

# The Newberry Herald and News.

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TWICE A WEEK, AND A YEAR

## AT END OF FOUR WEEKS.

LEGISLATURE'S WORK AND WHAT REMAINS TO BE DONE.

Many Very Important Matters Yet Untouched—Hard Work Required to Finish Up—Various Matters of More or Less Interest.

[Columbia Record, 7th.]

The legislature has now completed four weeks of the session, but there remains yet a great many important matters to be disposed of. Adjournment certainly cannot be had under forty days, unless business of great importance is neglected. So it may be safely assumed that adjournment will not be had until Saturday night, February 21.

A few bills have been ratified and have become acts, but most of them are only of local importance. Two of general interest are the declaring the code to be the stationary law of the State and the other is the act regulating the drawing of jurors. Both of these bills were signed by the governor last night as soon as they were ratified. This was done more on account of Anderson County than any other, because court is to convene in that county on Monday and there are about forty prisoners in jail. It was therefore necessary that the jury law should be approved at once, so that a jury could be drawn.

The Virginia Carolina Chemical company affair is still hanging fire. The Judiciary committee has had a number of consultations about the matter, but no report has yet been made. It is certain that the Graydon bill will be killed, for it provides for annulling the charter of the company, whereas it has no charter in this State, but is chartered under the laws of New Jersey. The company simply has a license to do business in this State. Without impugning the motives of any man, it is a fact that there is more or less buncombe in the legislature every election year, especially when it comes to corporations. The fight against the Virginia Carolina company has assumed a more serious aspect than legislators anticipated, for if the proposed legislation is carried out, the company will leave the State and throw hundreds of people out of employment and materially decrease taxable values. Realizing this, legislators are hunting some compromise whereby they can get out of the pit which they dug for themselves. It is said that Senator Henderson has a substitute for the Graydon bill whereby the company will be given a certain time to domesticate itself. As one member expressed it, the legislature, so far as the company is concerned, will go up the hill and then come down again and will pass a bill that will not hurt the Virginia-Carolina company and at the same time will give aspiring politicians an opportunity to wallop the trust right and left when they appear before the "dear people" in the primary.

Speaking of buncombe in the proceedings, quite a lively incident occurred in the house last night. The question was whether members should accept their per diem during their two days' holiday in Charleston. Mr. Efrid, of Lexington, called for the eyes and noses, thinking, like many other members, that representatives would be afraid to go on record. But this time they were not. Instead, Mr. Williams, of Lancaster, preceded to jump on Mr. Efrid with both feet, and he jumped down hard every time. He charged Mr. Efrid with often being absent from the house and still drawing his pay. He also said Mr. Efrid had visited the Charleston exposition, and he asked him pointedly whether he had refused to draw his pay. Of course Mr. Efrid hadn't. Then Mr. Izlar rubbed it in pretty hard when he said Mr. Efrid had spent five days in Washington at an alliance meeting and drew his salary as legislator and also mileage and salary from the alliance. Mr. Efrid denied that he was in Washington five days. On the whole, it was quite a warm night for the honorable member from Lexington, and Mr. Williams' plain-spoken

speech produced a great sensation. Many members think that such plain talk has been badly needed, and they believe it will produce a good effect.

Very few of the leading measures have been considered by the senate. Among those scheduled for next week are the redistricting bill, biennial session bill, fertilizer plant bill, appropriation bills, incorporation bill, consolidation of Three C's road and Asheville and Spartanburg and other roads, a fish bill, insurance commissioner bill and oil inspector bills. The insurance commissioner bill has passed the house, but an unfavorable report on it has been made by the senate. An unfavorable majority report was made on the oil inspector bill. The same is true of Senator Livingston's bill providing for three terms annually of the Supreme Court and allowing each justice a check. It will be seen by this that there is plenty of work yet to be done, and the list above does not include many bills of lesser importance.

Among the important measures that have been killed are the child labor bill and one to furnish pupils of the public schools text books at cost.

