

The Herald and News.

VOL XLVI NO. 15

NEWBERRY, S. C. FRIDAY, FEBRUARY 19, 1909.

TWICE A WEEK. \$1.50 A YEAR

HOUSE PASSES THE PROHIBITION BILL.

FILIBUSTER ABANDONED AND RUSH BEGINS.

Bills Will in all Probability, Hang Fire in the Senate Until Next Session.

Columbia, February 17.—By a vote of 58 to 40, the house of representatives of the State legislature tonight passed the State-wide prohibition bill, which thus marks the close of a filibuster that has lasted for several days. This was accomplished after the adoption at the morning session of a compromise agreement between the leaders of the opposing forces, reading as follows:

"That bill No. 660, (supply bill,) be taken up on motion of Mr. Rucker, and be considered until 1 o'clock p. m.

"No frivolous motions to be made. "At the hour of 1 o'clock p. m., Bills Nos. 85 and 125, (prohibition bills,) be taken up and disposed of with all pending amendments without any dilatory motions, or any motions intended or designated for delay or obstruction. That only bona fide amendments be considered.

"That No. 520, (magistrate's bill,) be considered immediately after the other bills are disposed of.

"That Bills Nos. 660, 85 and 129 be disposed of this day."

For the better understanding of the agreement, the numbers of the bills referred to are better explained by the titles:

Messrs. M. L. Smith, John G. Richards, C. A. Smith, J. P. Carey: A bill to provide for the closing of the several dispensaries in this State, and for the sale of all stocks of liquors, beverages, fixtures and other property belonging to the several dispensaries.

Mr. M. L. Smith, et al: A bill to prohibit the manufacture, sale, barter, exchange, giving away to induce trade, the furnishing at public places or otherwise disposing of alcohol, spirituous, vinous or malt liquors or beverages, or other liquors or beverages by whatsoever name called, which if drunk to excess will produce intoxication, except for sale of alcohol in certain cases upon certain conditions, and except the sale of wines for sacramental purposes, and to provide penalties for the violation thereof.

Ways and Means Committee: A bill to raise supplies and make appropriations for the fiscal year commencing 1909.

Under the terms of the agreement, the general supply bill was rushed through in half an hour. It was simple and easy to rush through the bill.

Then the remaining third reading bills were rushed through, oh, so easily. Under the filibuster, it took an hour to get a third reading through; under the "agreement" with peace supreme it took a minute to pass a third reading and get it into the enrolling department or back to the senate.

Mr. Gasque said he was entirely non-partisan. He was for prohibition, but he was absolutely opposed to this hold-up. He wanted the house to consider and pass upon the general supply bill, and be ready to go home Saturday. He was disgusted with so much delay and child-like business.

Mr. Richards begged Mr. Gasque not to press his call for the supply bill at this time, as he hoped to arrange matters later on. As soon as Mr. Gasque withdrew his motion, and there appeared to be a scrap on hand, Mr. James Cosgrove, of Charleston, got the floor on a question of personal privilege. Mr. Cosgrove started to give the Genesis of the question of personal privilege, and was bracing himself—not on milk diet, for a two hours' speech. It looked hopeless. Col. Cosgrove was talking and talking. He would not submit to question or interruptions, but Mr. Harris and Dr. Sawyer finally persuaded Mr. Cosgrove to hold up and let Mr. Richards move to take a recess for twenty minutes in the hope of reaching an agreement to take up the supply bill. Mr. Cosgrove was persuaded by his friends to let the recess motion be put, and this was done, and another conference was held to reach

an plan of procedure, and this time, as stated, and agreement was reached that was carried out.

Agreement Carried Out.

The agreement to take up the "State-wide" prohibition bill was adhered to in every detail, and as soon as it was taken up Mr. K. P. Smith moved to table the bill. This brought forth the first test vote. It was taken without delay. There was no delay.

The vote stood:
Yea (to kill the bill) 45.
Nay (to pass the bill) 62.

Yeas—Speaker Whaley, Amick, Melvin J. Ashley, Ayer, Berg, Bowman, Boyd, Browning, Carwile, Coker, Cosgrove, Dixon, Doar, Duvall, Isaac Edwards, Fraser, Fultz, Garris, Glascock, Griffin, Harris, Hughes, Hydrick, Irby, Jackson, Lane, Lengnick, McMahan, Mars, Nunery, Patterson, Pauling, Sawyer, Seibels, Simkins, Singleton, K. P. Smith, Tobias, Todd, VanderHorst, Wiggins, Williams, O. D. A. Wilson, W. B. Wilson, Jr., Wright—45.

