

THE TESTIMONY.

(Continued From Page One.) Q. How long has he been there? A. He has been there several years I think. Q. L. W. Cox lived there? A. Yes sir. Q. How long has he been there? A. He has been there some time. I don't know how long. Q. J. M. Chartrand lived there? A. Yes sir. Q. How about Joe Murray? A. Yes sir I know him too. Q. What are his initials? A. I don't know, he works at the bank. Q. Do you know a man by the name of J. McMurray? A. Yes sir. Q. He is not the same man as Joe Murray? A. No sir. Q. How about J. S. Murray? A. I don't know him. Q. Do you know O. C. Robertson? A. Yes sir. Q. He came from over in Caw Caw, did he not? A. Yes sir. Q. How long has he been in St. Matthews? A. He has been there several months, it was sometime in the spring or summer that he came there. Q. Do you know J. H. Thacker? A. Yes sir. Q. How long has he been there? A. He is the Methodist minister, he came there in January, he is just commencing his second year, you know there is a special provision made for ministers. Q. You say that he has been there two years? A. No sir not quite a year. Q. How about F. M. Hauser? A. He came there the first of January. Q. You say that there is a special provision made for ministers? A. Yes. Six months residence, I believe. Q. You were there at the polls when Mr. Thacker and Mr. Hauser showed their tax receipts? A. Mr. Thacker did but Mr. Hauser did not, we did not understand that they had to show tax receipts. Q. You don't know that either of them did? A. Yes sir, I think Mr. Thacker did. Q. Did any one vote at that poll without tax receipts except the two ministers? A. Yes sir. Q. Who were they? A. I could not tell you sir there were several. Q. Will you look at this list and tell if any of these gentlemen presented tax receipts or not? A. Some of them did I know, I did not look at the tax receipts though, I was doing the writing. Q. There were some that voted there without tax receipts? A. If they did they produced testimony that we considered sufficient, either they were too old to pay or had just become of age. Q. Were there any that did not fall within these two classes that did not produce their tax receipts? A. I am not prepared to say that sir. Q. Look at this poll list and check off the name that are white men. (Objection.) Q. How many colored people voted at St. Matthews? A. There were about ten I think. Q. There were ten negroes that voted at St. Matthews? A. Yes sir, if all of them voted there were about nine or ten, nine I think, there were nine that I know of. Q. Mr. Loryea examined the tickets and you kept the poll list? A. Yes sir I examined the tickets when he was out, a few of them. Q. Of the tickets that you examined were all of them regular? A. Yes sir all that I examined. Q. You know of no instance where the voting was not according to law. A. No sir. Q. Do you know these colored people that voted? A. Yes sir, most of them. Q. Are they property holders in St. Matthews? A. Yes sir, I think most of them are. Q. You conducted this election according to the instructions you had? A. Yes sir. We knew what was coming afterwards, or we thought we did. Q. Are nine all the colored voters registered in St. Matthews? A. No sir, there are sixty registered but all of them did not come out. Q. A person that wanted to vote against the formation of the new county would have to write "No" on his ballot? A. Yes sir. Q. There were no printed "Noes"? A. No sir. Cross examination by Mr. Welch. Q. Come here and show us how the tickets were at your box? A. We had the box about in the middle of the table and the "yes" tickets were on one side and the opposition tickets were on the other side. Q. Was the No ticket in full view? A. Yes sir. Q. Did the managers do anything to influence a mans vote? A. Sometimes they would say that they wanted to vote for the new County and we would show them where the ticket was. Q. If he wanted to vote "No" he would have to write it on the blank ticket? A. Yes sir. Q. Do you know who furnished the tickets at the ballot box, who furnished those yes tickets? A. I heard that the Calhoun County Association furnished them. Q. Do you know that of your own knowledge? A. No sir. Registration Books. J. A. Edwards being duly sworn, testifies as follows: Q. What position do you hold in this county? A. I am Supervisor of Registration, Chairman of the Board. Q. What is this? A. That is the record of Amelia Township, this is book number two, there is another book, number one. Q. What name is registered under number five hundred and twenty-nine. A. J. K. Fairry. Objection by Mr. Welch. Mr. Wolfe. We will offer both of the books for Amelia Township in evidence. Q. At what point in this book, at what number does your registration for 1907 commence? Objection by Mr. Welch that is not the original record. Q. Are those books in your hand the original records. A. Those are

