

# The Herald and News.

ESTABLISHED 1865

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## CHARLESTON CONSTABLES ARRESTED.

**Went to Jail In Default of Bond—What The Governor Says About The Matter.**

The State.

Charleston, Nov. 8.—Not content with the indictment of the five dispensary constables in the court of common pleas a few days ago on the charge of assaulting him in his place of business last August, Rudolph D. Wieters carried his case into the United States court on Saturday, securing an order from Judge Simonton for the arrest of Constables Bateman, Hoy, Gideon, Grady and May. Wieters is represented by Attorney J. P. K. Bryant. The action is for \$10,000 damages and the bond of the constables is fixed at the stiff sum of \$6,000 each. The case will come up for hearing at the regular term of the court.

The papers were served on only two of the constables, Grady and Hoy, the others being out of the city. The other constables will doubtless be ordered to Charleston to surrender themselves to the United States court authorities as soon as their release on bond has been arranged for.

The plaintiff prays the interposition of the federal court on the ground that he is a subject of Germany.

Grady and Hoy were detained in the marshal's office for some time after their arrest, and then they were taken over to the jail and placed in the tender mercy of Capt. Graddock.

It is probable that the attorney general may endeavor to secure the release of the men on habeas corpus proceedings. The constables have been made comfortable at the jail.

### WHAT THE GOVERNOR SAYS.

A dispatch to the News and Courier from Columbia says that Governor, speaking of the above matter said:

At the present term of court the grand jury threw out the bills of indictment against a negro in the employ of Chicco, who was charged with an assault upon a constable in the discharge of his duty. It was feared for a time that Mr. Lykes would die. It is exasperating to think that the plaintiff, Wieters, a man whose place of business was raided repeatedly, should consider himself immune from the laws of the State, and when called upon to observe the laws has instituted in the Federal Courts proceedings against the officers of the law. Wieters, by claiming that he is a foreigner, has had these officers thrown into jail to await release upon the giving of \$5,000 bond each.

"Such action shall not deter in the effort to enforce the dispensary law. Charleston must and shall be treated as any other part of the State."

### ATTORNEY GENERAL ACTIVE.

Columbia, November 8.—Attorney General Gunter has gone to work on the case of Constables Grady and Hoy, who were imprisoned in the Charleston jail in default of bond. Governor Heyward, as indicated in dispatches in this correspondence last night, was worried about the matter, and is sorry that the case has taken such a turn, but he will espouse the cause of the constables and insist that the constables continue to do their duty in all parts of the State.

## GENERAL NEWS NOTES.

**Items of More or Less Interest Condensed Outside the State.**

Four children were instantly killed by an explosion of nitro-glycerine in Hocking County, Ohio, on Sunday. They were playing with a can which contained nitro-glycerine, and, it is supposed, struck it with a stone.

The strike of miners in Colorado has passed far beyond the expectation of the officers. Not a mine in the Trinidad section could start yesterday.

At Taunton, Mass., on Saturday, Walter E. Bassett, 11 years old, shot and instantly killed Peter Clark, a schoolmate of the same age.

At Monongahela, Pa., on Saturday, Earl Flory, a boy 13 years old, enraged at a name applied to him, shot and killed James Murphy, aged 12 years, and severely wounded John Johnson, aged 11 years.

## SOUTH CAROLINA NEWS.

**Items of More or Less Interest Condensed In the State.**

A gavel and block, made from a piece of timber in the old Brick church, Fairfield county, was presented to the A. R. P. Synod, in session at Winnsboro, last week, by the Rev. C. E. McDonald, of Winnsboro, on behalf of the congregation of the church.

There have been a number of burglaries in Beaufort recently. Some of the perpetrators have remained undetected, but last week a negro seeking to enter a store was shot through the thigh by a clerk sleeping inside and another of the burglars was captured in Savannah.

Jim Smith, colored, who was arrested at Pendleton wanted on a charge in Laurens county, and who was shot by Policeman Sanders when he attempted to escape five weeks ago, died last week, it is alleged from neglect and inattention. The authorities wanted to care for him, but his relatives asked the privilege.

