

WYLIE TELLS OF REBATE.

FORMER BOARD MEMBER GIVES TESTIMONY AT CHESTER.

Many Features Marked the Day's Proceedings in Dispensary Graft Trial — Frequent Tiffs Continue Between Opposing Counsel—Henry Samuels Testifies, but not Subjected to "Grilling" as at Columbia—Other Witnesses Introduced by State.

Chester, Nov. 8.—Testimony tending to implicate Jodie M. Rawlinson, John Black and H. Lee Solomons in unlawful dealings connected with the affairs of the now defunct State dispensary, constituting over acts, pursuant to a conspiracy among themselves, together with Jas. S. Farnum, John E. Early, Merton A. Goodman and Joe B. Wylie, was adduced today through State's witnesses in the trial of the much talked of dispensary graft cases, before the Sessions Court of Chester County.

For five hours Joe B. Wylie, former member of the board of control, was on the stand, telling the story of his conduct while in office, together with Black and Rawlinson. Henry Samuels, former whiskey drummer, and at one time mayor of the city of Chester; Robert Gage, cashier of the Commercial Bank, of Chester, and H. Wilkin, secretary of the Consumers' Beer Company, of Charleston, of which Jas. S. Farnum is president, were also on the stand, contributing various testimony, which the State purposes weaving into a chain of evidence, proving a combination or conspiracy to cheat and defraud the State to the sum of \$133,000.

Monday's Features.
The features of the day's proceedings were the ruling, by the court, that the books and records of the old dispensary were competent evidence and were admissible, the debate as to whether or not the alleged rebate giving increased the cost of the liquors purchased by the dispensary, thereby cheating the State out of funds properly her own; the contentions as to coercion of witnesses and promises of immunity; the question asked of Joe Wylie, as to whether or not on yesterday he had told John Black "I know you are not going to be convicted;" Wylie's testimony that two of the defendants in the present action, Black and Rawlinson, had told him they had gotten rebates from Lee Solomons; that he, himself had gotten his share of these rebates; the testimony of H. Wilkin, that he could not find certain books and papers of the Consumers' Beer Company, after they had been audited by the State and city auditors; the testimony of Henry Samuels, that he had been a medium through whom certain large checks had been cashed here in Chester, and the cash turned over to Joe B. Wylie; the verifying of these checks by Robert Gage, cashier of the bank through which the dealings were had, and the story of the "red inked hundred dollar bill," the telling of which was practically the same as that in Columbia, in the trial of James S. Farnum.

Attorneys Become Personal.
The childish bickering of the lawyers continue, although somewhat abated this afternoon. Insinuations and denials were the order of the day during the morning session. Both Attorney General Lyon and Attorney Gaston appeared somewhat angered at one time and at another Attorney W. S. Nelson said to Mr. Lyon: "We are responsible for what we say and can settle this outside of Court." Several spectators have expressed supreme disgust at the manner in which the case is proceeding.

The prime move of the defense today, as it appeared, was to discredit Joe B. Wylie, witness for the State. Another effort, through cross-examination of other witnesses was to detach the dealings of Joe B. Wylie from the actions of the other two members of the board, now on trial. The State has endeavored to show that Wylie, as a party to the alleged conspiracy, received certain rebates, his portion of which he kept, and the other two-thirds of which he turned over to the board. Through Wylie, the State is endeavoring to show that Solomons was a party to the rebate giving, in that Wylie received his portion of them, as divided up by the other members.

Every Point Contested.
The State has had an uphill fight all day, the defence contesting every point. The fat was thrown in the fire when the question was asked Wylie: "Did the board receive any rebates on the purchases made at its March meeting in 1906?" At once Mr. Gaston interposed objection, claiming that the question presumed that a conspiracy had already been formed. The Court, however, ruled the question competent and the witness testified that all their rebates on these first purchases had been paid.

Possibly the warmest fight of the day was over the contention as to whether or not the State had really been cheated and defrauded, whether or not rebate giving increased the cost of liquors to the State. The

State contended that no matter if the cost was the same as to parties or concerns other than the dispensary, if rebates were given they should have been turned into the State treasury, not into the pockets of the individuals holding offices of trust for the State.

Cites Federal Graft Case.
Col. Abney cited the case of Capt. Carter, of Savannah, in the employ of the United States Government, in which the Supreme Court ruled that no matter if the Government had gotten value received for services, if the office had been used for personal

gain, it was a breach of trust and constituted a crime. In addition, Attorney General Lyon offered in evidence a page of the 1906 invoice book, showing that while Budweiser beer was quoted at \$10.50 from Guggenheim & Sons, of Savannah, the board purchased it at \$12.02 per barrel from the Anheuser-Busch Company, arguing that the State was in reality cheated out of the extra cost.

Another matter that excited some little interest was the question by Attorney General Lyon to Henry Samuels, as to why it was that the at-

torneys for the defense had let him off so light this time, as compared to the grilling he got in the Columbia trial. Witness declared he did not know. Mr. Lyon asked: "Have you not been talking to some of their attorneys today?"
"No," replied Mr. Samuels, and he could not explain why those same embarrassing questions had not been asked him.

Samuels Not Coerced.
The defence attempted to discredit the testimony of Dr. W. J. Murray yesterday as to coercing witnesses, by asking Samuels if he had been a

willing witness before the winding-up commission. He declared that he had been subpoenaed and was afraid he "would be sent to jail if I did not tell" them what he knew. Dr. Murray had declared that the board had not threatened nor coerced any witnesses.

As to why the State has not summoned Mose H. Mobley, of Columbia, former clerk of the board of control, in whose hands the books and records of the board of 1906 were kept, to testify as to their authenticity, has been a question occupying considerable time and discussion and elic-

ing much interest on the part of the spectators. The defence asked why the State did not produce Mobley instead of making a long, hard fight to get the books in by indirect method.

Upon reconvening this morning, the question as to the admissibility of the books and records was argued at length, the Court finally ruling them competent in so far as they bore matters pertaining to the trial of the cause now in hand. Attorney General Lyon read the proceedings of the board at its first meeting, March 6, 1906.

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