

# The Herald and News

E. H. AULL, EDITOR.

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TUESDAY, OCTOBER 18.

### As to Judges.

The term of Chief Justice Y. J. Pope is to expire in a few months, and his successor is to be elected by the legislature at its coming session. Of course the chief justice will stand for re-election—no doubt about that, although he has not so publicly announced. He is one of the "reformers" who went into office in 1890 on the platform of rotation in office but who do not want a personal application made of the principle. Suppose we rotate the gentleman out this time—he has been sucking the public teat steadily for fourteen years and ought to be satisfied—and elect C. A. Woods as chief justice. He is now associate justice and writes most of the opinions of the court anyway. So if he is to do the work he ought to have the honors—Bamberg Times.

It is not probable that Associate Justice Woods will oppose Mr. Pope. In fact we have reliable information that he will not. He declined to do so when Mr. Pope was elected for the unexpired term of Mr. McIver.

It is scarcely fair to the other members of the bench to say that Mr. Woods writes the greater part of the opinions and we do not believe Mr. Wood himself would bear out this assertion. The work is divided up and each member of the court writes his proportion of the opinions.

The Herald and News believes that, if there is to be a change in the judiciary, there should be some other reason assigned than the mere fact that some other fellow wants the job and that a man has been there ten or twelve years. Chief Justice Pope discharges the duties of the office with satisfaction and we can see no reason for a change and do not believe that the members of the legislature will make any change.

### The Hoyt Hayes Case.

Governor Heyward has commuted the sentence of Hoyt Hayes to life imprisonment in the state penitentiary. There was a petition signed by about one thousand citizens of Oconee asking the commutation and a counter petition signed by about five hundred citizens asking that the sentence of the court remain undisturbed.

We are not disposed to criticize a governor for the exercise of the pardoning power for we realize it is difficult to put yourself in his place. One thing in this case seems clear to us. Hoyt Hayes is either guilty or not guilty. If guilty it is a most atrocious crime which he committed and if the death penalty should be ever imposed this case deserves it. If not guilty he should be given an unconditional pardon and it is a crime to send him to the penitentiary and put the stripes on him. The jury of his countrymen who heard the testimony say he is guilty and the court imposed the death penalty. The governor says he is not guilty, but sends him to the penitentiary for life. Since the governor finds him not guilty he is doing wrong to have him kept in the penitentiary.

The governor bases his conclusion on the testimony of an expert on hand-writing, who says that the note was written by Mrs. Hayes and that she took her own life. That question was argued before the jury and they did not believe the note was written by Mrs. Hayes.

We do not know, of course, which is correct the governor or the jury, but when cases of this kind are stubbornly and ably contested before a jury and the courts and the verdict reached in these tribunals is set aside, it is useless for the state to be making efforts to stop mob violence and to talk about disorder and lawlessness in the state.

The lawyers in this case were able men and learned in the law. If the case hinged on the note in question these lawyers should have secured the expert on hand-writing and had him testify before the jury. This same expert testified some years ago

in a case in the courts in this county and this will be recalled by many of our people.

It was the case of Beard vs. Brown in which Mr. Brown denied the genuineness of his signature to some notes. It involved some \$10,000. Mr. Corvalho, that is the expert's name, found that the signature was not genuine and the jury found in accordance therewith a verdict for Mr. Brown.

### Rural Delivery.

The rural free delivery of mails is bringing about a marked change in the south. It has put her people to reading. At the fireside every evening they may inform themselves of the events of all the world only yesterday. Calm and serene they may cogitate upon political issues and form their conclusions without extraneous pressure. If they see advertised a campaign speaking they go to it or stay at home according to the amount of "show" it offers. They do not regard it as an engine of education, but rather of entertainment or excitement.

Certain papers have been complaining of the political apathy of our people in this campaign. How much of it is due to the acquirement of the reading habit? "The old order changeth, yielding place to new."—Charlotte Observer.

This is very true and it is also true that when a campaign orator goes out the stump before the people he finds them as well informed on the issues of the day as he is and he can't fool them even a part of the time. It is true that they sometimes reach conclusions which are not justified but we all do that.

There is only one thing to prevent the extension of rural delivery of the mails to the point where every family in the rural districts will have the mail delivered every day at the door, and that is the condition of our public highways. And strange to say the opposition to any movement looking to the improvement of our public roads comes from the people who will be most benefited by such improvement. The only way to improve our roads is by getting money to put on them and the only way the state has to secure money is by taxation. Taxation for this purpose cannot be compared to taxation for the support of the government for it is an investment that will pay larger dividends to those who pay the least part than any investment they could make. And yet our people, strange to say, will be fooled by the statement that the only way to get good roads is the same old path our fathers trod. They will learn by and by that the country will receive the greatest benefit from money spent for road improvement.

