

# The Watchman and Southron.

The SUMTER WATCHMAN, Established April, 1850.

"Be Just and Fear not—Let all the ends Thou Aims't at be thy Country's, Thy God's and Truth's."

THE TRUE SOUTHRON, Established June, 1860.

Published Aug. 2, 1897.

SUMTER, S. C., WEDNESDAY, JULY 13, 1910

New Series—Vol XXXI. No. 40.

The Watchman and Southron

Published Wednesday and Saturday

—BY—

OSTEEN PUBLISHING COMPANY

SUMTER, S. C.

Terms:

\$1.50 per annum—in advance.

Advertisements:

One Square first insertion.....\$1.00

Every subsequent insertion..... .50

Contracts for three months, or longer will be made at reduced rates.

All communications which subscribe private interests will be charged for as advertisements.

Obituaries and tributes of respect will be charged for.

## JUSTICE MISCARRIES.

WORK FOR THE STATE BAR ASSOCIATION.

The Miscarriage of Justice, Which Begets Mob Violence is Due More to the Resort of Attorneys to Technicalities Than Anything Else.

Special to The Daily Item.

Columbia, S. C., July 9.—South Carolina has been free of lynchings now for several years, a condition of things highly pleasing by contrast with the record during the half decade prior to 1903; but inquiry shows that a few more such verdicts as that in the Johnson assault case from Hartsville—especially if these verdicts be as vigorously repudiated by local newspapers as in the case cited from the Pee Dee—will practically undo all that has been built up of late in the way of developing public sentiment against mob law.

One who sees daily as many representative people from all parts of the State as does a newspaper man working at Columbia cannot fail to know that, much more generally than in the too-recent past, public sentiment in South Carolina, condemning alike the rule of the mob and the atrocious crime which most frequently provokes it, has crystallized pretty thoroughly on the proposition that lynch law not only endangers the innocent, brutalizes the people who engage in or witness its manifestations and breeds contempt for the law of the land, but also induces rather than prevents the recurrence of crime.

In South Carolina there is no weak and misguided use of the pardoning power to complain of, but ground of serious doubt does exist whether the technicalities, delays and failures of the criminal law are not responsible for a tendency to usurp in times of excitement the functions of the courts.

It is not a question of too many courts or too few. Georgia has a supreme court, a court of appeals and twenty-six judicial circuits; there is talk of a twenty-seventh circuit. Georgia is disgraced by many flagrant instances of miscarriage of justice through technicalities and in consequence she has many lynchings. South Carolina has only a supreme court and twelve judicial circuits, but she also is disgraced by many flagrant instances of miscarriage of justice through technicalities—and also in direct consequence there is undoubtedly raising its head again the ugly spectre of mob law, which for a time has seemed exorcised once for all.

Herein is the great opportunity of the South Carolina Bar association. No more useful task could that useful and honorable body set for itself than the working out of a comprehensive scheme for the thorough reform of our whole criminal procedure. We have clung to the forms of the old English law without taking into account the radical changes made in British practice at the beginning of the current century, looking toward the simplification of jury trials and the elimination of hair-splitting tactics.

In one of the most vigorous editorial articles that has ever appeared in the South Carolina press, Mr. Thomas Hart Coker, editor of the Hartsville Messenger, reviews all the harrowing circumstances of the Johnson case, beginning with the commission of the crime in December 1908, and traces it through the tedious legal processes since the first trial, the appeal, the second trial nearly two years later, resulting in a sort of Scotch verdict, "guilty with recommendation to the mercy of the court," and the sentence, 40 years in the penitentiary. Mr. Coker recalls too the fact the people of Hartsville, wrought up to extreme excitement and indignation at the blackest of crimes committed on the wife of one of their best citizens, nevertheless tried to do their duty. Their respect for

law and order alone prevented them from mobilizing and moving like an army on the fiend with demand for summary infliction of the death penalty. It was not fear of man that restrained these good people. And now how grievously are they flouted! The verdict is on its face a compromise with public opinion, indicating lack of conviction on the jury's part as to the guilt of the prisoner, but connecting also the lack of courage on the jurymen's part to find a verdict of acquittal and then go home and face their outraged neighbors. (The first trial resulted in a verdict of guilty and a sentence of death.)

