

NAMES SENT TO SENATE.

WESTON FOR DISTRICT ATTORNEY AND SIMS FOR UNITED STATES MARSHAL.

Appointment by President Comes as Surprise as Tillman Had Withdrawn Name of Sims—Will not Fight Nomination.

Washington, Feb. 9.—President Wilson today sent to the senate for confirmation the names of Francis H. Weston of Columbia to succeed Ernest Cochran as district attorney for South Carolina, and James L. Sims of Orangeburg to succeed J. D. Adams as marshal.

Mr. Weston was recommended to the department of justice and the White House for appointment by Senator E. D. Smith, while Senator Tillman named William J. Thurmond of Edgefield for the district attorney's place and Mr. Sims for that of marshal. The name of Mr. Sims was subsequently withdrawn by Senator Tillman.

Today's nominations came unexpectedly, although it must be said that those who have kept track of South Carolina political affairs here for the past few months believed that such a thing might happen at any time.

It is quite probable that in the case of no other South Carolina appointments made in years has there been quite as much interest shown here as in those sent to the senate today. Early in the days of the present administration, when the names which have just been mentioned were sent to the department of justice and to the White House, it was seen that some lively developments were ahead and those who have kept abreast of the situation have not been disappointed.

Senator Tillman being in South Carolina, no statement could be had from him in Washington, and Senator Smith, when seen, had nothing to say. Just when today's appointees will be confirmed or whether there will be delay is as yet unknown here.

TILLMAN WON'T FIGHT.

Senior Senator Will Let Both Names Go Through.

Augusta, Ga., Feb. 9.—When seen here tonight, en route to Washington, Senator Tillman said that he would not oppose the confirmation of either Francis H. Weston for district attorney or James L. Sims for United States marshal, whose nominations were sent to the senate today.

Senator Tillman said he had been informed of the appointments and had decided to let them go through without opposition. Mr. Sims was his original choice for United States marshal.

Senator Tillman is on his way back to Washington from Trenton, where he has spent the week-end after testifying before the asylum investigating committee in Columbia.

RETAINS SEAT FOR PRESENT.

Weston Not Likely to Resign His Place in State Senate Now.

Francis Hopkins Weston of Columbia, nominated yesterday by the president to be United States district attorney for the district of South Carolina, is the Richland county member of the State senate. Last night it was said to be unlikely that he would resign at this time his senatorial seat. He has charge, it was said, of several measures which he hopes to press to enactment, and, assuming confirmation will be promptly made, it is not expected that any special reason for haste in qualifying as district attorney will appear.

Mr. Weston was born October 10, 1866, at "The Oaks," Eastover, in Richland county. He was graduated from the University of South Carolina, A. B. LL. E., in 1888. He entrance into public life came with his election to the lower house of the general assembly in 1892. He has been senator from Richland county since 1906. He is the senior member of the Columbia law firm of Weston & Aycock and has important financial connections, besides being a planter. He was an active Wilson man in the recent campaign for the Democratic presidential nomination. Mr. Weston married Miss Amy Shoobred, daughter of Stanyarne Shoobred, one of Hampton's scouts. He has been a trustee of the fund to educate poor boys at the University of South Carolina since the foundation of the fund.

ORANGEBURG EDITOR.

J. L. Sims Has Been With Many Papers.

James Loyal Sims of Orangeburg, nominated yesterday by the president to be United States marshal for the district of South Carolina, is editor and proprietor of the Orangeburg Times and Democrat. He has several times represented his county in State Democratic conventions and has been a loyal party man, but has never held any public office other

TO DISCUSS CANAL TOLLS.

SENATE WILL HOLD CAUCUS ON PROBLEM.

Wilson's Desire to Set Things Right Again Will be Taken up by Democrats of Upper House as a Body. Stone Calls for Soft Tread and Sharp Strokes.

Washington, Feb. 9.—Repeal of the provision of the Panama canal act exempting American coastwise ships from tolls, favored by President Wilson, is to be made a subject of consideration and action by a Democratic caucus of the senate. That this would be a wise and necessary course in the interest of party harmony and the nation's foreign policy is the conclusion of administration senators who have discussed the subject with the president within the last few days.

How soon the caucus will be called has not been determined, but several senators today frankly asserted that the Democrats would get together to discuss the situation as presented by the president, and go over the whole controversy.

