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TESTIFIED BEFORE DISPENSARY PROBERS THAT HE GAVE MONEY FOR PROTECTION

Charleston Wholesale Liquor Dealer Unwillingly Admits Having Collected and Paid a Monthly Sum to Constable Stothart for Protection From Raids.

Appearing before the committee of the general assembly Thursday, J. P. B. O'Neill, a confessed wholesale and retail whiskey dealer of Charleston, gave testimony under oath that he had been paying a "protection fund" of about \$60 a month to Ben H. Stothart, the chief whiskey constable in Charleston.

O'Neill made the direct charge that he had collected this fund from several retail whiskey dealers.

The testimony by O'Neill was given after he had been put through a grilling cross-examination by the committee and after he had been threatened with a jail sentence for contempt. The witness when placed on the stand refused to give testimony on the ground that it might incriminate him. The members of the committee took the position that O'Neill must answer all questions with reference to the Charleston situation or to be held in contempt. The testimony of the witness and his answer caused a general uproar among the spectators. He tried to evade practically every question propounded on the ground that it might incriminate him or other Charleston citizens. After a conference with his attorney, W. S. Nelson, O'Neill said that he was ready to answer all questions rather than take a jail sentence.

Story of the Scheme.

After evading questions by the committee for more than one hour and after several conferences with his attorney, O'Neill got down to his story of confession and outlined the following scheme.

He said that about 18 months ago Ben H. Stothart of Charleston came to his place of business and informed him that he had been appointed as chief constable for Charleston county.

"Stothart told me that the boys would be coming around to see me," said O'Neill.

O'Neill then said that about one month afterwards he placed the "protection fund" that he had collected from the retail whiskey dealers in an envelope and put the envelope under the door of the office of Ben H. Stothart in Society street. He declared that the money was left during the night and that the envelope contained the names of the retail dealers who had paid for protection. O'Neill declared that the "protection desired" was given to the retail dealers.

The testimony of O'Neill was the most sensational that has ever been given before the legislative committee. In his testimony O'Neill declared that the collection of the "protection fund" had commenced about 18 months ago, or just after the appointment of Stothart by the governor of South Carolina. At a recent meeting of the dispensary committee in Charleston several confessed "blind tigers" charged that they had been paying a protection fund to J. P. B. O'Neill, who was said to be a member of the Marion Stock company, alleged to be a wholesale whiskey company operating in the city of Charleston. The principal testimony on the "protection fund" given at the Charleston hearing was by John J. Miller. O'Neill admitted before the committee that Miller had been employed as his agent and that he collected the "fund" from the retailers.

Grace's Charges.

Several weeks ago Mayor Grace, of Charleston, made the charge that graft had been traced practically up to the governor's office. The legislative committee held a meeting in Charleston when a score of witnesses appeared. Practically every witness gave testimony that they had been paying a "protection fund" to the wholesale whiskey dealers. The wholesale dealers charged with receiving the fund were subpoenaed to appear before the committee. The committee met last week and only one alleged wholesaler appeared. He was Albert Sottile.

Sottile Was Dumb.

He refused to testify on the ground that it might incriminate him, the committee at that time let him off. Later a case was found giving the committee the right to force to testify and not to use the testimony in criminal prosecution. O'Neill is the first witness to be called and he has directly charged the chief constable of the governor of South Carolina with grafting. All of the other wholesalers will be called and they will be forced to tell what they did with the fund collected.

The committee held an executive session tonight when several matters were discussed. No announcement had been made as to when the next meeting of the committee will be held.

Mr. Carlisle: Mr. O'Neill, did you collect any money in the city of Charleston or elsewhere for the purpose of paying it over to Mr. Stothart or any other constable for protection or immunity?

A. I decline to answer on the ground that it would incriminate me. The committee ruled that the witness would have to answer or be ruled for contempt.

After reconsideration and consultation, Mr. O'Neill consented to answer.

A. I cannot tell you exactly. It has been testified by two people they paid me money, and this money I placed in an envelope with names of parties paying it to me and left it at the constable's office.

Q. What parties paid it to you?
 A. Milton is one. He paid it for two places, \$15.

Q. Did you take it in person to the constable's office?
 A. Yes, sir.

Q. With whom did you leave it?
 A. At his office.

Q. Did you have your name on it in any way?
 A. Names of parties who paid the money and their place of business.

Q. How did you know the constables would keep that money?
 A. Because I was to give the money to them.

Q. Acting agent between the retailers and constables?
 A. Yes, sir.

Q. Did the retailers direct you how to do that?
 A. The retailers?

Q. Yes, sir.

Q. Who told you to put it under the door?
 A. Those people who dealt with me was to pay me so much to keep from being raided by a warrant. All I had to do was to place the amount in an envelope and names and to leave it at the office.

Q. By Senator Clifton: What is his name?
 A. B. P. Stothart.

The constable's office.

Q. By Senator Carlisle: Who made that arrangement for you to do that?
 A. I arranged.

Q. With those fellows?
 A. What fellows?

Q. Those in this business. Did you ever have any conversation at any time about this method of "protection"? Didn't you agree with the constables that this matter should be done in this way?
 A. That I could collect it. I made that arrangement with Mr. Stothart himself?

Q. How many retailers did you represent in this proposition?
 A. Different times.

Q. How many times did you leave it under the door?
 A. Once every month.

Q. When did that arrangement begin?
 A. About 18 months ago.

Q. Commenced soon after Mr. Stothart went into business as constable?
 A. About the time I went into the jobbing business. About March of last year.

Q. Soon after the inauguration of Governor Bleasde? I want to get at the date of Mr. Stothart's appointment.
 A. Shortly after that.

Q. And continued up to what?
 A. Up to when I went out of business some time in the month of June.

Q. Just about the time that article came out in Common Sense?
 A. Before that, I think.

Q. I would like if you could give us the exact date of your going out of business?
 A. Cannot state positively.

Q. Do you know whether any other jobbers had this same plan?
 A. Don't know anything about others.

Q. Mr. Stothart didn't tell you?
 A. No, sir.

Q. Where were you when you made that arrangement?
 A. At my place of business. Mr. Stothart came here. He notified me he had been appointed chief constable and the boys would be around to see me.

Q. Whom do you mean by boys?
 A. Men under him.

Q. What arrangement did he suggest to prevent anything unpleasant and what did you suggest he could do for you?
 A. Didn't suggest anything. I just collected the money during the month and put it in an envelope and left it at the office.

Q. At the time of the first conversation, did he tell you he would do that?
 A. Didn't specify anything. Said only the boys would be around.

Q. Said something besides that?
 A. No, sir. I was in the jobbing business.

Q. You think Mr. Stothart, when he found those envelopes of money, knew what they were for?
 A. Yes, sir, the names were there. My name was on it.

Q. Then Mr. O'Neill, the understanding was that those payments were made monthly there would be no search warrant?
 A. I did not do that.

Q. Was not a search warrant served on your customers after that?
 A. I don't know.

Q. Did you ever give them credit for goods?
 A. No, sir.

Q. About how many—any time during the last 18 months. How many men have been paid you that money?
 A. Only six.

Q. Give us names?
 A. Milton is one. He paid for two places.

Q. The others?
 A. Strickland, Windham, myself and W. J. Cantwell.

Q. How much did you pay, Mr. O'Neill?
 A. Fifteen dollars per month.

Q. How much did you pay for each of the others?
 A. Five dollars and ten dollars.

Q. Your total payments for the month aggregated about how much?
 A. About \$60.

Q. Where is that office located?
 A. Society street.

(Continued on Page Five.)

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