The rural delivery of mail is the greatest blessing that has come to our people in a long time and, as we have said, the only obstacle to its further extension is the condition of our public roads.

We are sending from this office an average of 335,000 papers a year. That is small compared to many of our large dailies but a pretty good lot of reading matter to go from a small country office to a limited constituency. This includes only The Herald and News and The Telegram.

We want to do everything we can to make country life attractive and pleasant. Good roads, good schools, churches, are necessary, and all depend on the roads.

Attorney General Gunter has decided that there must be four separate boxes for the constitutional amendments to be voted on at the general election. This, he says, is necessary in order to avoid confusion. The voters should read the notices of election and inform themselves on the proposed amendments so that they may be able to vote their honest convictions. Amending the organic law is a very serious matter and should not be done hastily. In order to submit an amendment to the people it requires a vote of two-thirds of both branches of the general assembly and then it must be ratified by a majority vote of the people and again go before the legislature to be put properly in the constitution. We have on several occasions undertaken to explain the several amendments upon which the people will be asked to vote.

STATE OF SOUTH CAROLINA,  
COUNTY OF NEWBERRY.

By John C. Wilson, Esquire, Probate Judge.

WHEREAS, Eddie G. Havird hath made suit to me, to grant her Letters of Administration of the Estate of and effects of Pope L. Havird.

THESE ARE THEREFORE to cite and admonish all and singular the kindred and Creditors of the said Pope L. Havird, deceased, that they be and appear before me, in the Court of Probate, to be held at Newberry on November 2nd, next after publication thereof, at 11 o'clock in the forenoon, to show cause, if any they have, why the said Administration should not be granted.

Given under my Hand, this 14th day of October, Anno Domini, 1904.

J. C. Wilson.

J. P. N. C.

### Letter to W. C. Tyree.

Newberry, S. C.

Dear Sir: How easy it is to get things mixed! This comes from our agents, Messrs. B. K. & G. W. Stickle, Rockaway, N. J.

A Rockaway man was going to paint two houses, a year ago, lead-and-oil. They induced him to paint one Devoe, by agreeing to bear any loss it might bring him.

One of his houses chalked-off, and he called for a settlement.

The boot was on the wrong foot. Lead-and-oil is the chalk; not Devoe. It was a mistake, not a bunco.

If Devoe chalked-off as lead-and-oil does, it wouldn't stand a ghost of a chance in the market.

Yours truly,

F. W. Devoe & Co.

The Newberry Hardware company sells our paints.

### Half Rates to Columbia and Return Via Southern Railway.

The Southern railway will sell tickets to Columbia and return from all points in South Carolina including Augusta, Ga. and Charlotte, N. C. at very low rates account State Fair, Columbia.

For military companies and brass bands twenty or more on one ticket rate will be one cent per mile in each direction, plus trbitrarities per capita. Tickets will be sold daily October 24th to 27th inclusive and for trains arriving Columbia noon October 26th with final limit of all tickets October 30th, 1904.

The Southern railway in addition to the regular passenger trains running on convenient schedules to Columbia, they will operate special trains Oct. 26th and 27th, 1904, between following points:

Branchville, Camden and Sumter to Columbia.

Spartanburg and intermediate points to Columbia.

Anderson, Belton and intermediate points to Columbia.

For full information apply to any agent Southern railway, or write

R. W. Hunt.

Division Passenger Agent.

Charleston, S. C.

### JUST A WORD TO FARMERS.

The Union  
WAREHOUSE COMPANY OF  
Columbia, S. C.,

is  
Prepared to  
STORE COTTON IN  
Standard Ware-  
houses and to  
arrange

Proper Cash Advances  
if you desire to  
hold your cotton  
details will be  
gladly supplied  
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The Union Warehouse Company,  
Columbia, S. C.

## C. & G. S. Mower Co.

Now ready for fall business with full line of seasonable merchandise of good quality at reasonable prices. Our two big stores are full. Store number one contains the beautiful as well as the substantial things which appeals to the woman's heart, everything is here that she may need Dress Goods, Millinery, Silks, Trim mings, Neck wear, Underwear, Linens, Domestic Outings. Store number two is full of good shoes

Give us a call, we promise good qualities, low prices, honorable dealing, polite service.

Yours truly,

C. & G. S. MOWER CO.

## Something to Think About!

In all departments of life, care and accuracy are not to be disregarded, but this is essentially true in regard to the medicines that your doctor prescribes for you.

We knew this 30 years ago when we started in the drug business, and so every year our experience and observation alike teach us the "force of these remarks." No one knows this better than we do, we venture to say. When we prepare your prescriptions we spare neither pains nor effort to please and satisfy, hence you get what your doctor wants you to have, and thus his success is assured. You take no chances or risks when you trade with us. Bring or send to us your prescriptions.

## WM. E. PELHAM & SON,

Reliable Pharmacists,  
Newberry, S. C.