The fact that the Democratic party endorsed the tolls exemption policy at the Baltimore convention, these senators and President Wilson hold, should not be a subject of open controversy at this time, because conditions involved in the tolls question have changed since that time.

President Wilson has made it clear to senate and house leaders that he is not attempting to force congress to reverse itself. He has outlined to them the country's situation with respect to foreign relations, and his belief that a reversal of the policy on the tolls question would be the best thing. He is seeking to convince congress that this is so, but party leaders who have talked with him declare that he is not attempting it in any spirit of antagonism, but in a spirit of cooperation for the general welfare.

One senator said today that there is a general understanding in congress that the shaping of the country's foreign policy should be directed by the president and that congress must give ear to him whenever legislation affects that policy. For this reason, the feeling is that the tolls question should be discussed in a party caucus.

As a forerunner of this step, Senator Stone of Missouri, who is confined to his home by illness, addressed some poignant comment on the controversy in a letter to Senator Kern as chairman of the Democratic senate caucus.

Referring to the discussion of the question with reference to the tolls plank of the platform as a "joker," Senator Stone called such a suggestion "utterly puerile," though admitting that only a small percentage of the members of the convention had more than an "imperfect knowledge of the subject."

"It does not seem to me," the Missouri senator continued, "that there is the least occasion for starting a 'rumpus' about this platform declaration."

"The declaration is in the platform as the deliberate act of the national convention. That proposition might as well be taken as settled, and therefore it is not a 'joker.' The trouble is that the time has come when many good men and good Democrats think that the policy outlined in the platform was a mistake and that the nation can not in honor or good faith adhere to it. Manifestly the honor and good faith of the American people are of greater consequence than a mere dogged adherence to a declaration in a party platform on a question of purely public policy. If those who drafted the platform or those who adopted it should be convinced that the nation can not honorably and in good faith carry out the policy proclaimed in the platform, then those so believing could not well do otherwise than to give a frank declaration of their purpose to follow a contrary course."

CHARGED WITH KILLING WIFE.

Chattanooga, Tenn., Feb. 10.—Hubert Genter, a brick manufacturer charged with murdering his wife, who was shot through a window at Spring City, was arrested at Emory Gap this morning. The couple have been separated for some time.

than that of commissioner of elections.

Mr. Sims was born August 8, 1856, at Mount Ararat plantation on the Cooper river, near Charleston. He was educated in the graded schools of Charleston. He was connected with the Charleston Courier at the time of its consolidation with the Charleston News. He was at one time part owner of the Spartanburg Herald. He founded the Orangeburg Democrat in 1888 and later, acquiring the Orangeburg Times, consolidated the two papers into The Times and Democrat. Mr. Sims married, first, Miss Rosa Mounson of Kingstree; second, Miss Georgia Sheridan of Orangeburg.

THE ASYLUM PROBE.

EXHAUSTIVE TESTIMONY BY ASYLUM REGENTS' CHAIRMAN.

Quizzed by Dr. Saunders Dr. Carouthers Mainly Corroborates Previous Evidence at Asylum Probe.

Columbia, Feb. 10.—Chairman T. R. Carouthers, of the board of regents of the State Hospital for the Insane, occupied the entire time on the stand before the asylum probers this afternoon and corroborated largely the testimony hitherto brought out, to the effect that friction existed at the asylum between the medical staff before he went on the board, as he found when he got there, and that the regents had done their best to put down the friction and bring about harmony.

He paid a tribute to the efficiency and earnestness of Dr. Saunders, the lady physician, but insisted that he thought from the complaints of the other members of the staff that she had superseded her duties and interfered with the duties of others. He said there was not one word of complaint against her moral character.

Dr. Saunders cross-examined Dr. Carouthers closely about complaints against her by other members of the medical staff and especially about the action of the regents in passing condemnatory resolutions against her in executive session, when her father was not allowed to be present at the meeting. Under her questioning Dr. Carouthers admitted that he thought Dr. Saunders a very competent and efficient woman and physician and that she did her work so efficiently at the asylum that he praised it. Regarding any instances against her of interference, the witness admitted that all he knew came from the statements of the other members of the medical staff, made before the board before the resolutions were adopted. He insisted, when asked if he thought she had been treated right when her father was excluded from the hearing and his petition for a rehearing refused, that he thought it best for Dr. Saunders and for the institution for the matter to be closed. Dr. Saunders grilled the witness as to whether he thought it right for her to close the matter after certain complaints had been made and the investigation asked for by her father refused.

