

The Watchman and Southron.

WEDNESDAY, OCTOBER 31, 1906.

The Sumter Watchman was founded in 1850 and the True Southron in 1866. The Watchman and Southron now has the combined circulation and influence of both of the old papers, and is manifestly the best advertising medium in Sumter.

Presentment of the Grand Jury.

To His Honor, Judge D. E. Hydrick, Presiding Judge at the October term of the Court of Common Pleas and General session for Sumter County, 1906:

We, the Grand Jury, beg to make this our final presentment. We have examined into and returned all bills given us by the Solicitor. We have, through our committees, visited the several county offices, chain gang, Alms house, jail and dispensaries. We find the finances of the county in good shape, the work in the various offices well up and done in a neat and business like manner. We find the jail kept in a loose and careless manner, prisoners are given water in glass bottles, gathered from the streets or any place they can be procured without cost. This we think dangerous, not only to the prisoners themselves, but to the keepers of the jail, as the bottles could easily be used as deadly weapons in case there was an attempt by the prisoners to escape. We recommend that the proper authorities be instructed and required to purchase at once tin cups to be used in giving the prisoners water. The jail is not kept clean, as is required by law, but needs a thorough scouring, walls need patching and whitewashing, and the two dry wells need prompt attention. We find one prisoner in jail, Cornelius and only ten bunks. We recommend that the proper authorities be required to purchase at once necessary bunks, blankets and slop buckets. We find one prisoner in jail, Cornelius Miller, who has fits and is crazy. He has been in jail two and a half months, and we recommend that he be sent to the asylum or poor house. We find also one cocaine fiend who is crazy and recommend that he be removed from the jail to the proper place of detention.

The jailor complains that he has great difficulty in getting the county physician to attend the prisoners, and we respectfully ask that your Honor will instruct the proper authorities to have these complaints looked into and corrected.

We find the Alms House in good condition, the inmates well cared for and comfortable. The inmates consist of eight whites and nine negroes. We find there now two negro women who are crazy and dangerous to the other inmates, and should be removed to the asylum as lunatics.

We find the chain gang in good condition, the prisoners well cared for and in a healthy condition. The number now on the gang is nineteen.

We find the work on the New Court House progressing rapidly and will, when completed, be a credit to our county.

We find that the County Superintendent of Education's office and that of the Sheriff are made too dark by the building of stores on the southern side of the Court House, and it is practically impossible for any work to be done in them at any time unless by the use of lamps, and we would respectfully recommend that an electric light be ordered put in each of these offices at once.

Complaint has been made to us (which when investigated are found to be true) that some of the prisoners have been whipped at the jail for minor offenses committed while in jail and in the custody of the jailor, and contrary to law. We recommend that the Sheriff be commanded to take such steps as will immediately put a stop to such procedure. We would further recommend that the Sheriff be instructed to be more careful in issuing passes to persons desiring to see inmates of the jail, as we think the indiscriminate issuing of passes was largely the cause of the recent attempt to break jail, which resulted in the indictment of a good many at this term of court and incurred great cost to the county.

We find that the State Dispenser at Mayesville, Mr. George P. McKagen, has not made report or turned over to the county its share of the profits from the dispensary at Mayesville for the month of March, 1906, and we recommend that the county attorney proceed at once to collect the amount from said dispenser, or his assignee.

We desire again to recommend the sale of the present jail and property the proceeds of which, to be used by the county board of commissioners in the erection of a more modern and convenient jail on the property now owned by the county on which is being erected the county Court House.

We desire to extend our thanks to His Honor, the Judge, the Solicitor and all court officers for courtesies extended. All of which is respectfully submitted.

R. K. Wilder, Foreman.

THE GAILLARD TRIAL.

From The Daily Item, Oct. 26.

The trial of the case of the State vs. Henry Small, alias Campfire Bill, alias Jack McCoomer and George Spivins was called for trial upon the convening of the court of General Sessions this morning. L. D. Jennings, Esq., attorney for the first named defendant stated to the court that he was expecting material witnesses from Cole Brothers circus, now in Georgia, that the management had promised to have them here for the trial, and that he did not wish to go into the trial of the case without them. Judge Hydrick granted Mr. Jennings until 3 o'clock to ascertain whether or no the witnesses would be set, as they were without the jurisdiction of the court and their attendance upon the court could not be compelled. The attendance of these witnesses is necessarily dependent upon the willingness of these men to attend, and upon the courtesy of Cole Brothers' management.

Intimation was made that a motion for a continuance would be made, and that the defendants, both Campfire Bill and Spivins desires to be tried in Clarendon county at the next term of court there, which will be on the second Monday in February. This motion has not as yet been formally made, and has therefore not been passed upon by Judge Hydrick. It is not likely that the motion, if made, will be granted, as both defendants have had ample time to prepare for trial.