Nays—Joshua W. Ashley, Bodie, Bowers, Brice, Brown, W. D. Bryan, Bunch, Cantrell, Carey, Carrigan, Carter, Coley, Clary, Daniel, Dingle, E. C. Edwards, J. P. Gibson, W. J. Gibson, Graham, Green, Greer, Hall, Hamer, Harmon, Wade C. Harrison, Hines, Horgan, Kibler, Lawson, League, Lee, McColl, McEachern, McKeown, Mann, Mauldin, Mobley, Moseley, Nesbitt, Niver, J. G. Richards, Jr., Ridgell, G. M. Riley, W. L. Riley, Robertson, Roessler, D. C. Sanders, O. L. Sanders, Scarborough, B. A. Shuler, C. T. Shuler, Chas. A. Smith, Stallan, Jared D. Sullivan, P. P. Sullivan, Suydam, Vaughn, Way, Wells, Whatley, Wingo, Wyche—62.

Pairs—Hillis, Foster, M. L. Smith, Rucker, Gasque, Cothran; Suydam, Leland; Utsey, Wade; Spears, Dick.

It will be noted that Messrs. F. W. Bryan, J. R. Harrison, C. E. Stubbs, Bush, did not vote.

Bill Discussed.

At 1 o'clock the famous bill 85 was taken up. This is the famous State-wide prohibition bill, and there was a general and unanimous rush to get the bill through. Georgetown wanted to be exempt from the law. Mr. McMahan held that the prohibition majority was accidental. The people of the State had never acted upon this State-wide law, and this temporary majority, he argued, meant nothing. He did not believe in forcing State-wide prohibition on unwilling communities. It would be unwise to force prohibition on unwilling counties. The dispensaries have done much to encourage prohibition sentiment but the time is not yet ripe to force prohibition on such counties as Charleston and Richland. He made a strenuous, honest and earnest appeal to let the county option plan be continued, to have the law forced upon them before they are ready would be a serious wrong. His purpose to exempt Richland was made in absolute sincerity. He made a sensible argument why State-wide prohibition should not be forced on counties not yet ready for State-wide prohibition. He moved to insert Charleston, Georgetown and Richland in the exemptions. Mr. Simkins was in accord with McMahan, and argued in favor of local option.

Mr. Doar made a fine presentation of the claims of Georgetown, and that they wanted the county dispensaries retained. The people there are entirely and absolutely in favor of the county dispensaries. He said the county dispensary had put the county on practically a cash basis. Georgetown raised \$60,000 from the dispensary and the county would have to treble its taxes to raise this much money. This bill would take away the rights of the people and \$60,000 in good money. He made a strong appeal to let matters stand as they now are.

Adjournment for Dinner.

It was near the dinner hour, and Mr. M. L. Smith moved that the house recess from business until tonight, with the understanding that a final vote would be taken at that time.

There had been stacks of amendments offered that were simply proposed as the basis of roll calls, and for holding the bill, but under the agreement all amendments that were not seriously offered were withdrawn. The only amendment consid-

ered was whether or not certain counties should be exempted.

Night Session.

The house, when it met tonight, took up the State-wide prohibition bill. Mr. Dixon opposed the bill, and argued in favor of local option. No prominent Democrat from Jefferson down to Bryan had ever supported or advocated any summary law. No real eminent writer on Democracy had ever favored such a law. He said Mr. Carey had brought the county dispensaries and he could not see how he had progressed so rapidly, as to now want State prohibition. He was utterly opposed to State-wide prohibition.

Plea For Charleston.

Mr. Cosgrove, of Charleston, made an earnest appeal to have Charleston and other counties exempt from the provisions of this bill. He regretted that no reasons had been assigned why the State really needed this legislation. The only reasons heard were high ideals, but they were not practical. It was an absolute truth that under conditions at Charleston, prohibition will fail in doing what is intended. In a matter of principle, Charleston never counts the cost, and she is not now counting cost. If he thought prohibition would do what is claimed for it, he, for one, would favor the law. For over a hundred years Charleston has had a license system.