the Stub records. Offered in evidence for what they are worth. Mr. Dantzier Explains Tickets. Olin M. Dantzier being duly sworn testifies as follows: Q. What official position do you hold in this county? A. I am County Supervisor. Q. Tell us about furnishing the tickets for this election on the question of the New County? A. I consulted the attorney general through Dr. Dreher who was the chairman of the Committee, he wrote the letter and showed the reply to me and I acted on his advice. Q. Did you furnish the tickets? A. Yes sir, I furnished all the blank tickets and I had nothing to do with any other tickets than the blank tickets. I have just filed a claim against the County for those same tickets. Q. You brought the tickets to Orangeburg? A. Yes sir, I brought the tickets that I had printed and as a private citizen I brought the other tickets with the answers printed. Q. What did you do with them? A. I delivered them to Mr. John S. Bowman. Q. Did you have them all wrapped up together? A. No sir, I had the blank tickets in one package and the "yes" tickets in another. Q. Did you explain to Mr. Bowman that there were some that you furnished and some that the other parties sent by you? A. No sir, I thought that Mr. Bowman would have sense enough to understand and he did not ask me for any explanation. Q. Do you remember any one asking you about those tickets? A. About some yes tickets being printed and no "noes"? Q. Do you remember any one calling your attention to it, do you remember Mr. I. W. Bowman asking you? A. I don't remember sir. Q. You don't remember telling him anything at all? A. No sir I do not. Q. One bunch of tickets was printed with the answers blank? A. Yes sir those were the tickets that I as Supervisor furnished. Q. The other lot of tickets were printed in full with the questions answered? A. Yes sir. Q. How do you mean when you say that some you furnished as Supervisor and some you did not? A. I told you that I thought that Mr. Bowman had sense enough to know the difference, the packages were not wrapped up, they were tied with strings. Q. There was more than one package, there was quite a number of those tickets, how many were there? A. They were just about half and half. Q. About how many were there of each kind? A. There were three thousand of each. Q. They were printed in St. Matthews? A. No sir, they were printed in Columbia, I have a claim now from the State Company for printing them. Q. The State Company printed all of the tickets? A. Yes sir, I presume they were all printed in Columbia. Q. Did you give the order for the printing of the "yes" tickets? A. I told you that I had nothing to do with the printing of the "yes" tickets. Q. You don't know where the "yes" tickets were printed? A. No sir. Q. Why is it that you presume that they were printed in Columbia? A. Because I was handed both bunches of tickets at the same time and I know the blank tickets were printed there. Q. Who handed them to you? A. Mr. Scottow Wannamaker. Q. He handed you the "yes" tickets and the blanks? A. Yes sir, I got Mr. Welch to order the blank tickets printed and I was handed all of them at the same time. Q. They were all handed to you by Mr. Wannamaker? A. Yes sir. Q. You had the order for the blank tickets given to the State Company through Mr. Welch? A. Yes sir. Q. And that order only included the blank tickets? A. Yes sir that was all. Q. Do you recall a conversation that you had with Mr. McMichael about there being part of the tickets with the printed "yes" and no printed "no" that was in the presence of Mr. Marion Inabinet, do you remember that? A. I have talked so much about the matter that I can't remember what I have said, I don't remember the conversation. Q. You don't remember telling him that you had the tickets printed by the advice of Counsel? A. I told him that I had the blanks printed by advice of the Attorney General may be. Q. You told Mr. McMichael that? A. If he asked me about the tickets I certainly told him that. Cross examination by Mr. Welch. Q. Did you read Gov. Ansel's proclamation? A. Yes sir. Q. Do you recollect whether he told you to furnish the tickets for this election? A. Yes sir. Q. Did you know how to furnish them? A. Yes sir. Q. Who did you go to for advice? A. I went to the Governor. Q. Who made out the form of the tickets? A. The Attorney General. Q. Is this blank form the form that you were advised by the Attorney General to print, A. Yes sir. Q. Was the Attorney General's letter given to you in person? A. Yes sir it was delivered to me sir, I saw the letter. Q. You printed that ticket according to the directions in the letter from the Attorney General? A. Yes sir I did. Q. Did you write to the Attorney General? A. I stated that Dr. Dreher wrote to him and his reply was given to me, I saw the reply to Dr. Dreher's letter. Q. You have not that reply with you? A. No sir I have not. Q. But you saw the letter? A. Yes sir. Q. Did you see the form of the ticket that was attached to the letter? A. That is the form of ticket there. Blank ticket. Q. After seeing that form you had the tickets printed? A. Yes sir I did. Q. The form is the form that the