From The Daily Item, Oct. 27.

At 4 o'clock, as predicted yesterday afternoon, L. D. Jennings, Esq., made a motion for a continuance on the ground that he had used due diligence to procure the attendance of witnesses, that the effort had been futile and that the solicitor refused to admit testimony as to what the witnesses would testify if they were present. The motion was overruled on the ground that there was no assurance that the attendance of the witnesses could be procured, and the trial was ordered entered into. Council for the defendant however, was instructed to continue to use diligence to get the witnesses within the jurisdiction of the Court.

The clerk then proceeded to empanel a jury, all members being first sworn on their voir dire.

The jury consists of the following gentlemen:

J. E. Kenney, W. L. Brunson, W. R. Bracey, Dave Locklair, John T. Green, Jr., H. Lee Scarborough, S. A. Harvin, J. F. Hodge, J. A. Mims, J. S. Richardson, W. A. McIlwaine, and R. E. Newman.

Mr. H. Lee Scarborough was appointed foreman.

Witnesses for both the State and the defendants were ordered out of the court room during the taking of testimony.

The jury having been empanelled yesterday afternoon, the first work of the court this morning was the taking of testimony in the case of the State vs. Campfire Bill, alias Henry Small, alias Jack McCoomer and George Spivins, charged with the murder of Mr. J. E. Gaillard.

Doctors Earnest Carson, S. C. Baker, Walter Cheyne and H. M. Stuckey were examined in the order named and gave clear and precise accounts of the nature of the wounds sustained by the deceased, and of their deadly effect. The ball, according to all the doctors, entered the left abdominal region near the groin and ranged slightly upward and finally embedded itself in the soft portion of the right hip bone, almost completely penetrating the bone and being found directly under the skin. There were fourteen perforations of the bowels. Death ensued directly from shock caused by a great loss of blood. The bullet was identified and introduced in evidence.

Mr. F. P. Burgess was at the Central Hotel at Manning when he heard that Mr. Gaillard was wounded. He found him lying on the left side of the piazza. Mr. Gaillard said that he was shot in the stomach and knew that he would die. "God knows what I was shot for," he said. Mr. Burgess saw no weapon upon Mr. Gaillard.

Mr. Charles Hazelden made an excellent witness for the State. When asked if he knew who shot Mr. Gaillard, he pointed to "Campfire Bill," and positively identified him. The defendant rode to the depot in his buggy with Willie Levan, colored, who had his buggy in charge. They talked together for a few minutes, and remembered well his peculiar features. Gaillard went over toward the train to watch the work of loading and called the witness and Burkett to him. Gaillard was on his horse. The defendant "Campfire" Bill suddenly came down from the platform of one of the coaches, and asked, "who's that wants to see me," and with the words drew his pistol and fired five times. We were within six feet of the car. Two shots were fired at Gaillard, one at me and two at Burkett, all were wounded. On cross-examination the witness stated that there was plenty of light about the

depot, that he did not see the defendant Spivins and that he would have seen him had he been present.

The testimony of Mr. M. O. Burkett, the next witness, was substantially the same as that given by Hazelden.

Mr. J. C. McLeod was then called to the stand. He was flagman on the circus train, and at the time of the shooting was about 300 yards away. He was in the caboose car attached to the train at Bishopville, when the defendant, Spivins, came in at 6:30 o'clock on the morning after the tragedy. When witness stated that Mr. Gaillard had been shot on the night previous, defendant replied, "served him right that he was shot." Spivins stated that he knew who did the shooting, and asked if a crowd of men came up to me and put a rope around my neck, if I would defend myself. The witness did not see Spivins before or after the shooting.

Messrs. Henry Clark and Plummer Clark, both testified to the fact that they were in the agents office at Manning on the occasion of the killing as the train pulled out they saw George Spivins standing on the rear platform of one of the coaches with a pistol in his hand. This was twenty minutes after the shooting took place.

The testimony of Mr. J. M. Woods was practically the same as that of Messrs. Clark.

Court then adjourned for the noon recess.

From The Daily Item, Oct. 29.

On Saturday afternoon the State concluded the taking of testimony for the prosecution in the case of the State vs. Henry Small, alias Campfire Bill, alias Jack McCoomer and George Spivins. The testimony of the witnesses who were examined after the noon session was principally circumstantial and substantiated that of the witnesses previously examined.

Witnesses for the defendant, McCoomer were called upon the convening of court this morning. The Rev. Mr. Inabnet was examined by Mr. Jennings, and stated that the description of the defendant given to him by Mr. Burkett on the day following the shooting, did not tally with the description given by Mr. Burkett on the witness stand, and from the description first given he would never have picked out the defendant, McCoomer, as the guilty party.