Dr. Carouthers in his testimony insisted that his efforts and those of J. D. Bivens and W. L. Settlemyer, the other two regents, in their meeting with subordinates at the St. John Hotel last September, when they did not notify Dr. Babcock, or Dr. Julius H. Taylor, another member of the board of regents, were with the idea and the purpose of finding out what was wrong and trying to bring out harmony. He said they did not mean to ignore Dr. Taylor, but they felt that because of his friendship with Dr. Saunders to have had him present would have acted as a damper in getting full statements from the subordinates who were making complaints about Dr. Saunders' interference.

This was brought out when Dr. Taylor asked the witness if the meeting was for the purpose of harmony why he hadn't been notified. He said the charges against Dr. Saunders were acts of professional discourtesy, lodged by other subordinates of the medical staff, namely, Dr. Thompson, Dr. Blackburn and Dr. Griffin. He said Dr. Thompson stated in a letter and before the board that Dr. Saunders interfered so much with his duties that he was left with nothing but the name of first assistant physician.

It was brought out from the witness, through questions from Representative Stevenson, that the places were filled by the asylum regents last July at the salaries named in the advertisements, except that of chaplain, when they had advertised for one at a salary of twenty-five dollars per month and they elected one at a salary of seventy-five dollars per month.

Dr. Carouthers was grilled both by members of the committee and by Dr. Saunders about the executive meeting of the regents, when after complaints from certain members of the medical staff resolutions condemning Dr. Saunders were passed, over the protest of Dr. Taylor, as was stated yesterday afternoon. Dr. Carouthers said he had not prevented O. L. Saunders, the father of Dr. Saunders from attending the meeting and Mr. Saunders asked him if he had not appealed to him personally to be permitted to be present when the charges were being made against his daughter and he had been excluded by the board. Dr. Carouthers insisted he had no personal objection to Mr. Saunders being present, but before he could put the request of Mr. Saunders, there being so much confusion in the room at the time, he had disappeared, he said.

Dr. Saunders questioned Dr. Carouthers at some length regarding a reply said to have been made by Dr. Griffin to a question asked of him by Governor Bleese, during the executive meeting of the board when the

condemnatory resolutions were passed. According to the testimony Dr. Griffin had replied to a question that Dr. Saunders was "supposed to be a single woman," and Dr. Carouthers said upon Dr. Saunders saying she took exception to the reply, Dr. Griffin had promptly apologized and disclaimed any intention of reflecting on her. The chairman of the board said he did not think the remark offensive or he would not have stood for it. Dr. Saunders, with flashing eyes, dubbed the remark attributed to Dr. Griffin, "a most unfortunate slip," as Dr. Carouthers said he considered it only a slip.

Dr. Carouthers said the relations between him and Dr. Babcock had been friendly and there had been perfect harmony between Dr. Babcock and the regents until recently, when there was not apparent just that feeling there ought to be. He said it was necessary for the institution to have harmony and cooperation between all the officials and subordinates. He gave it as his opinion that there would have been peace if Dr. Saunders had resigned.

That Dr. Babcock and the regents have co-ordinate authority and that a dual head of the asylum exists is the opinion of Dr. Carouthers. Dr. Taylor had asked Dr. Carouthers if Dr. Settlemyer, a member of the board of regents, had not denied knowledge of any meeting at the St. John Hotel with the subordinates when Dr. Taylor was absent, and Chairman Carouthers said Dr. Settlemyer would have to answer that himself. The latter wanted to make a statement, but waited when the committee told him he would be given an opportunity to testify.

Under questions from Dr. Babcock it was brought out from Dr. Carouthers that he had said the asylum friction ought not to be agitated just on the eve of the legislature's meeting, and that he had been afraid last September the trouble was coming and that he would like to have resigned except he would not do so under fire. Dr. Carouthers said he did not think the investigation would do any good, as it only made the friction worse to have it agitated. He said he was not opposed to the general assembly knowing everything, only he could not see where it would be any good for the institution for the friction between the medical staff to be further agitated. He stood right behind the board of regents and in passage with Dr. Babcock said he thought the whole trouble would have been averted if Dr. Saunders had resigned; said he did not propose to fold his hands and let the young lady be driven out of institution when she had been doing her duty and was such a faithful and efficient official.