Attorney General gave to you? A. Yes. Q. Where do you live? A. In the town of St. Matthews. Q. Is that territory from which it is proposed to form Calhoun County? A. Yes sir. Q. What office do you hold in this county? A. I am Supervisor. Q. You furnished the blank tickets as Supervisor? A. Yes sir. Q. And you also brought some yes tickets to Orangeburg? A. Yes sir. Q. Do you regret it? A. No sir not in the least. Q. You are a supporter of Calhoun County? A. Yes sir. Q. Heart and soul? A. Yes sir. Redirect examination by Mr. Wolfe: Q. Why was it that you delivered tickets different from the Attorney General's form after you had taken his advice? A. As a private citizen I brought those tickets here, I was requested to do so. Recross examination by Mr. Welch: Q. You were instructed to print certain tickets and you got them and delivered them along with other tickets for which you had no instructions? A. Yes sir I may have told Mr. Bowman that there were some tickets with the answers filled out. Q. You did not explain that as Supervisor you furnished certain tickets and as a private individual you furnished some? A. No sir. Q. Whose advice did you follow? A. The Governors and the Attorney General. Q. If a voter in the territory of the proposed new county wanted to vote against the new county he would have to write it on the ticket? A. Yes. Q. And if he had wanted to vote "yes" he could have used the other tickets? A. Yes sir. Q. If he had wanted to vote against the County he would have had to write "No" with a pen or a pencil? A. Yes sir. Q. He could have taken a blank ticket and have written whatever he wanted on it privately so as not to disturb the privacy of the ballot? A. Yes. Q. On the day that you gave those tickets to Mr. Bowman you told him not to put any in the St. Matthews box that they had some there? And did you not tell him not to have any tickets sent there? A. I told him that there were no yes tickets to be put in the St. Matthews box, that they would be there, that the promoters of the new County would have tickets there? Q. What did you tell Mr. Bowman? A. I told him, here are the tickets for the new County election and put the tickets on the table and he came over and examined them. Q. What did you say about the tickets being at St. Matthews? A. I told him that the new County people had "yes" tickets at St. Matthews and therefore there were no "yes" tickets to be put in the St. Matthews box. Q. Were the tickets divided into packages for each precinct? A. Yes sir. Voted at Wrong Places. Mr. U. G. Bryant testified as follows: Q. Where do you live Mr. Bryant? A. In the city of Orangeburg. Q. Have you any property in the county? A. Yes sir, some two miles from here and some at Fort Motte. Q. Town or farm lots? A. Farms sir. Q. What township is the Fort Motte property in? A. In Pine Grove, all except a little slip. Q. Do you know Mr. A. G. Arant? A. Yes sir, he is on my place. Q. Do you know Mr. D. A. Ayers? A. Yes sir, he is on my place. Q. Whose place do they live on? A. Mr. Arant is on my place, that is he rents from me, I don't know whether he lives on my place or on Tabor's They are both in Pine Grove, though. Q. What township does Mr. Arant and Mr. Ayers live in? A. Pine Grove. Q. How long have they lived there? A. How long has Mr. Ayers been there for twelve or fifteen years. Q. How long has Mr. Ayers been there? A. He has been there for two years I think, I would not swear to that though, may be it is only one. Q. You are sure that he has been there this year? A. Yes sir, but I do not know whether he lives in Tabor's house or mine. Q. They both live in Pine Grove township? A. Yes sir. Q. Mr. Arant was one of the managers at Fort Motte at the recent election? A. Yes sir. Mr. Welch here interrupted the examination and moved to strike out the testimony of Mr. Bryant as the contestants had not notified the other side that that was one of their grounds of protest, that the managers were living in a different township from the poll that they managed. "You misunderstand, us, Mr. Welch," replied Mr. Wolfe. "We are not attacking him as a manager. We take the position that he could not vote at that precinct. We do not offer the testimony on the ground that he was a manager." City Court Record. The certificates of the City Clerk and Treasurer was offered in evidence as to the conviction in the city court of one Lewis Chartrand. Mr. Welch objected, and Chairman Bowman ruled that the record was best evidence. Mr. L. H. Wannamaker was then sworn and testified as follows: Q. What position do you hold here in Orangeburg, Mr. Wannamaker? A. I am city clerk and treasurer of the city of Orangeburg. Q. Have you with you a record of the city courts? A. Yes sir, for certain dates I have. Q. State whether you have a record as to one Lewis Chartrand? A. Yes sir. Q. What is the date of that record? A. August 11, 1903. Q. State in substance what the record is? If there was a trial what the result was? A. The record speaks for itself. Record offered in