Mr. Harry Craig, who is in charge of the entire cooking department of the Cole Brothers show, stated that the defendant McCoomer was known as "Campfire Jack," and not as "Campfire Bill. He further stated that Campfire Bill had disappeared from the circus on the day after the shooting affair and that he had not been seen since. The name "Campfire," he said, attached to these men by reason of their connection with the cooking department.

John Miller, colored, also in the employ of the circus, told that Campfire Bill had not been seen around the circus since the shooting, and that the defendant McCoomer was not him.

William Logan was by far the most important witness put up by the defence. He lives near the depot in Manning and told the following tale:

He was on the front piazza of his house, which is directly on the railroad right of way, and that he was at a distance not more than twenty yards from the circus train, when Mr. Gaillard on a white horse, and Mr. Sublett on a dark mule, rode up to the depot. The two gentlemen engaged in conversation, a part of which the witness was able to hear. He distinctly heard Sublett tell Gaillard not to go up to the circus train. Gaillard said that he was going anyway, and at that time Sublett rode off. The witness heard Mr. Gaillard when he approached the train, ask a crowd of men where the train master was, and on being told that they knew not, he said that he would go through the train-if necessary to find him. The Showmen, objected to this on account of women being asleep in some of the coaches. Then Mr. Gaillard rode off, saying that he would come back and find him. In a short while Mr. Gaillard rode back, went up to another group of men, grabbed one man by the shoulder, and hallowed out that he had his man. He told the men that he had lost too much and that he must have satisfaction before the train pulled out. The man that he had hold of replied that he would like to settle matters and that he would do so if Gaillard would meet him in Sumter on Wednesday. The man that the witness took to be the train master then called out "couple up, couple up." The two sections were then coupled together, the engine brought to the front of the train, and preparations made to pull out. Gaillard then went up to the train, told the man that he would never pull out until he had satisfaction, and with more such expressions as "take this for satisfaction" the firing commenced. The witness swears that the man who did the shooting was a white man, and the one whom he had taken for the trainmaster.

Harvey Jackson, another Manning negro, was also examined, but his testimony threw no light on the case. Court then adjourned.

From The Daily Item, Oct. 30.

The murder of which Jack McCoomer and George Spivins stand charged, which has occupied the entire time of the Court of General Sessions since last Friday, is now drawing to a close. The defendant Spivins, through his counsel, Mr. Welsh, concluded the examination of witnesses at a late hour yesterday afternoon. J. T. Price, who is in the employ of Cole Brothers circus, and who has a position under the defendant, was first called to the witness stand. He testified to the fact that just prior to the shooting, his work having been finished, he went to the privilege car for a lunch before retiring for the night. While in this car, the defendant Spivins, came in, called for lunch and while they were together in the car five pistol shots were heard. He considered the occurrence as not unusual and he and the defendant retired and heard nothing of the wounding of Mr. Gaillard until the next day in Bishopville. He said that he gave Officer Pierson every assistance that he could.

The defendant took the stand and substantiated Price in the statement above made. He admitted making rash statements to Mr. McLeod in the caboose car, but said that he and McLeod had had a personal difficulty about damage to the train, that he had been drinking a little and that his statement that Campfire Bill had a right to do what he did, etc., was meant to antagonize McLeod who had spoken of lynching being the proper way to deal with the guilty party. The reason that he denied having made the statement was to escape being

summoned as a witness; that his duties were very important, that the proper loading of the train depended upon him, and that if he had to attend court he might lose his job.

Messrs. Sublett, Burkett and Hazelden were recalled to refute the testimony of the negro barber Logan, who tried to put the crime on Spivins. The defense then rested.

This morning four masterly arguments were made by Messrs. H. D. Moise, R. H. Welsh, L. D. Jennings and Solicitor Wilson in the order named. The arguments were all clean, logical and eloquent in parts, and not withstanding the fact that the jury has been on the case for so long a time, they showed not the least fatigue.

The judge charged the jury at 3.30 o'clock this afternoon and they then retired to the jury room for the final consideration of the evidence in the case.

At 5.15 the jury returned a verdict in both cases of "guilty with recommendation to mercy."

Wallace Kilgo, a son of Rev. P. F. Kilgo, was seriously injured Friday afternoon while at play with some of his companions. The boys have been wild on the subject of lassos ever since the visit of Pawnee Bills Wild West show, and spend the time out of school roping each other. Wallace Kilgo was riding his bicycle when one of the boys roped him. He had an open knife in his hand and becoming entangled in the rope he fell from the wheel and the knife penetrated his side. The wound was quite painful, but not fatal.

The Clearing House Association of New York has taken charge of the stock of the Edens Company and will begin a clearance sale Thursday that will be a sensational event in business circles, for the reason that prices will have the knife put into them with an unsparing hand. See the advertisement for particulars.