Charleston had been conducting an orderly business until the dispensary came along. Charleston had no dives, but had legitimate family liquor stores. The illicit places, the blind tigers, came in the wake of the dispensary. There were no "blind tigers" before the dispensary. The city of Charleston has sixteen miles of waterfront. It would be ridiculous to try to police it. Charleston has 35,000 negroes, and they are not the best class of negroes. With prohibition, Charleston will have the worst sort of low dives, and he figured out that this prediction was no idle dream. If he believed prohibition would do any good in Charleston he would support it. Charleston has had sixteen years of actual experience, and knows that illicit selling of liquor cannot be stopped. Prohibition can work no miracle in Charleston. He related the experience of the world that prohibition does not prohibit.

Mr. Carey For Prohibition.

Mr. Carey said he did not intend to speak, but as it has been suggested that he was about to abandon his two-year-old child, he felt it best to talk. He was a practical as well as the oratorical prohibitionist. He came here committed to the destruction of the State dispensary. His policy was to kill the snake and do so with as many blows as necessary. The first blow was when the State dispensary was killed. He believed the people of the State wanted prohibition, and wanted it since 1892.

He was as much against the county dispensaries as the State dispensaries. He would rather see license than State selling liquor, directly or indirectly. Two years ago a Charleston committee told him they would rather have prohibition than the county dispensaries. He said if this system is kept up, dry counties would want liquor for the money in the business. It is now all a matter of profit. The State is the unit in legislation, as much in the handling of liquor as in the law or murder.

He saw no reason for the exception of any county. He earnestly predicted that in five years the opponents of prohibition would be thanking those who passed the law. He believed in removing temptations. To the old men he said they could and should drink near-beer and their soda water, and then water and water and plenty of water, cold water and then keep it up.

No Exemptions.

On the motion to exempt Charleston, Georgetown and Richland, Mr. Richards moved to table the amendment, and on this a yea and nay vote was ordered.

Yea (against the exemption) J. W. Ashley, Bodie, Bowers, Bowman, Boyd, Brice, Brown, W. D. Bryan, Bunch, Cantrell, Carey, Carrigan, Coley, Clary, Daniel, Dingle, E. C. Edwards, Gasque, J. P. Gibson, W. J. Gibson, Graham, Green, Greer, Hall, Hamer, Harmon, J. R. Harrison, W. C. Harrison, Hollis, Horgan, Irby,

Kibler, Lawson, League, Lee, McColl, McEachern, McKeown, Mann, Mauldin, Mobley, Moseley, Nesbitt, Nicholson, Niver, Richards, Ridgell, G. M. Riley, Robertson, Roessler, Sanders, Scarborough, B. A. Shuler, C. T. Shuler, C. A. Smith, Spears, Stanley, J. D. Sullivan, P. P. Sullivan, Suydam, Vaughn, Way, Whatley, Wingo, Wyche, Total 66.

Nay—Whaley, Amick, M. J. Ashley, Ayer, Browning, F. M. Bryan, Bush, Carwile, Coker, Cosgrove, Cothran, Dick, Dixon, Doar, Duvall, I. Edwards, Foster, Fraser, Fultz, Garris, Glascock, Griffin, Harris, Jackson, Lane, Lengnick, McMahan, Mars, Nunery, Patterson, Pauling, Sawyer, Simkins, Vander Horst, Wade, Wells, Wiggins, Williams, O. D. A. Wilson, W. B. Wilson, Total 41.

Pairs—Carter and Seibels, Hines and Tobias, K. P. Smith and Brown, M. L. Smith and Rucker, Todd and Wright, W. L. Riley and Hughes.

Mr. Roessler, of Charleston, was the only member from that county voting against the exemption. By a vote of 66 to 41 the exemption was refused. All amendments looking to exemptions were therefore withdrawn.

Referendum Defeated.

Mr. Irby proposed an amendment looking to a vote by the people, a referendum on two questions. No debate was allowed, the revision question having been ordered, thereby cutting off debate. The referendum was killed by a vote of 60 to 37. Mr. Garris had an amendment adopted cutting the pay of the expert bookkeeper from \$10 to \$5 per day. Bundle after bundle of amendments in the names of various members were withdrawn. Several hundred amendments were offered early in the game, when the filibuster was in progress but in good faith, they were withdrawn by stacks.

The house refused to exempt the counties bordering on the Atlantic Ocean, and refused to let the act go into effect a year hence. The bill was given its second reading with but one amendment, changing \$5 to \$10.

