

THE DEATH OF N. G. GONZALES

Editor of The State, 1891-1903

By James A. Hoyt*/

It was on the 15th of January, 1903, that N. G. Gonzales, editor of The State, was shot by James H. Tillman, lieutenant governor of South Carolina.

Mr. Gonzales died on January 19th, at the Columbia Hospital.

In October, 1903, a change of venue having been sought and obtained by the defense, Tillman was tried for murder in Lexington court house and was acquitted by a jury. He had claimed self defense.

Mr. Gonzales, when shot, was unarmed. It was not his habit to carry a weapon. He owned a revolver, which was kept in the locked drawer of the large table which he used as a desk in the editorial room of The State. After his death, this drawer was unlocked by his closest personal friend, Wade Hampton Gibbes, and the assistant to Mr. Gonzales. The revolver was there.

The General Assembly had met, as provided by the Constitution, on Tuesday, January 13th, 1903. The Senate was presided over by Lieutenant Governor Tillman, who had been defeated for Governor in the 1902 Democratic primary. Tillman was to hold office until the new Governor, D. C. Heyward, and new lieutenant governor, John T. Sloan, should be sworn in, within a few days, January 21st.

Mr. Gonzales, as was his custom, had visited each House on the first day of the session. He usually took a seat at the reporter's desk, if a chair was available, or stood for a brief time back of the reporters. While he knew many of the members of the new Legislature, he was never a "mixer", or handshaker. A delightful companion and courteous to all, he preferred to remain aloof from any personal intimate associations which might be thought to influence his editorial policy.

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On the morning of the 15th he was in his office, as usual, and gave some dictation to his secretary, Robert Lathan. In his habits he was extremely methodical. Shortly before 2 p.m. he left The State building to go to dinner at his home, 1010 Henderson Street. He was wearing an overcoat, close fitting. It was his habit, as it was that of his two brothers, to walk with his hands in the side pockets of his overcoat, or coat, as the case might be.

He took his usual, and natural route home, Main Street to Gervais, then turning left on Gervais.

At the corner of Main and Gervais, he was shot by Lieutenant Governor Tillman.

In order to understand the occurrence, let us go back 50 years and picture the locality as it then was.

Where the Carolina Life skyscraper is, occupied on the ground floor by the bank, there was then a building known as the "transfer station", utilized by the street railway company. It was at this corner that the shooting took place.

Across Main Street, where now stands the Wade Hampton Hotel, the corner building was the combined City Hall and Columbia Theatre building. From the office windows in the City Hall there was a view of the transfer station, with occasional obstruction by a street car.

Tillman, also wearing a tight fitting overcoat, left the State House in the company of Senator George W. Brown of Darlington and Senator Thomas Talbird of Beaufort. They were merely his casual companions, whom Tillman had voluntarily joined as the two senators left the senate chamber.

Coming also from the State House and hurrying to get to her bank before closing time was Mrs. Emma C. Melton, employed at that time in the engrossing department. She was perhaps the most important eye witness of the shooting. She testified that when the shot was fired she was about to speak to Mr. Gonzales, whom she knew well. His face, she said, was perfectly calm.

As Tillman, Brown and Talbird crossed Gervais Street and reached the transfer station corner, Mr. Gonzales, seeing them approach, made his turn to the left into Gervais Street, across and in front of the three men. As Gonzales turned, Tillman fired. One of the eye witnesses said "another step he would have been shot in the back."

Tillman had drawn a German Luger automatic, without either of his companions noticing it. But as Mr. Gonzales staggered from the shot, Talbird, an old friend, went to his side. Brown had turned momentarily to speak to Mrs. Melton, who, to his surprise, ran screaming into the street. Brown said he did not see the shot fired.

There was testimony to the effect that as he fired, Tillman had said: "I got your message."

Before Mr. Gonzales died, he said, in answer to a question, that he had sent no message to Tillman.

Mr. Gonzales, reeling from the shot, leaned against the building and facing his assailant, who still held his weapon on his victim, said "Shoot again, you coward."

Mr. James F. Sims, who was nearby, went to Mr. Gonzales, as did Mr. A. Gamewell LaMotte. They asked him where he wanted to go, and he said to "The State office." With Sims supporting him on the right and LaMotte on the left, he walked the half-block to The State office, and was made as comfortable as possible on the floor of the business office, with a pile of newspapers as a pillow.

Fifty years ago, not as much was known about "first aid" as is so generally known now. That walk of a half block may have been fatal. Today he would have been immediately put into an ambulance and rushed to a hospital operating room.