The cement pavements that are to be laid on Main street in the near future will be a great improvement to the business part of town.

Letter to W. F. Rhame.

Sumter, S. C.
Dear Sir: You may like to know what you pay for the paint in a gallon of "paint," assuming the pure part of all "paints" to be all alike; which it isn't; and worth \$1.75 a gallon.

Of a paint adulterated 10 per cent, the pure-paint part brings \$1.94 a gallon.

15 per cent brings \$2.05 a gallon.

25 " " 2.33 "

33 1-3 " " 2.62 "

50 " " 3.30 "

75 " " 7.00 "

The average adulteration of paint in this country is about one-third; so, you see, the average price the American people are paying for paint is about \$2.62 a gallon.

It is a game of wits Adulterators are always too sharp for the bulk of consumers. People won't pay \$1.75 a gallon for paint. So they pay \$2.62 a gallon for paint and something that looks like paint mixed with it.

(They pay the painter, besides, from \$2 to \$4 for painting those useless gallons.)
Why do they do it? They don't know Devoe.
Yours truly,
F. W. Devoe & Co.,
18 New York.
P. S.—Durant Hardware Company sell our paint.

DR. A. W. VICKERS

Proprietor.

Ex-Member of Faculty of Southern College of Osteopathy of Franklin, Kentucky

THE SUMTER OSTEOPATHIC SANATORIUM

TREATS ALL DISEASES,

Uses No Drugs.

Osteopathy has NEVER claimed to be a cure all. BUT A SCIENCE OF HEALING based on a knowledge of anatomy, physiology, symptomatology and pathology, using every means of diagnosis with a view of not only discovering the symptoms, but the CAUSE OF DISEASE, claiming that the body has within itself the power of successfully combating disease and that when the CAUSES PRODUCING DISEASES are removed NATURE HERSELF EFFECTS A CURE, all of which has been demonstrated time and again.

OSTEOPATHY SEEKS TO REMOVE THE CAUSE And does so in MOST INSTANCES.

Mrs. J. B. Foraker, wife of U. S. Senator Foraker, of Ohio, said: "I owe my life to Osteopathy and the founder of the science would have been immortalized had he discovered NOTHING MORE than his method of treating women."
It is the greatest blessing in the world for the treatment of diseases of women. The most delicate women need not fear the treatment.

Mrs. W. M. Springer, wife of Chief Justice Springer, of the Court of Appeals, Indian Territory, said: "I can never say enough in praise of Osteopathy. It relieved me from unbearable invalidism and I have seen it do the same for scores of others. I am convinced that Osteopathy is rational, scientific and wonderful." The most modest need not hesitate to take Osteopathy.

The very best people of the land patronize Osteopathy. If you are sick and have failed to get relief WHY NOT YOU?

Until January 1st, 1907. Consultation and Examination free. Office Hours: 9 a. m. to 1. p. m. 2 to 5 p. m.

THE SUMTER Osteopathic Sanatorium

No. 18 South Sumter St., New Schwartz Building, near Liberty St.

If you want to know about OSTEOPATHY consult an OSTEOPATH, no other

Why Have Regrets? Come here for your share of this dry goods feast.

One of Those Big Events which punctuates the conduct of our business, now and then, is this:

Novelties Are Here! So are the low prices along with them.

There are just 6,500 yards of Embroideries and Insertings, not a single piece that would not cost you double anywhere. The lengths run from 2½ to 6½ yards each.

The Entire Lot will be placed on sale Friday at 10c.

Knit Underwear. Are you ready? 50 doz Ladies' Knit Vests and pants heavily fleeced. Worth to-day 30c. Special Friday only, at 21c.

For Friday this important special 40 doz Ladies' Fine Black Hose, the regular 25c kind. Friday only, at 17c pair. 3 pr. for 50c.

10 Pcs Eiderdown, 54 in. wide, all colors. Sale Friday at 49c.

The Mentor Underwear. For Children of all ages. Vests and Pants. Extra heavy fleeced. Really worth 35c Sale Friday at 25c.

Satine Petticoats. Sale Friday at 69-93c and \$1.39.

That Winner—THE CONQUEROR BLANKETS—That Winner.

The price, though worth \$1.00 more, is named here \$3.98 while they last. Be advised; they are going rapidly.

Ladies' Shirt Waists. 10 doz. only in the lot. 2 colors, black and navy. Material, wool, mohair. Regular \$1.00. Friday, 75c.

2—White Pique Bargains—2. 15 pcs. Finest Waistings, 35 and 40c grades at 25c. 20 pcs. in 6 different patterns, worth 20c, sale at 15c.

36—LADIES' RAIN COATS. JUST IN—36.

Worth \$10.00 and \$12.00. While they last, \$7.98.

Why waste time shopping around? Nowhere can you find such a stock.

SCHWARTZ BROS.