The bill as passed tonight is published below.

The first of the series of prohibition bills received its second reading by a vote of 58 to 40. There were eight pairs and nine members were absent and not paired.

Final Vote.
The vote on the final passage of the bill was:

Yea—To pass the bill: J. W. Ashley, Bodie, Bowers, Brice, W. D. Bryan, Bunch, Cantrell, Carey, Carrigan, Coley, Clary, Daniel, Dingle, E. C. Edwards, Gasque, J. P. Gibson, W. P. Gibson, Graham, Green, Greer, Hall, Hamer, Harmon, W. C. Harrison, Horgan, Kibler, League, Lee, McEachern, McKeown, Mann, Mauldin, Mobley, Moseley, Nesbitt, Niver, Richards, Ridgell, G. M. Riley, Robertson, Roessler, Sanders, O. L. Sanders, Scarborough, B. A. Shuler, C. T. Shuler, C. A. Smith, Spears, Stanley, J. D. Sullivan, P. P. Sullivan, Utsey, Vaughn, Way, Whatley, Wingo, Wyche.—Total 58.

Nay—To kill the bill: Whaley, Amick, M. J. Ashley, Ayer, Bowman, Boyd, Browning, F. M. Bryan, Bush, Carwile, Coker, Cothran, Dick, Dixon, Doar, Duvall, I. Edwards, Foster, Fultz, Garris, Glascock, Griffin, Harris, J. R. Harrison, Hydrick, Irby, Jackson, McMahan, Nunery, Patterson, Pauling, Sawyer, Simkins, Singleton, Vander Horst, Wade, Wells, Wiggins, Williams, W. B. Wilson.—Total 40.

Pairs—Suydam and Leland, Brown and K. P. Smith, Nicholson and Wright, McColl and Fraser, Lawson and Mars, W. L. Riley and Hughes, Hines and Tobias, M. L. Smith and Rucker, Carter and Seibels.

Absent and not voting—Berg, Cosgrove, Lane, Lengnick, Todd.

In this vote the pairs are given with the first name stated being in favor of the bill and the last opposed to it.

The companion bill providing for State prohibition was then adopted without a vote of discussion. One of the bills provides for closing the county dispensaries and the second provides for State-wide prohibition.

There was absolutely no friction, debate or discussion and the two prohibition bills went merrily on to their

(Continued on page four.)

THOMAS S. SEASE ELECTED JUDGE

SUCCEEDS JUDGE HYDRICK WITHOUT OPPOSITION.

Judges R. Withers Memminger, Geo. E. Prince and Ernest Gary Re-elected Without Opposition.

Solicitor Thos. S. Sease was on Tuesday without opposition elected by the general assembly judge of the 7th judicial circuit, to succeed Judge D. E. Hydrick, recently chosen associate justice, whose resignation as judge of the 7th circuit takes effect on April 15. Solicitor Sease was elected to fill Judge Hydrick's unexpired term, which expires in December, and also for the full term of four years, which begins in December.

There had been talk of opposition to Mr. Sease, but when Senator Carlisle nominated him there was no opposition. He was first elected for the short term and then for the full term, beginning December 15, 1909.

The following judges were re-elected for full terms:

Ninth Circuit—R. Withers Memminger, of Charleston.

Tenth Circuit—Geo. E. Prince, of Anderson.

Fifth Circuit—Ernest Gary, of Columbia.

When the unexpired term of Judge Hydrick was put before the joint assembly, Senator Carlisle, in a short speech, nominated Mr. Thos. S. Sease, which was seconded by a number. This was for the unexpired term and without opposition he was declared elected.

The term expires on December 15. Under the ruling of the judiciary committee, the house could also elect a judge for the 7th circuit for the term of four years.

Senator Carlisle then nominated Mr. Sease for the long term and without opposition he was declared elected.

Without opposition, Judge R. W. Memminger was reelected judge of the Ninth judicial circuit, being nominated by Senator Sinkler.

For judge of the Tenth circuit, Judge Geo. E. Prince, of Anderson, was reelected, being nominated by Senator Sullivan.

For judge of the Fifth judicial circuit, Judge Ernest Gary was reelected without opposition on nomination of Mr. McMahan.

NEWS OF PROSPERITY.

The Comings and Goings of The People Newberry's Sister City.

Prosperity, Feb. 18.—Mrs. G. Y. Hunter has gone to Saluda to attend the wedding of Miss Carrie Mitchell.