Within a few minutes, every physician in Columbia was in The State office. There was some confusion and consultation. It was eventually decided that Dr. B. W. Taylor should be in charge of the case, and that Dr. LeGrand Guerry should operate. He was assisted by Dr. Lindsay Peters.

Taken to the Columbia Hospital, Mr. Gonzales, before being carried

to the operating room, dictated his statement of the shooting. Lathan took it in shorthand. Dr. J. W. Babcock took it in longhand. Previously he had, in The State office, given an account to his assistant. At the trial of Tillman these statements were admitted in evidence as his dying declaration.

When he was being undressed for the operation there was no weapon to be found on his person.

After the operation, Dr. W. Gill Wylie of New York, the famous surgeon, who happened to be in North Carolina on business, came to Columbia and consulted with Dr. Guerry.

Mr. Gonzales rallied to some extent after the operation, but his wound was mortal. In the early hours of Monday, January 19th, he passed away. At his bedside were his wife, his two devoted brothers, and other members of the family.

The funeral services were held in Trinity Church the afternoon of Tuesday, January 20th. Bishop Ellison Capers conducted the services, assisted by the rector, Rev. Dr. Satterlee, and Dr. S. M. Smith, pastor of the First Presbyterian Church.

The interment was in Elmwood Cemetery.

Dr. A. B. Knowlton, county physician, performed an autopsy. He told the coroner's jury that the bullet from the Luger had entered the right side six inches below the right nipple and $2\frac{1}{2}$ inches to the right of the median line, at close range. The exit of the bullet was on the left side, $8\frac{1}{2}$ inches below the left nipple and 9 inches to the left of the median line. Dr. Knowlton explained that the course of the bullet was from right to left downward and a little backward. It was, he said, fired at close range and more from the side of Mr. Gonzales than from the front. There were four perforations in the large intestine.

This, of course, confirmed the statements of eye witnesses that Mr. Gonzales was in the act of turning when he was shot.

Among eye witnesses was C. M. Lide, the contractor, who was walking directly behind Mr. Gonzales; Joseph R. Allen and Fred G. Swaffield who saw some of the affair from the City Hall; Arledge Lyles, who operated the fruit stand in the transfer station.

It was brought out that the magazine of the Luger automatic had been taken a few days before the shooting to the shop of W. F. Steiglitz for repairs. It was repaired by Steiglitz and delivered to the friend of Tillman who had brought it. Steiglitz, after the shooting, identified the weapon in the office of the clerk of court.

When arrested, immediately after the shooting, by Policeman George Boland, Tillman had the Luger still in his hand, and when the policeman insisted on searching him, a loaded Colt's revolver was also found on his person.

The State at no time after the shooting published in its news columns any account of the affair or its aftermath written by any member of its news staff. The account of the shooting in the issue of the following day was the account written for The News and Courier by its Columbia correspondent, August Kohn, whose story was also used on the next day. Then W. W. Ball, editor of the Laurens Advertiser, came to Columbia, at the request of Ambrose Gonzales, and over his signature reported the subsequent events for the next few days, the death of Mr. Gonzales and the funeral. Thomas R. Waring, editor of the Charleston Evening Post came from Charleston and Howard A. Banks of the Charlotte Observer also came and wrote signed news stories which The State published. Mr. Waring for some time took over the news desk to relieve William E. Gonzales.

On the editorial page of the 16th, the day after the shooting, there was a signed article by the assistant to Mr. Gonzales, denouncing the attack and expressing the resentment of all the employees and their devotion to their chief. On the day after his death, the 20th, on the editorial page, there was a signed article by his older brother, Ambrose E. Gonzales, and a further tribute signed by the assistant to N. G. Ambrose Gonzales said that his brother had died "a gentleman unafraid."

For the next few weeks, for the most part, the leading editorials of The State were written by Prof. R. Means Davis of the University of South Carolina. Thereafter, on the editorial page of The State there was no

reference to the slaying of its editor until after the trial of his slayer, in October, 1903.

Under N. G. Gonzales as editor, The State had stood for law and order. His associates, following his policy and his precept, were determined that The State should do nothing to inflame public opinion. Despite this studied restraint, a change of venue to Lexington was granted on the plea of the defense that a fair trial could not be obtained in Richland County.

The report of the trial was done by W. W. Ball. But The State also during the trial from day to day published verbatim much of the testimony, from the stenographic record made by the official court stenographer, William B. Macfeat of Columbia and James F. Byrnes, then of Aiken, who was engaged to assist Macfeat. The file of The State covering the trial was specially bound. One copy is now in the South Caroliniana Library.