Walter McHam, a 16-year-old negro boy, has been lodged in the county jail at Spartanburg, on the charge of having assaulted a negro girl, about four years of age, at Cowpens. McHam left Cowpens and went to Spartanburg, where he was arrested.

Mr. Henry S. Holman, a farmer in Orangeburg county, shot and seriously wounded his negro servant a few nights ago, thinking he was shooting at a chicken thief.

### Dr. Crimm Here.

Dr. I. E. Crimm, the well known optician, is again in the city, and will be here for two weeks. He may be found at Dr. T. W. Smith's office over the postoffice. The Greenville News has this to say of Dr. Crimm's departure from that city:

During his stay here Dr. Crimm has enjoyed a liberal patronage from the best people of the community. In addition to his patronage from Greenville he has always had a number of splendid patrons in all the nearby towns. So far as can be learned all work done by Dr. Crimm has proven satisfactory.

## NEW LEADER IN THE HOUSE.

**Democrats Choose Williams, of Mississippi. Republicans Choose Cannon For Speaker.**

The Democratic members of the House in caucus at the Capitol selected Representative John S. Williams, of Mississippi, as the unanimous choice of the minority for Speaker. This action makes him the minority leader for the coming Congress. Representative George B. McClellan, mayor-elect of New York, received an ovation as he entered the caucus and was congratulated by his colleagues on his victory.

### THE REPUBLICAN CAUCUS.

At the caucus of the Republican members of the House of Representatives, held in the hall of the House, Representative Joseph G. Cannon, of Illinois, was unanimously chosen as the candidate of the majority for Speaker of the House. This action assured his election yesterday.

Among other things Mr. Cannon said:

"In my judgment, our policy should be to consider and enact proper legislation covering the convention for reciprocal trade between the United States and Cuba; to make generous, not extravagant appropriations, at the regular session of Congress for the public service; then to adjourn and return to our homes, and the people, setting the seal of approval upon our action, will do the remainder, working out their own salvation."

### CAUSES OF WRECKS.

**What Chairman Garris Says About Them Employees of the Road Criticised For Carelessness.**

Columbia Record.

The railroad commission will in its report to the legislature discuss the frequent wrecks that have occurred in this State during the past six months. The report will review every one that has occurred, and there will be several important suggestions made. From a statement made by Chairman Garris this morning all of the blame will not be put on the management either. The commission keeps a record of the wrecks in this State, and the roads all file official statements with the commission as to the causes of each wreck, with the number of lives lost. This will be added to the report. In speaking of the wreck at Chester Wednesday, Mr. Garris said:

"I am satisfied that the cause of the wreck was the criminal carelessness of the employees of the road, taking the official statement handed out by the officials as a ground for this assertion. In some of the wrecks the public has been quick to place the blame upon the management, but in this and in several others investigation has shown that they were caused by neglect of duty on the part of the employees of the road. Dismissal is poor punishment for this sort of business, and I think that such cases are for the solicitors to take cognizance of."

Mr. Garris will embody several matters like this in his report.

The commission on Monday will inspect the Southern road from Charlotte to Augusta, and the Carolina Midland as far as Hardeeville.

## GENERAL SESSIONS COURT.

**Jury Cases Concluded Friday—Jeter Acquitted—The Werts Murder Case Continued.**

The jury cases in the general sessions court in session last week were concluded at noon on Friday, when the jury in the case of the State against W. B. Jeter, charged with breach of trust, brought in a verdict of not guilty. The crime with which Jeter was charged was alleged to have been committed during the early part of this year. Jeter was in the employ of W. L. Nelson, of Charleston, and was engaged in buying and selling cattle. He was charged with having appropriated to himself the sum of \$500, advanced by his employer, Nelson, to be used in traffic in cattle. Jeter came to Newberry and engaged in the beef market business. He was arrested here by the sheriff of Charleston on a warrant sworn out by Nelson, and was carried to Charleston. Mr. Cole L. Blease, representing Jeter, appeared before Judge R. C. Watts in Charleston and argued that the crime, if crime there was, was committed in Newberry. The case was remanded to Newberry county. Jeter gave bond. He was placed on trial Thursday afternoon, and was acquitted on Friday. Jeter was represented by George Johnstone and Cole L. Blease.