Notwithstanding the very flattering report made by the two experts who examined the affairs of the dispensary, the senate's judiciary committee has reported favorably on Senator Staland's bill to appoint a legislative committee to investigate the affairs of the institution, with power to call for papers and persons to give testimony before it. The house has yet to act on this measure.

Contrary to all precedents, the senate has been regularly holding night sessions, while the house, which usually sets the pace in that line, has held but one or two night sessions. Next week the senate proposes to meet at 10 o'clock every morning and work hard to finish up all business. The house will do the same thing.

## THE JURY BILL.

It Has Been Passed by Both Branches of the General Assembly and Has Been Ratified and Signed by the Governor.

The following is the text of the jury bill as it has passed both houses: A bill relating to the selection, drawing and summoning of jurors in the Circuit Courts of this State.

Be it enacted by the General Assembly of the State of South Carolina:

Section 1. That the county auditor, the county treasurer and the clerk of the Court of Common Pleas of each county in this State shall perform the duties hereinafter set forth.

Section 2. That the said county auditor, county treasurer and clerk of the Court of Common Pleas of each county shall immediately after the passage of this Act and thereafter, in the month of December of this and each succeeding year, prepare a list of such qualified electors, under the provisions of the Constitution, between the ages of 21 and 65 years and of good moral character, of their respective counties, as they may deem otherwise well qualified to serve as jurors, being persons of sound judgment and free from all legal exceptions, which list shall include not less than one from every three such qualified electors under the provisions of the Constitution, between the ages of 21 and 65 years, and of good moral character, to be selected without regard to whether such persons live within five miles or more than five miles from the Court House.

Section 3. That of the list so prepared the county auditor, county treasurer and clerk of the Court of Common Pleas shall cause the names to be written, each one on a separate paper or ballot, so as to resemble each other as much as possible and so folded that the name written thereon shall not be visible on the outside, and shall place them, with the said list, in a strong and substantial box, without apertures or openings when

closed, (to be known as the "jury box," to be furnished to them by the county supervisor of their county for that purpose, and of such size and shape as that, when such separate paper or ballots shall have been folded and placed therein, as above required, they may be easily shaken up and about and well mixed therein, and it shall be the duty of the clerk of the Court to keep said jury box in his custody. The said jury box shall be kept securely locked with three separate and strong locks, each lock being different and distinct from the other two and requiring one key peculiar to itself in order to be unlocked, and the key to one of said three locks shall be kept by the county auditor himself, the key to another of said three locks by the county treasurer himself and the key to the third of said three locks by the clerk of the Court of Common Pleas himself, so that no two of them shall keep a similar key or similar keys to the same lock, and so that all three of them must be present together at the same time and place in order to lock or unlock the said jury box. At the same time they shall place in a special apartment in the said jury box (which special apartment shall be known as "the tales box") the names of not less than one hundred nor more than four hundred of such persons whose names appear on said list as ready within five miles of the Court House, from which tales shall be drawn jurors to supply deficiencies arising from any cause or emergency during the sitting of the Court. The names of persons placed in said tales box shall be also placed in the said jury box.

Section 4. That not less than ten nor more than twenty days before any regular or special term of the Court of General Sessions for the present year the county auditor, the county treasurer and the clerk of the Court of Common Pleas of each of the counties in this State shall draw from the said jury box eighteen ballots containing the names of eighteen persons, who shall constitute the grand jury for the present year. If there shall be drawn from said jury box a ballot containing the name of any person not between the ages of 21 and 65 years, or not of good moral character, or who has died, or who has removed from the county or is otherwise disqualified to serve as a juror, such ballot shall be destroyed and such name struck from the said list and another ballot drawn; and so on until eighteen are secured. Not less than ten nor more than twenty days before the first term of the Court of General Sessions for each year after the present year, the county auditor, the county treasurer and the clerk of the Court of Common Pleas of each of said counties shall in like manner draw from the said jury box twelve ballots containing the names of twelve persons, who with the six persons drawn by lot (as provided by law) from the grand jury of the next preceding year, shall constitute the grand jury for that year. When said grand jurors are drawn as aforesaid the clerk of the Court of Common Pleas shall issue his writ of venire facias for them, requiring their attendance on the first day of the ensuing term of the Court of General Sessions, and said writ of venire facias shall be forthwith delivered to the sheriff of the county: Provided, that in case any term of the Court of General Sessions is to be held within less than twenty days after the approval of this Act, such list may, nevertheless, be prepared and the grand jurors drawn.

