straightened out, his conferences with Mr. Lyles and other matters bearing upon it. Mr. Duncan said he had prepared the deed had left it with Mr. Lyles to be signed. Mr. Lyles promised to forward deed and have it signed at once. I expected the deed. I told Ella Taylor that she must prepare her money. She had said she had money ready. When notified she said that Frank had agreed to furnish money. At my office I told Frank all about it. I told her the Mitchells must make the deed. I afterwards went to Frank's store. She said she could raise the balance of the money over the \$250. By Frank's directions I drew the mortgage for \$250, with no interest at all. Ella Taylor said Frank had \$50 of her money. Frank said nothing. Frank gave me \$250, asking a receipt and a statement of the status of the title. I gave the receipt for the \$250, and therein stated what had been done as to getting the title. There could have been no misunderstanding by Frank. He took ample time to read the receipt—read it himself—read it deliberately. For the \$162.50 balance, note and mortgage were drawn. This was never used. I excepted to the master's report. Latter Mr. Robinson sent an order for my consent. It had no erasures. When I got the order I wrote him I couldn't consent without his striking out all except a simple order directing the payment of the money—striking out the approval of master's findings and conclusions. I regarded myself as simply consenting to pay the money.

I am not conscious of any improper conduct. I had no bad motive—no intention to do one wrong thing—no deception—no desire to take advantage of anybody. Ella Taylor told me she had paid about \$74.50 on the land. I learned of tax sale of land only after it. I made repeated efforts to get it back and failed. I offered to pay Frank if he would allow Ella Taylor credit for her previous payments, and he refused.

Cross examined: I made the erasures in the copy order sent me. I made erasures in both copy and

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MEMORIAL DAY.

THE SOUTH WILL HEREAFTER OBSERVE JUNE 3

Georgia is Exempt and Any Other State Who So Desires to be—the Official Order.

The following official orders are being sent out from New Orleans:

Headquarters United Confederate Veterans, New Orleans, La., May 17, 1902—General Orders No. 287.

The general commanding announces the adoption of the resolution, which was passed at the Dallas reunion on April 23d, 1902, fixing June 3d, the birthday of Jefferson Davis, the first and only president of the Southern Confederacy, as the universal Memorial day throughout the South, with the amendments thereto, and an epitome of the occurrences connected with the passage of the same, for the observance and guidance of all commanders, camps and comrades, and all others interested in honoring the memory and decorating the graves of "Our Dead."

A resolution to fix the third day of June, the anniversary of the birth of Jefferson Davis, as "Southern Memorial Day," was adopted by the "Ladies' Memorial Association," of New Orleans, at a meeting held March 19, 1902, and the matter presented to all the camps through a circular letter, and the adoption of the resolution was vigorously advocated by Mrs. W. J. Behan, the patriotic and splendid president of the "Ladies' Confederate Southern Memorial Association," of New Orleans, and who is also the president of the "Confederate Southern Memorial Association," and also by her able associates, and which efforts culminated after having been adopted by many camps, in the following resolution presented at the Dallas reunion, to wit:

Resolution offered by "Army of Northern Virginia" Camp No. 1, of New Orleans, Louisiana Division U. C. V.'s as follows:

In order that our children be fully instructed in all that pertains to the rise and fall of the Southern Confederacy, and the date of the birth of its first and only president will be indelibly impressed on their minds and hearts, and generally observed with appropriate ceremonies, be it,

Resolved, That the United Confederate veterans in convention at Dallas, Texas, do ratify and adopt the resolution as passed by the Ladies' Confederate Memorial Association, of New Orleans, making June the 3rd, as the universal Memorial day throughout the south. Said resolution to go into effect on June 3, 1903.

The resolution was unanimously adopted by the committee on resolutions, and when favorably reported to the convention met with opposition from the Georgia delegation, and others, and after much discussion the following amendment was offered by Lieutenant General S. D. Lee, to wit:

"I move that the state of Georgia, and any other state which so desires shall be exempt, and that the resolution so amended be adopted."

After further discussion the resolution as amended by Gen. S. D. Lee was almost unanimously adopted by a rising vote.

By order of J. B. Gordon, General Comdg. George Moorman, Adjutant General and Chief of Staff. (Official.)

A Gentle Hint.

In our style of climate, with its sudden changes of temperature—rain, wind and sunshine often intermingled in a single day—it is no wonder that our children, friends and relatives are so frequently taken from us by neglected colds, half the deaths resulting directly from this cause. A bottle of Boschee's German Syrup kept about your home for immediate use will prevent serious sickness, a large doctor's bill, and perhaps death, by the use of three or four doses. For curing Consumption, Hemorrhages, Pneumonia, Sore Throats, Croup, or any disease of the Throat or Lungs, its success is simply wonderful, as your druggist will tell you. Get a sample bottle free from W. E. Pelham & Son. Regular size, 75 cents. Get Green's Special Almanac.

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