Misses Lillie May and Ruby Russell have returned from a visit to Peak's.

Mrs. Roscoe Shealy spent several days of last week with Mrs. Wheeler, at Newberry.

Mrs. C. G. Barrier and little Clarence Young made a week-end visit to Little Mountain.

Mrs. G. W. Wright, of Langley's, was the guest of Mrs. Kreps over Sunday.

Mr. Geo. H. Wise, of Saluda, who has had a serious attack of heart trouble, is much improved.

Miss Jessie Lorick visited Miss Mary Lizzie Wise last week.

Miss Annie Singley came up to attend Miss Julia Schumpert's valentine function.

Mr. Geo. D. Brown made a week-end visit to Due West last week.

Mrs. Harmon and Miss Groseclose made a short trip to Columbia this week.

Mrs. W. A. Moseley went North Monday to purchase a stylish stock of millinery.

The Ladies' Aid Society will give an oyster supper at the Auditorium on Friday evening.

We were pleased to see Col. and Mrs. Hill on our streets Wednesday.

On Friday evening, the 26th inst., the Merry Maids will repeat their Minstrel. The new songs are newer and catchier than before, and the jokes, they will speak for themselves.

The Palmetto Club was most highly entertained by Mrs. Moseley, Friday afternoon. Hosts of clever, original missives were read and enjoyed. Red hearts were festooned from every niche and corner. In an archery contest with a heart for the target, Mrs. Wyche was the successful contestant. Miss Della Bowers receiving the consolation prize. Both prizes were valentines.

Mrs. Sara Calmes has gone to Northern markets to lay in her spring stock of millinery.

We are sorry Taft overlooked our metropolis on his Southern tour. We were prepared to dine him upon his favorite Billy 'Possum.

A sad death occurred near here on Tuesday when Mrs. George Dominick, nee Nannie Cook, passed to the land o' the leal. Mrs. Dominick had been married just about a year. She had been suffering for some time with gall-stone, and despite the best treatment of nurses and physicians she had to succumb at last. She leaves a host of relatives and friends.

Miss Julia Schumpert's party on Friday evening was quite a success. It was a "hearty" affair all around. Strings of them were every where. The amusement pertained to hearts and the refreshments were heart shaped, in fact, every thing tended to gladden the hearts of all participating.

One of our cotton buyers said yesterday that some cotton is being sold, but most of the planters are retaining theirs in the hopes of getting ten cents.

Mr. J. D. Quattlebaum has gone to Fairfield to spend several days.

Messrs. Jas. Wessinger and Jno. Earle, prominent citizens of Peak, were in the city Wednesday.

Through the kindness of Mr. S. D. Duncan the young people of the town are enjoying a skating rink in his unoccupied store.

The Prosperity Stock company has just completed a new warehouse on the Southern railway.

Mr. G. W. Kinard is adding several rooms to his residence on Elm street.

Mr. Thos. Stockman, who was operated on for appendicitis a short while ago was in town this week. We are glad to see him.

Mr. Wilbur Wheeler, of Greenwood, was in the city this week.

Mr. Luther Boozer, of Kinards, visited his brother, Mr. Matthew Boozer last week.

Mr. Goldsmith Long, a prominent drummer, of Greenville, spent Sunday and Monday here.

The Medical Association held a meeting here last Friday.

Messrs. Burlev and Press Hawkins have gone to Florida to visit relatives. Mr. Hermon Werts is discharging the duties of R. F. D. No. 2 in Mr. Hawkins' absence.

At the parsonage recently Mr. Robinson Stockman and Miss Maud Mills were united in wedlock by Rev. Mr. Kreps in his usual free and accommodating way.

Mrs. Ethel Bickley has accepted the position of matron in the Columbia hospital, which position we feel sure she will fill very acceptably.

We rejoice in the good fortune of one of our former townsmen, Hon. Thos. Sease, who has been elected judge. We feel sure that he will fill this office as creditably as the former responsible ones he has held.

SENATE KILLED DISPENSARY BILL

Provided for an Investigation of the County Dispensaries—Charleston Beer Matter.

The senate on Monday killed the bill of Senator Otts to provide for an investigation of the various county dispensaries. The vote on the measure was 15 to 13. This means that the county dispensaries will not be investigated this summer, it being the sense of the senate that the dispensary auditor has full power to make any investigation necessary.