Section 5. That not less than ten nor more than twenty days before the first day of each week of any regular or special term of the Circuit Courts the said county auditor, the county treasurer and the clerk of the Court of Common Pleas shall proceed in like manner to draw thirty-six petit jurors, to serve for such week only: Provided, that whenever a jury shall be charged with a case, such jury shall not be discharged by reason of anything in this section contained until a verdict shall be found or a mistrial ordered in such case. Immediately after such petit jurors are drawn

th the clerk of the Court of Common Pleas shall issue his writ of venire facias for such petit jurors, requiring their attendance on the first day of the week for which they have been drawn, and the said writ of venire facias shall be forthwith delivered to the sheriff of the county: Provided, that in case any term of Court is to be held within less than twenty days after the approval of this Act, such petit jurors may, nevertheless, be drawn for such term of Court.

Section 6. That the said drawing shall be made openly and publicly in the office of the clerk of the Court of Common Pleas, and the county auditor, the county treasurer and the clerk of the Court of Common Pleas shall give ten days' notice of each of said drawings by posting in a conspicuous place on the Court House door, or by advertisement in a county newspaper, a notice of the place, day and hour of such drawing: Provided, that in case any term of Court is to be held within less than twenty days after the approval of this Act, such jurors may, nevertheless, be drawn without such notice.

Section 7. That all jurors shall be selected by drawing ballots from the said jury box, and, subject to the exceptions hereinbefore contained, the persons whose names are on the ballots so drawn shall be returned to serve as jurors.

Section 8. That the names of those who are drawn and actually serve as jurors shall be placed in an envelope, and shall not be put back into the said jury box until the first revision of the jury list herein provided for after they have been so drawn, to the end that no person shall serve as a juror more than once in one year. The same rule shall be observed as to drawing jurors from the said tales box: Provided, that nothing herein contained shall be construed to be in conflict with the provisions of the law as to selecting by lot from the grand jury six members thereof to serve for the ensuing year.

Section 9. That nothing contained in this Act shall prevent the clerk of the Court of Common Pleas from issuing venire for additional jurors in term time upon the order of the Court, whenever it is necessary for the convenient dispatch of its business, in which case venire shall be served and returned, and jurors required to attend on such days as the Court shall direct.

Section 10. That in drawing jurors from the said tales box the same rules shall be observed as in drawing from said jury box, except that no notice of such drawing shall be necessary.

Section 11. That no more than thirty-six persons, to serve as petit jurors, shall be drawn and summoned to attend at one and the same time at any court, unless the court shall so order.

Section 12. The grand and petit jurors drawn as hereinbefore prescribed, from the said jury box, shall be summoned by the sheriff, as now provided by law, at least four days before the time fixed in the venire for them to attend the sitting of the court, except when such term of court is to be held within four days from the approval of this Act, and the grand and petit jurors drawn, as hereinbefore prescribed, from the said tales box, shall be summoned by him and shall attend and serve according to the exigency of the summons.

Section 13. That the juries drawn and summoned under the provisions of this Act shall be organized and empaneled in the Circuit Court as now or hereafter may be provided by law.

Section 14. That the jurors drawn and summoned under the provisions of this Act must have the qualifications that are now or may hereafter be prescribed by law.

Section 15. That whenever it shall be necessary to supply any deficiencies in the number of grand or petit jurors duly drawn, whether caused by challenge or otherwise, it shall be the duty of the county auditor, the county treasurer and the clerk of the Court of Common Pleas, under the direction of the court, to draw from the said tales box such number of fit and competent persons to serve as

jurors as the court shall deem necessary to fill such vacancy.