evidence. Page 218 Mayor's Docket— Mr. Welch objected to the introduction of the record on the following grounds: 1. The crime alleged is not a disqualifying crime. 2. The record is not attested by the clerk of the Court. 3. There is no seal on the record. Mr. Welch entered the above objection and said he would argue them later. Mr. Wannamaker further testified that record was in his handwriting, and Chairman Bowman overruled the objections of Mr. Welch and allowed the record to go in. Fixing Their Residence. W. B. Thezevant, being duly sworn testified as follows: Q. Do you know J. K. Hane, Jr. A. Yes sir, I do. Q. What township does he live in? A. He lives in Pine Grove. Q. Has he been living there all of this year? A. I am not sure about his being there all the year, he moved from Amelia in June, he moved to Pine Grove in June. Q. Do you know Mr. Thomas Fred Wise? A. I know Fred Wise. Q. What township does he live in? A. Pine Grove sir. Q. He has been there in Pine Grove this year? A. Yes sir for several years. Q. How about C. H. Geddings? A. He lives in Pine Grove. Q. He has been there about how long? A. I can't tell you that, I don't know where he was living last year. Q. He is in Pine Grove this year? A. Yes sir I think so, I am not positive. Q. Do you know Mr. F. M. Smoak? A. No sir not that I know of. Q. J. K. Hane was one of the managers at this special county election? A. He was manager at Fort Motte. Q. Fort Motte is in Amelia Township? A. Yes sir that is one of the voting places. Voted Without Tax Receipt. I. H. Zimmerman being duly sworn testified as follows: Q. Where do you live Mr. Zimmerman? A. At Cameron, sir. Q. Were you one of the managers at the election out there? A. Yes sir. Q. How did you conduct that election with regard to the payment of taxes? A. All voters had to have their tax receipts for last year and their registration certificates. Q. How did Mr. Willie Felkel vote? He came there without his tax receipt and I would not allow him to vote and then Mr. Sam. Owen or Dr. Fairry phoned to Mr. Fair, the County Treasurer, and he said that he had paid his taxes and we then allowed him to vote. Q. State whether Felkel produced any tax receipt? A. No sir, nothing except that writing. Q. Where was that written? A. From the phone. Q. Who wrote it down? A. Mr. Harvey Taylor, I think sir. Q. What did he write? A. That Felkel had paid his taxes for last year. Q. Was there any other instance of that kind? A. Yes sir Mr. B. D. Edwards, he got his over the phone too, he is from Creston. Q. What township is Creston in? A. That is in Lyons. Q. Edwards and Felkel voted the same way by telephone messages from Mr. Fair? A. Yes sir those were the only two instances. Q. Tell us about Mr. James Arant? A. He voted with his registration certificate and tax receipt. Q. What tax receipt? A. I thought it was for last year. Q. Don't you remember that Mr. Arant said that he had his this years tax receipt and he did not suppose that he would be allowed to vote? A. I don't remember that sir. I looked at the registration certificate and the tax receipt and I thought it was the 1906 tax receipt. Q. Would you swear that it was the 1906 receipt? A. No sir I would not. Q. If he said that it was a 1907 receipt you would not contradict him? A. No sir, I would not. Q. State whether all of the receipts were 1906 receipts? A. They were all of them 1906 except his, I would not swear to his. Q. That was Mr. James Arant? A. Yes sir. Cross examination by Mr. Welch. Q. You know the County Treasurer Mr. Fair? A. Yes sir. Q. Is he a gentleman whose word you would take? A. Yes sir. Q. Who talked with him over the phone? A. Either Mr. S. E. Owen or Dr. J. K. Fairry. Q. Are they gentlemen whose words you would accept? A. Yes sir. Q. The managers at your box accepted that as proof of the payment of taxes and allowed these gentlemen to vote? A. Yes sir they did. Q. Mr. Arant is a young man? A. No sir he is an old man. Q. He has been to no war has he? A. Yes sir. Q. He is a confederate veteran? A. Yes sir. Q. You know Mr. Zimmerman that those taxes that you and I have to pay those old gentlemen are forgiven? A. Yes sir. Q. On what ground did you allow Mr. Arant to vote? A. I don't know whether he had a 1906 tax receipt or not but I allowed him to vote because I knew that he had paid his taxes. Objection. Opinion. Q. Does Mr. Arant have to pay poll tax? A. No sir. Redirect Examination by Mr. Wolfe. Q. When Mr. Felkel and Mr. Arant voted what managers passed on those matters? A. When Mr. Felkel came up to vote I objected to him and the other managers did too. Q. Who allowed him to vote? A. The other managers passed on the matter with me and decided that he could get his receipt we would allow him to vote. Q. All three of your managers

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