

Southern Methods Ventilated. A Rape Case.

By JOHN E. BRUCE.

Albany, N. Y., Special—There has come into my possession a transcript of the testimony taken in the case of the state of South Carolina vs. J. I. Heirs a white man and a clerk in the store of a Mr. Burckmeyer of Port Royal, S. C. The magistrate before whom the testimony was taken is a moral degenerate and a disgrace to the noble profession of the law. The attorney for the white brute—one Verdier is a monstrosity of which there are many of its kind in South Carolina. Here is as clear case of attempted rape upon an innocent Negro child as ever occurred in any part of the country and yet nobody in Washington or anywhere in the North has seen even an allusion to it in the associated press dispatches. Are the great journals of this country in the conspiracy to crush out the Negro? Are they too cowardly to publish all the news? It looks that way. My informant, a northern gentleman temporarily sojourning in that God forsaken state, personally and at his own expense investigated this matter and had type written copy of the testimony which I herewith append made from the record. In a personal letter he says: "I was informed yesterday that a certain white man received a finger with a ring on it from Texas. A gruesome souvenir truly! I have been on a still hunt all day to see it so I could talk out, but am not successful so far I have some others at work on it. In Texas they are shooting for fun alleging they are looters. These fingers were doubtless some of those we read about the Negroes having in their pockets when shot. Then do they parcel them out at headquarters or do the executioners fall heir? Think of a civilization where a human finger is sent around for a souvenir. The Negroes are to mutilate dead bodies, secure valuables, are killed, and the whites keep the booty. The whites down this way do not even believe this themselves, though they smile and look at each other knowingly when these terrible reports are published. The Negro is rather servicable, I find, in certain ways to rascally white men in this section and he appears to be bearing the white man's burden of crime with patience and heroism. I have mingled with a good many of all sorts and kinds of white men in this state who have talked freely with me about these matters. They think it no particular harm to disguise themselves as Negroes and assault women knowing that when they have accomplished their purpose some Negro will be caught, identified and summarily dealt with. I did not believe that white men anywhere were capable of such contemptible conduct or that such depravity existed among the white men of the South and I frankly confess to you that I am mortally ashamed of my race. Do you know the whites of the better class in this section are bitter against Senator Tillman for that Port Royal matter. Think of his low nephew being lieutenant governor! But when I come to think of it, the eternal fitness of things is manifest. A poor white, murderous cracker, governor and a miserable scoundrel senator of this once proud state—indeed a far cry from the Rutledge and the Pinkneys, Hayne and McSweeney and Tillman. O tempora, o mores!"

A personal paragraph in this interesting letter explains that Ben Tillman's influence secured the release of the white brute Heirs from the charge of criminal assault upon a little colored Lavinia Smith. Following is the testimony taken in the case, together with the dastardly and cowardly attack of defendant's counsel, Verdier, on the virtue of Negro women. It is a true copy.

The State vs. J. I. Heirs) Assault with Intent to Ravish.

TESTIMONY.

Lavinia Smith, the 13 year old girl upon whom the assault was made, testified as follows:

I was standing near the store of Mr. Burckmeyer in the town of Port Royal, waiting for Mr. Sanders to come and pay me some money for milk. I waited there a long time and got tired standing on the outside, so I stepped in the store near the show case looking at the things in the show case. There was no one in the store at the time but the defendant: he is the clerk in the store; he was behind the counter: he made an insulting proposition to me, and I asked him what he meant. I didn't know what he was talking about. He said give me ——— I said I did not have anything and that I did not know what he was talking about. He then came from behind the counter and told me to go in the dark room at the rear of the store and he would show me what he meant. At the same time he went to the door and shut and looked it I told him to open that door and let me out of his store. He said no you go into the dark room and I will show you what I mean. I again told him I would not go, and he caught hold of me, took me up and started to carry me in the room. I caught hold of the counter and he pulled my hands loose. He then carried me further, and as he got me to the door of the dark room, I caught hold of the oil tank that is near the door. He pulled my hand loose and carried me through the door into the room and tried to make me lie on the floor. I refused to do so, and he still tried to throw me down, I would not let him do so and told him if he did not turn me loose and open the door, I would holler and tell mama and papa. I then jerked and he turned me loose and went and opened the door. When he opened the door and I went out papa was on the outside.