Editor Coker frankly says the people of Hartsville will not await the action of the courts should a similar crime be committed there now. This is the more striking, because it is no freer than who speaks. The very name Coker stands for high intelligence, conservatism and a rare degree of Christian citizenship. Mr. Coker also undoubtedly has the solid backing of his fellow-townsmen; and Hartsville probably has more of wealth and education, per capita of white population, than any other town in South Carolina.

Mr. Coker says in concluding his double-column editorial:

"If Johnson does not deserve the death penalty—and he does—he should have been acquitted, and we are emphatic in saying so. May God open the eyes of right-thinking people to the situation! The crime of Johnson calls loudly for justice. If we are told that such a verdict and such a sentence are in conformity with the law, then we reply that law was made for man, and not man for the law, and we ask for a change of the law. This Johnson outrage and the subsequent proceedings find no parallel in the history of South Carolina or of any other State.

## COL. MOSBY REMOVED.

Leader of Confederate Rangers Loses His Government Position.

Washington, July 9.—Col. John S. Mosby, who distinguished himself in the Confederate cause in the War of Secession as a daring guerrilla fighter, and who, in the early part of President Roosevelt's administration, was appointed a special attorney in the department of justice, has lost his government position. The reason has not been made known, but it is understood old age was the chief cause for the dismissal. Col. Mosby is 73 years old, although his friends say he is still energetic and active. He has made no effort to be restored, although this is deemed probably, and that the attorney general may be asked to intervene. The colonel, it is stated, may now devote his time to a book on the War of Secession, in which he took an active and picturesque part.

## TO CROSS ATLANTIC IN THE AIR.

Wellman and Vaniman Will Try to Drive Dirigible Over Vast Expanse of Ocean.

New York, July 9.—Walter Wellman and Melvin Vaniman will attempt this coming fall to cross the Atlantic ocean in the dirigible balloon America, which was built for the Wellman polar expedition and has twice been tested in voyages over Arctic ocean, north of Spitzbergen. The attempt will be made solely for the responsibility of the aeronauts, but the New York Times, the Chicago Record-Herald and the London Daily Telegraph have arranged to buy the news of the expedition, which will be transmitted by wireless from the airship, even as news now is from ocean liners.

The American will be housed at Atlantic City, during its preliminary trial. A shed to protect her has already been contracted for, and hydrogen gas to inflate the gas bags has been shipped from Paris. On her long voyage the American will carry a crew of six men including the wireless operator and 1,000 gallons of gasoline in a steel tank. Equipped for a day's run she could carry 75 passengers in addition to her full crew. In size she ranks second only to the latest Zeppelin airship. Two engines will drive her, one of 70-80 horse power, for ordinary duty and one of 300 horse power for emergency service when high speed is needed. A little ten horse power motor takes the place of a donkey engine aboard ship for small necessary offices.

It must grieve Mr. Bryan to notice that all the talk about Democratic Presidential candidates in 1912 appears to give him the absent treatment.—St. Paul Pioneer Press.

## LYON AND EVANS AT AIKEN.

STATE CAMPAIGN PARTY CLOSURES ANOTHER WEEK'S ROUND.

Attorney General Reads Affidavits as to Expenditures of His Office—Receives Hearty Applause—Featherstone and McLeod Break Even on Applause—Cansler and the "Kid"—James F. Byrnes Receives Ovation in Home Town—Richardson and Moore.

Aiken, July 9.—Aiken voters gave careful attention to the State campaign today, although the meeting was practically without feature, except, possibly, the denial by the Hon. D. S. Henderson to the charge made by B. B. Evans, that the State of South Carolina had been put to expense hiring him to argue the Pink Franklin case. Attorney General Lyon was present today, and answered the charges made by his opponent. Mr. Lyon received hearty applause.

Jas. F. Byrnes, candidate for congress, was at home, and received an ovation.

Mr. Featherstone, in a local option county, gave Aiken credit for standing for her convictions and not straddling the fence. At least, she must be given credit for giving questions a hearing before making her decision. When the speaking began today the court house was packed, a generous sprinkling of ladies being in the audience.