Section 16. That whenever the jury list of any county shall be destroyed by fire or other casualty, or whenever it shall be held by any Court of competent jurisdiction that the jury list of any county has been unlawfully prepared or is irregular or illegal, so as to render void the drawing of jurors therefrom, it shall be the duty of the county auditor, the county treasurer and the clerk of the Court of Common Pleas of each county to prepare a special jury list for the said county forthwith in the manner herein prescribed, from which special list grand and petit jurors shall be drawn for the Courts of General Sessions and Common Pleas for such county until the annual jury list shall have been prepared for such county as herein provided.

Section 17. That when at any time it shall be determined by the resident Circuit Judge of any circuit upon complaint made to him, that an irregularity has occurred in the drawing of juries for any Circuit Court within his circuit, or that any act has been done whereby the validity of any juries drawn or to be drawn may be questioned, it shall be lawful for such circuit judge to issue his order to the county auditor, the county treasurer and the clerk of the Court of Common Pleas for each county for which such Circuit Court shall be held, at least five days before the sitting thereof, to proceed to draw jurors for such term, or to take such measures as may be necessary to correct such error.

Section 18. That in case there shall be a vacancy in the office of the clerk of the Court of Common Pleas, county auditor or county treasurer at the time herein fixed for preparing said jury list, or for drawing a jury, or any one of said officers shall be disqualified or unable to serve for any cause, the county superintendent of education shall act in his place and stead, and in case there shall be a vacancy in two of said offices, or for any other cause two of said officers shall be unable to serve, the county superintendent of education and the sheriff of such county shall act in their place and stead.

Section 19. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same is hereby, repealed.

Section 20. That this Act shall go into effect immediately upon its approval by the Governor. And it shall be the duty of the Secretary of State to have printed at once a sufficient number of copies of this Act to supply one to each clerk of the Court, county auditor, county treasurer, Circuit Judge and solicitor in this State, and forthwith send a copy to each of said officers.

## FORK DOTS.

We have had plenty of rain and cold weather for the last few days, we hope that the weather will soon moderate.

Oats are all killed from the freeze in this community. Wheat is as nice as any one could expect.

Bird thrashing will soon be the order of the day, for we can hear the wood cutters far and near. Look out little birds.

Sorry to learn that Mr. W. B. Combs will leave this week for Columbia where he will make his future home. But we wish him well in his new field.

Our school teacher, Miss Essie Pearson, spent last Thursday night with Mr. Q. M. Kinard's family.

Mr. J. A. Wicker spent Sunday with Mr. Henry Wicker.

Mr. M. L. Wicker and little son went to Columbia last week, also Mr. W. H. Wicker and Mr. George Sheely. They arrived home Saturday.

Mr. Wicker was the guest at Mr. Kinard's last Saturday.

Superintendent E. S. Werts hasn't visited our school since he has been elected. We would like for him to call around to see if we are dead or alive.

BETTER CUT.

February 5, 1902.

## THE EXPERTS FILE

### THEIR FINAL REPORT

WHAT EXAMINING ACCOUNTANTS SAY OF DISPENSARY.

Bookkeeping System Praised—The New Buildings and Other Matters Touching Upon in the Report.—Some Recommendations.

Below is given the text of the report of the expert accountants appointed by the governor under the act of the general assembly some time ago to make a thorough examination of the books, accounts and affairs of the State dispensary:

Sir: Under authority derived from your commissions dated at Columbia, S. C., January 1, 1902, creating us "an expert committee of accountants, to make thorough examinations of the books of account, vouchers and warrants, trial balances and balance sheets, invoices and entries thereof and every matter of record in anywise connected with the State dispensary for the fiscal year commencing December 1, 1900, and ending November 30, 1901, having this day completed a most thorough and painstaking examination of every book of account, vouchers, warrants, invoices and every matter of record, including minutes and correspondences of the board of directors and all other transactions of the record connected with the State dispensary during the aforesaid fiscal year, now have the honor to certify, make and submit, through the hands of your excellency, to the general assembly the following report, to wit:

(The financial statement given is identical with that presented in the annual report of the board.)