Mrs. Smith, the mother, testifies: That after I heard what had been done to my daughter, I went to the hotel where the defendant was at dinner and sent in to tell him that I wanted to see him. I waited till he came out. I had a talk with him, and he did not deny anything I charged him with, but asked me not to talk too loud as he did not want his name to get out. Some young white men saw him talking to me and called him in the hotel I then went back home and examined the girl more carefully. After hearing her full statement, I waited until I saw him going from his dinner to the store. I went out and called him and told him all that the girl had told me. He said that what the girl told me was true and that as she was not hurt in any way, he would give me something if I would quash the matter. I told him I did not want any of his money, and would get satisfaction. He then turned away from me and said I could do as I chose.

Mr. Smith, the girl's father, testified as follows: I am a shoe maker. I wanted to get some shoe tacks and went down to Burckmeyer's store to buy some. When I got there I found the doors closed. I went to the door and took hold of the knob and shook it, but found it was locked. I then stepped to the window and saw the clerk in the back room holding some one by the arm. I could not see who it was. I stepped to the sidewalk and waited till the door was opened. As soon as it was opened my daughter came out. She told me that the defendant, Heirs, had locked her in there. I then made for the door but Heirs slammed the door in my face and locked himself in.

Above is the testimony taken before Magistrate Rodgers at the examination held on Thursday, the 6th of sept, 1900, and upon which he was asked to bind defendant over for trial. He refused to do so and discharged him, because "the evidence is not sufficient to hold him."

The State was represented by J. I. Washington, Esq., and the defendant was represented by W. J. Verdier, Esq.

In the course of counsel for the State, he said that he regarded this as a very serious case indeed.—"so serious that if the defendant were a black man, and this outraged girl was a white girl, instead of your honor sitting there hearing this case to determine whether it should be sent to the grand jury, the coroner of the county would be here holding an inquest of the dead body of the accused." The counsel for the defendant got very indignant and said, that such a comparison of a Negro girl with a white girl—is ridiculous, because you cannot find any Negro woman with any virtue to all. To this Washington replied that he was very much mistaken, for there are colored women who are just as virtuous and pure as any white woman anywhere. This remark greatly enraged Verdier who excitedly exclaimed, "Sir, you ought to be lynched for making such an assertion," and called upon Washington to know if he meant what he said. Washington repeated it with more emphasis, whereupon Verdier again said, "For making that assertion you ought to be lynched, and I will lead a party anytime to lynch you."

This is an example of the way Tillman will run things at Washington if Bryan should be elected. His mailed hand would strike the Negro many a blow in unexpected quarters while in his own State his name would be a terror than it now is, though he is known to be a miserable, skulking coward whose bark is worse than its bite. Again I ask is the associated press of this country in the conspiracy to crush the Negro or is it the subservient tool of the murderous and lecherous white brutes of the South who despoil Negro girls and outrage Negro women and seem to exercise a censorship over the news that emanates from that quarter especially of the character of that of which this letter treats? I presume Mr. J. J. Washington the attorney for the Smith girl will corroborate every word I have written on this subject. Any person sufficiently interested in the case can I am sure have their doubts removed if they have any respecting the authenticity of the facts here related. I don't know Mr. Washington and have had no correspondence with him on the subject because I didn't wish to compromise him in any way. I get my facts from a reliable and trustworthy white man who is traveling in the South with his eyes wide open and his hand on his hip pocket.

JOHN E. BRUCE

97 Orange St., Albany, N. Y.

Tuskegee (Ala.) Notes.

Mr. W. A. Hunton, International Secretary of the Young Men's Christian Association, in charge of the colored men's department, was a visitor at Tuskegee last week. Mr. Hunton is deeply interested in the Tuskegee Y. M. C. A. and his visits are always looked upon as a source of help by the youngmen. The model training school in connection with the Tuskegee Institute, opened Monday October 1st, with a large number of students enrolled. Principal Washington's Sunday evening talks are proving helpful to the teachers and students. His talks on honesty and stability since the opening of school were exceedingly interesting and inspiring.

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This is the first week in October and every subscriber and agent knows what this means. It means that all monthly bills must be paid. It takes money to pay bills, and The Colored American has a great many of them. Subscribers who know themselves to be in arrears should send their subscriptions in at once. This applies also to our great army of agents who have not settled for September. Don't wait to be dunned and then get mad about it. Settle up now and this means YOU.

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