As had been expected the liquor question was given considerable attention by the gubernatorial candidates. Mr. McLeod used the argument of Mr. Featherstone to prove that the local option plank was the safest one for those who were for sobriety to stand upon. He argued that the present condition of the State, where 36 counties are dry, is proof conclusive that local option is the safer platform, whereas under the prohibition standard it would be impossible to bring the State to its present condition of sobriety.

The meeting was called to order by the Hon. D. S. Henderson, and the Rev. J. B. Traywick led in prayer. The candidates for railroad commissioner were the first to speak.

Mr. McDuffie Hampton asked that office of railroad commissioner be given to a man who was a civil engineer, a man who was able to see to it that the railroads were put in such physical condition, that the lives of the patrons would be safeguarded. He has been successful in business, and feels himself qualified to hold the office, and promises to the voters a rigid enforcement of the law.

G. H. Mahon opened by asserting that he was born poor, on the farm, and was the "champion cotton picker of Abbeville county in his youth." He has been successful in business. He proceeded to show the voters how South Carolina was discriminated against, in comparison to other States in the Union, especially as to the rates from Charleston to interior Up-State points. He was given generous applause.

O. C. Scarborough came before the voters as a farmer and a business man, one who has extensive knowledge of rates on the necessities of life. He asked support upon his record as a legislator, in which capacity he has been instrumental in the reducing of railroad rates. He stands for an equal consideration of the claims of both the railroads and the people.

Cansler, of Tirzah, made his bow, with the little "cap." He paid considerable attention to the "kind" from Greenville, who has 3,200 "drummers" beside him, besides the railroads and newspapers. He creating considerable amusement by referring to one of his opponents as being a man who had followed one profession for twenty-nine years and was now out of a job.

Mr. Charles A. Smith was the first candidate for Lieutenant Governor and at the close of his address was generously applauded. He held that the candidate for Lieutenant Governor should possess the qualifications to fill the gubernatorial chair if called upon. In outlining his platform, he said that he stood for the rigid enforcement of law, an economical administration of the government and retrenchments where possible. While there are some appropriations which must necessarily be made, still he held that the State government's expenses must be cut down. Mr. Smith received generous applause on his assertions that he stood unequivocally against the legalized sale of whiskey.

Mr. E. W. Duvall gave his qualifications for a business administration if he is elected, showing that the financial affairs of the State should be placed on a better basis. The tax problem of the State should be im-

proved by an equalization through the means of full value taxation, thereby catching the tax dodgers. He was in favor of a State support of rural high schools, and was against the proposed issue of \$1,000,000 in bonds for the improvement of the roads, he believing that every county should take care of her highways.

As to the liquor question, he believed that local option was the sanest method of dealing with that problem.

B. B. Evans reiterated his old charges of extravagance and incapacity in the present Attorney General's office. He charged that Mr. Lyon had made promises which he had not fulfilled, that the through lack of legal ability he had allowed the grafters in the dispensary tangle, one through ignorance of the law, and another by a compromise, to go free. He presented a vast array of figures to "show up Gen. Lyon," charging that it had become necessary to employ high priced lawyers to do work which he was unable to do, and in this connection charging that the Hon. D. S. Henderson, of this city, had been employed at the State's expense to go to Washington to help fight a "nigger lawyer."

At the close of his speech, Mr. Henderson arose to say that he had been employed by the South Carolina delegation in congress, and that the State had not been placed to any expense thereby. At the close of his statement, there was loud applause for Lyon.

Mr. Lyon made his cool, clean-cut speech, giving, through signed statements of Chairman Murray and Comptroller Jones, facts to show that in no instance had the money of the State been misused, going so far as to show where at one instance he had gone into his pockets to defray, temporarily, State expenses to keep secret the fact of a detective's work upon an important case. Mr. Lyon had statements to show that he had never received moneys other than due him for salary. He showed, that the "Southern Merger Case," which Barney Evans had charged had been allowed to let drag, was docketed for the fall term of Court of Richland county. Attorney General Lyon closed by asking, "What do you reckon would become of Cousin Hub" if Barney Evans was elected. Mr. Lyon received tremendous applause.