Forgoing report will be found upon comparison to be an exact counterpart of the report of the State board of directors of the State dispensary for the fiscal year 1901, now before you. We therefore beg to state that our labors and researches in obtaining the same results commenced at the beginning of written date and lead us through every record and book of entry connected with the State dispensary, all of which we found to be correct to the fractional part of a cent; forming a system of bookkeeping very comprehensive and unsurpassed in neatness, style and correctness.

The present healthful condition of the State dispensary, as is shown by the foregoing reports, is made more manifest and evidenced by the following comparative facts, to wit:

First. That the profits declared during the past fiscal year are about equal to those declared in any previous year, notwithstanding grain, from which liquors are distilled, has advanced nearly one hundred per cent. during the said fiscal year.

Second. That the value of real estate belonging to the dispensary, by reasons of actual improvements, has been increased nearly fifteen thousand dollars, since our last report.

Third. That during the said period there has been a visible increase in machinery and plant attached to this institution.

Fourth. That stock taken November 30, 1901, shows an increase in merchandise at the various dispensaries of \$41,523.91, and at State dispensary of \$110,559.85, and that personal accounts due the State are in excess of those due 1900, in the sum of \$1,529.50.

Your committee, in view of the great advance in prices of all kinds and grades of liquors, commend the good business judgment of the directors for having purchased more largely than usual, when they discovered the possibility of advances in prices of all goods distilled from grain. For in their business sagacity they have thus saved thousands of dollars for the State dispensary.

When we submitted our last report we ventured to make some recommendations—notably, as to comestibles being required to be more accurate in estimating the quantities of liquors seized. By careful comparison of "Seizure Book," with the "Receipt and Dumping Book," etc., it gives us pleasure to say that discrepancies complained of in said report are now merely nominal.

In conclusion we assert, that any person entertaining prejudices and suspicions against the present management of the State dispensary can have the same removed by making just such an investigation of its books and affairs as we have done in compiling the foregoing report, for 'tis true as "Janus" hath it, "To inform the understanding, corrects and enlarges the human heart."

Respectfully submitted,  
F. A. Searson,  
J. W. Jones,  
Expert Committee.

## The Hidden Gold.

The unexpected charm of little things,  
Like wind from hills of honey clover,  
brings  
A breath of melody so pure and sweet  
The heart takes up the music on its string.

When I behold a happy man awhile  
Whose random laughter stops the guess  
of guile,  
I see some chubby babe of long ago  
Rubbing its dimples into this, his smile.

Too light a kiss to leave so sweet a breath?  
Look at the rose. How will it leave its  
wreath  
Of purple pride, its perfume and its  
soul?

Wrapped in a seed, that tiny urn of  
death.

Forgotten in the valley, soon or late  
That urn is spilled into the hand of fate,  
'Tis the old blood on fire, as red or  
white  
And white or red, that has meant love or  
hate.

Would you foretell the color of the rose,  
Unmindful of the changing bud that  
grows?  
Lift up the mother stalk and in her face  
There read a mother's answer, for she  
knows.

O heart that will not listen to the song  
Of little birds! O eye that will not long  
Pity the sweet pea, winged, but suared  
in flight!  
What brothers have you in the passing  
through?

Another race for other worlds that gleam.  
The silver planets and the stars that  
seem  
Forbidden gold, if gathered to the  
reach

Of our desire, would melt into a dream!  
—Aloysius Coll in Ainslee's.

## BICYCLE FREE!!

Will be given away at the office of the Newberry Steam Laundry on

FEB. 14th.

Every Fourteen Cents worth of Laundry

ENTITLES YOU TO A CHANCE!

The man who holds the lucky number which is drawn from the box gets the Wheel.

SEND YOUR LAUNDRY

Now and in addition to getting First Class Work take a chance on the Bicycle.

TICKETS also given on Cleaning and Pressing.

L. B. AULL, Lessee.