### WERTS CASE CONTINUED.

The case against Henry Werts, charged with the murder of Henry Autou, in the mill village here, some ten years ago, was continued until the next term of court on motion of Solicitor Sease. Werts, represented by Johnstone & Welch, asked to go to trial. He is sorely afflicted with consumption, and he made a personal appeal to Judge Haynesworth to press his case to trial, saying that he desired to get the matter off his mind, in order that he might spend his few remaining days in peace. Judge Haynesworth seemed disposed to press the case to trial, but the solicitor argued that Werts, who had surrendered to the sheriff only after the last term of court, had been out ten years, and this was the first term of court after he had placed himself within the jurisdiction of the courts, and that the State was not ready and it was a very unusual thing to press the State to trial. Judge Haynesworth granted the continuance.

### THE POMARIA CASE.

Among the appeals from magistrates' courts acted on by Judge Haynesworth there was an interesting case from Pomaria. Charles H. Counts appealed from a sentence imposed by the intendent of Pomaria on the ground, first, that the charter of the town of Pomaria was irregularly issued; and, secondly, on the ground that no warrant was issued for the defendant. Under a recent decision by the attorney general, made at the request of the authorities of the town and which was published, the first ground of appeal was abandoned. It not appearing whether defendant was arrested by an officer who saw the offense, in which case the arrest would be lawful, Judge Haynesworth overruled the exceptions and remanded the case to the court of the intendent for carrying out the sentence.

## NOT IN TANGLED CONDITION.

**State Newspaper Incorrect In Its Statement of Facts as to County Treasurers.**

In a recent issue of the State newspaper, Newberry was mentioned among sixteen counties "with which the comptroller general has not had settlement on account of the tangled condition in which some of the county treasurers were."

As a matter of fact County Treasurer Epps and Auditor Cromer have been ready for a settlement since the first of September and have not settled because the Comptroller General has not called for a settlement.

The following telegram sent from Greenwood by Comptroller General Jones, to Treasurer Epps, at Newberry, is in reference to this matter:

"County Treasurer: Article in paper today incorrect and misleading. Will correct.

"A. W. JONES,  
"Compt. Gen."

## COTTON FIRE.

**Twenty-three Bales Shipped From Kinards to Columbia, Unloaded In Newberry.**

Fire was discovered in a car loaded with cotton on a freight on the Columbia, Newberry and Laurens road, bound for Columbia, when the train was between Jalapa and Newberry on Saturday night.

When the train reached Newberry at about seven o'clock the alarm was turned in and the fire department responded, unloading the cotton and putting out the fire.

In the car were twenty-three bales shipped by Smith Brothers, of Kinards, this county, to M. C. Heath, Columbia. Owing to the prompt response and the good work of the fire department here the loss was very small, amounting probably to less than \$75.00. The fire had only reached six of the bales of cotton and did very little damage except to half of these.

The origin of the fire is unknown.

It may well be seen how serious an affair it might have been.

For fear that the fire was not completely extinguished, the cotton was left in Newberry on Sunday.

### The Dickert Indictment.

The indictment against W. T. Dickert, practicing medicine without a license, which was handed the grand jury last week by Solicitor Sease, was withdrawn by the Solicitor who said that he would bring up the indictment at the next term of court. The grand jury, after examining a number of witnesses, would not have found a true bill.

### Large and Well Selected Stock.

One of the biggest stores in Newberry county is that conducted by Mosley Brothers, at Prosperity. This store sells almost everything from cambrie to a four-horse wagon, a little money goes a long way at their store. They and their clerks are courteous and obliging and it is well to visit them.