## Unpopular in England.

Daniel O'Connell had a favorite story of one Parsons, an Irish barrister, who hated the whole tribe of attorneys, and one day was approached in the lobby of the Four Courts by an attorney who was soliciting shilling subscriptions to pay the burial fee of an attorney who had died in poverty. Parsons offered the gentleman a pound note. "Oh, Mr. Parsons," said the applicant, "I do not want so much. I only ask a shilling from each contributor. I have limited myself to that, and cannot really take more."

"Oh, take it, take it," said Parsons, blandly.

For God's sake, my good sir, take the pound, and while you are about it, bury twenty of them."

## Bride of Theodore, Jr., Lucky in Having the Most Expensive.

(From the Washington Post.)

Mr. and Mrs. Theodore Roosevelt, Jr., will have none but the most expensive household linen for their home when they start housekeeping. It was the gift of Mrs. Alexander, mother of Mrs. Roosevelt, and in the collection are dozens of table cloths, tea and luncheon cloths and dollies to use on polished mahogany. Some hand-embroidered cloths with inserts of French cluny and filet lace cost about \$150 each, and less elaborate ones \$75. The rich damask cloths for breakfast and simple dinners were about \$30 apiece without embroidery.

The bed linen is quite as beautiful as the table linen, and in the collection are piles and piles of snowy sheets of sheerest linen, woven and embroidered in France, to which the bride's monogram was added in this country. Some of the sheets have a scalloped edge with a sort of embroidered heading about two inches below, while others show a vine-edge with a foliated border underneath. The pillow slips match, and are all embroidered with the bride's monogram. The blankets are fleecy and white, and have not a bit of color on them, being heavily embroidered in white silk, with the bride's initials. The down-filled coverlets are covered with white silk and bear the same monogram.

## OFFICIALS MAY BE REMOVED.

OHIO GOVERNOR VISITS SCENE OF FRIDAY'S LYNCHING.

Battered Jail From Which Mob Victim Was Taken Minutely Inspected—Sheriff and Mayor Closely Questioned—Prosecuting Attorney Called to Conference.

Newark, O., July 10.—The unexpected arrival of Governor Harmon this afternoon wrought consternation among the city and county officials who are threatened with impeachment as a result of Friday night's lynching.

Governor Harmon, Adj. Gen. Chas. A. Weybrecht, Secretary C. W. Long and Lieut. Benjamin Chamberlain, of the Governor's staff, arrived at the county jail in an automobile at 3:15. The Governor asked to be taken over the battered jail, and for thirty minutes he and his staff examined the structure minutely, Sheriff William Linke explaining in detail every step of the mob. The Governor personally tested the bars and examined locks, taking frequent notes.

Following the survey he told Sheriff Linke to summon Prosecuting Attorney Phil B. Smythe and Mayor Herbert Atherton. On their arrival the party held a conference, lasting one hour and thirty minutes.

The Governor and party then left for Columbus.

"I will have to take time to consider this matter more thoroughly, and any comment I have to make will be given from my office," the Governor said.

Sheriff Linke and Mayor Atherton reluctantly discussed the meeting.

"The Governor questioned me as to why I did not stop the mob by firing," Linke said, "if necessary."

"I told him I was inexperienced in mob procedure and did not realize the seriousness of the situation until after the door had been battered down. I then looked out and saw 500 men with guns facing me. There were dozens of women and children in the jail court yard. Had I ordered the boys to fire into the mob the slaughter would have been frightful and my family, as well as myself and deputies, would have been murdered. He asked me why I did not spirit the boy away in the afternoon. I told him I did not realize the danger then. He asked many other questions."

Mayor Atherton said that Mr. Harmon had questioned him relative to the recent alleged non-enforcement of the law and his failure to call for troops when he learned the true situation. The mayor said:

"I told him that I was enforcing the law to the best of any man's ability, and that after I addressed the mob, pleading with them to disperse, I went home and went to bed and thought that they would do likewise."

Both officials told the Governor that, despite the fact they had faced the mob at different times during the evening, they failed to recognize a single face among the participants.

Newark people believe that the Governor's hurried visit presages his immediate suspension of the sheriff and possibly the mayor.

## No Cause for Worry.

Representative Cordell Hull of the Fourth Tennessee district likes to do things to impress his constituents with the idea that he is always trying to benefit them. On one occasion he persuaded a good roads enthusiast to travel with him through his district and lecture on good roads, of which there are few in that part of the State.