The committee recessed at a late hour until Thursday afternoon at

3.30 o'clock. The sessions this afternoon were held in the hall of the house and a large crowd listened to Dr. Carouthers' testimony.

AULL MAKES STATEMENT.

Columbia, Feb. 10.—Dr. J. W. Babcock kept insisting before the asylum investigators yesterday that what he says was a vital part of a confidential conversation he had with Col. E. H. Aull, had not been told by the latter and Col. Aull stated he did not recollect anything more than he told. However, after the committee adjourned he saw Dr. Babcock and the latter told him what he meant and Col. Aull requested Chairman Mauldin to permit him to go back on the stand this afternoon.

However, the committee did not get to hear him, and tonight Col. Aull gave out a statement concerning the matter and he will ask the committee to put it in the record. His dictated statement follows:

"I have had a talk with Dr. Babcock since the adjournment of the committee yesterday afternoon and he has informed me of what was the 'vital' thing that I said to him in connection with the two letters of Gov. Bleese at the time I was endeavoring to withhold the demand of Gov. Bleese for a special meeting of the regents.

"Inasmuch as he seemed to think that what I said was of such vital importance to this investigation, I want to state what he says I said. I do not recall having made the remark, but if I did I do not see that it is 'vital' to this investigation, nor do I see where it is germane to the inquiry which the committee is now making, however, I have no desire to withhold anything that may help to clarify the situation. He says that I said that the State newspaper would give a good sum for possession of the two letters, and if they were published they would defeat Governor Bleese for the senate and elect Smith. I do not deny his recollection, but I do not recall the remark. If I said it, it would only be an opinion and could have no connection that I can see with the management of the institution.

"I do recall now that I remarked when I read the letters whether one of them at least reflected upon Dr. Saunders, or it did not, it was unfortunately worded, and I made this remark to Governor Bleese.

"He said he had no intention of reflecting upon Dr. Saunders. I have had a great many conversations with Dr. Babcock during the three years that I have been coming to Columbia. I have been here at least once a week during that time and have been with him each time and we have talked about State Park and the Asylum, and it would be impossible for me to recall all of those conversations. I

SIMS DISBARMENT CASE.

MANY WITNESSES AGAINST SPARTANBURG LAWYER.

Accused Denies Charges and Says Disbarment Action Prompted by Malice of His Enemies.

Columbia, Feb. 10.—At two sessions of the Supreme Court today testimony for the petitioners and for the respondent was submitted in the case for disbarment of C. P. Sims, an attorney of Spartanburg. During the first session, which lasted from 10 to 2 o'clock, evidence was introduced to substantiate the many charges preferred against Mr. Sims, alleging unethical conduct, and at a later afternoon session, Mr. Sims was placed on the stand in his own defence.

Mr. Sims, both in his returns to the action and on the stand, denied emphatically that he had ever acted in an unprofessional manner. Character witnesses will likely be summoned at tomorrow's session to refute the statements of a number of witnesses that they would not believe Mr. Sims on oath, and that his reputation as an individual and as a lawyer was bad.

While on the stand today Mr. Sims spoke with great emotion in denying the charges against him and charged that they had been inspired by malice, as had been the statements, he said, by witnesses who testified that he was not of good moral character.

All of the allegations are denied in the return of Mr. Sims, which was read to the court by S. J. Nicholls, who, with C. C. Wyche and W. M. Jones, is serving as attorneys for Mr. Sims. Part of the return of Mr. Sims the court refused to have read, saying that it contained improper expressions, and the offending paragraphs Mr. Nicholls omitted. Solicitor J. K. Henry represented the petitioners.


New World's Altitude Record.

Johannisthal, Germany, Feb. 11.—The world's record for altitude carrying four passengers was made today by Robert Theian, who attained the height of 935 feet.

have been his friend and have tried to do what I could do to serve his interests and would not now do him an injustice if I knew it.

"I have asked the committee to permit me to make this statement because it seemed to me that Dr. Babcock in the 'grilling' which he gave me as one of the newspapers stated was endeavoring to make it appear that I have a convenient memory. I have nothing to conceal. What I did I thought was in the interest of harmony and for the good of all concerned."

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