"You tell these people," said Hull, that you'll show them how to build good roads so that they can get their corn out to market."

At the first meeting place the good roads expert said to the constituents: "My friends, I'm going to show you how to build such roads that you can get your corn out."

"Well, stranger," drawled one of the Tennesseans, "you needn't to worry. Down here we raise a lot of corn, but we make it inter whiskey, then fight it out."—Popular Magazine.

## Wholesale House for Greenville.

Special to The Daily Item.

Greenville, July 11.—A. H. Monteith, of Columbia, will establish here a wholesale tobacco house.

Jeffries at 35 was too old to "come back," yet at twice that age Edward Payson Weston traveled to the Pacific on his own legs and came back the same way quicker than he went.—Boston Transcript.

## FIRE IN CHARLESTON.

FLAMES SPREAD TO FIVE BUSINESS BUILDINGS IN BUSY SQUARE.

After Vigorous Efforts Department Confines Destruction to Small Area—200 Firemen Overcome.

Charleston, July 10.—Fire which broke out at 6:15 o'clock yesterday afternoon completely gutted five large wholesale establishments on Meeting street, threatened the Charleston hotel, just across the street, and caused a loss which is estimated tonight at \$400,000. The buildings gutted are the Paul E. Trouche company, the Bally-Lebby company, T. A. Wilbur & Sons, the Marshall-Westcott Hardware company and two buildings of the A. R. Thomson company. The big new department store of Louis Cohen & Co. was saved only as the result of desperate work on the part of the firemen.

The flames for a time threatened to get beyond the control of the firemen and to destroy the entire block, which is one of the most important in the city. The ticket office of the Southern railway, situated next to the Trouche building, escaped destruction almost by a miracle.

Two firemen and one telephone lineman were overcome by smoke, but recovered consciousness. A heavy rain, which set in about 1:30 o'clock, helped the firemen get the flames under control.

## ALL OVER CAROLINA.

Telegraphic Briefs Giving News of Interest from Various Towns.

Florence, Kan., July 11.—Joseph Archer, of Anderson, S. C., who was enroute from Charleston, S. C., to Newton, Kan., to take a position as dispatcher on the Santa Fe railway, is in a local hospital with a fractured knee and strained back, as the result of an accident near here, in which the engineer and fireman of the train on which he was traveling were killed.

## Clemson May Secede From Oconee.

Clemson, July 11.—September 15 is the date fixed by Gov. Ansel for an election on the question whether a portion of Oconee county containing Clemson college and the State Experiment station shall be annexed to Anderson county.

## Biggest Sheriff King Ill.

Anderson, July 11.—Sheriff William D. King, the biggest officer of the law in the South, tipping the beam at 426 pounds, has returned much improved in health from Johns Hopkins hospital, Baltimore, where two operations were performed on him.

## CATAWBA INDIAN COMMISSION.

Efforts Being Made to Enable State's Wars to Become Self Supporting.

Special to The Daily Item.

Columbia, July 11.—Messrs. C. W. F. Spencer, Frank C. Whitner and W. W. Lewis of York, appointed by Gov. Ansel recently as Catawba Indian commissioners, under authority of a resolution passed at the last session of the legislature, on the motion of Senator Stewart and Representative Glasscock, have commenced their inquiry into the best measures to be taken to carry out the State's hope of seeing the Catawbas become self-supporting and useful citizens.

For some years past the Catawbas have been occupying under easement a 600-acre tract of State land on Broad river in York county and in addition have had divided among them pro rata each year an appropriation of \$3,200 in cash.

The Catawbas themselves requested that the general assembly give them outright these lands or an equivalent tract in lieu of further cash appropriations, and Messrs. Spencer, Whitner and Lewis are to ascertain whether this would be wise, and if so what lands are available and at what price may be acquired for the Indians.

## Good Road to Savannah.

Special to The Daily Item.

Beaufort, July 11.—Beaufort county is ready to do her part toward completion of a highway to Savannah as soon as Savannah can guarantee a road across Hutchison island and a ferry between the city and the island. The Seaboard Air Line is expected to donate the right of way.