THE OFFICIAL RECORD

In the "Capitol Chat" column of the Washington Post of March 22, 1902, there appeared a statement that "an interesting correspondence has passed between Senator Frye and Lieut. Gov. Tillman of South Carolina."

"Lieut. Gov. Tillman," the Washington Post article went on to say, "when a bill was recently before the South Carolina Senate, decided that a motion to indefinitely postpone the consideration of a certain bill was not debatable. Issue being taken with his decision, he wired to Senator Frye for an expert opinion. Mr. Frye replied that although Jefferson's Manual was silent on the subject, the motion was debatable. When, however, Gov. Tillman later referred to the matter, he asserted that Senator Frye had sustained his position. A doubting South Carolina editor thereupon wrote to Senator Frye to know the facts and Mr. Frye answered that Gov. Tillman had not quoted him correctly."

On the first page of The State of Monday, March 24, across three columns, Mr. Gonzales made his exposure, starting with the above quoted item from The Washington Post, and going on to say:

"The 'doubting South Carolina editor' was the editor of The State."

"The evidence proves," said Mr. Gonzales, "that Lieutenant Governor James H. Tillman deliberately and formally spread upon the Journal of the Senate of South Carolina a statement he knew to be false, such statement being made for the purpose of deceiving the Senate on an important question touching the rules of that body."

"The chain of evidence," he said "is complete and cannot be broken."

Then Mr. Gonzales presented the evidence.

Telling first the story of the "Kibler bill", and the ruling of the lieutenant governor, The State reproduced the letters which Mr. Gonzales had addressed to Senator Frye, president pro tem of the United States Senate, and to Hon. D. B. Henderson, Speaker of the United States House of

Representatives, and the reply of each to Mr. Gonzales. Both Senator Frye and Speaker Henderson said the motion to indefinitely postpone a bill was debatable, both under parliamentary law and under the Rules of the U. S. Senate and House, and that they each had so informed Lieut. Gov. Tillman.

(It may be of interest to state here that the originals of these letters, in possession of the writer for nearly 50 years, have been placed with the South Caroliniana Library at Columbia.)

The full history of the "Kibler bill" is of course related in the Journal of the South Carolina Senate for the 1902 session.

The bill, by Senator Arthur Kibler of Newberry, proposed a simple amendment to the "stock law." Senator John C. Sheppard of Edgefield, as president pro tem of the Senate, was presiding when Senator W. N. Graydon of Abbeville was speaking on a motion by Senator D. S. Henderson of Aiken to indefinitely postpone the bill.

At this juncture, the lieutenant governor returned to the stand, took the gavel from Senator Sheppard, and interrupted Senator Graydon and stated that Graydon was out of order, under Rule 14, on the ground that the motion to indefinitely postpone was not debatable.

Senator Graydon, an able lawyer and experienced legislator, said his "understanding of the rule was very clear" and that he would appeal from the ruling of the chair.

Senator Joseph W. Barnwell of Charleston attempted to make a statement and was ruled out of order. However, the Charleston Senator, a very able and adroit legislator, finally by unanimous consent, suggested that Senator Graydon withdraw his appeal and that the question be referred to the committee on rules for a report, and this was done, on motion of Senator Sheppard.

It needs to be said that in his knowledge of parliamentary law, John C. Sheppard was the equal of either Senator Frye or Speaker Henderson, and having himself served as lieutenant governor, he was as familiar with the rules of the Senate as any man. He was a superb presiding officer.

The chairman of the Senate committee on rules was Senator W. S. Blakeney. On February 13, 1902, Senator Blakeney, for the committee, presented the committee's report, stating that under Rule 14 a motion to "indefinitely postpone is debatable". The committee report was unanimously adopted by the Senate.

Upon the adoption of the report the lieutenant governor made a statement which appears in the Senate Journal, in which he said:

"Since making the ruling, the chair has taken occasion to inquire of the two highest parliamentarians in the country as to the correctness of the same, and is much gratified to learn that it (the chair) is sustained by them."

To the reporters covering the Senate Lieut. Gov. Tillman stated that "he had wired to Senator Frye, president of the United States Senate, and to Speaker Henderson of the House of Representatives, stating the question and that both of them had sustained his ruling."

The reporters were Paul M. Brice, editor of the Columbia Record, who also reported the Senate for The News and Courier, and A. M. Carpenter, editor of the Anderson Daily Mail, reporting the Senate for The State.

Both "Polly" Brice and A. M. Carpenter later gave affidavits concerning Lieut. Gov. Tillman's ruling and his statement as to Frye and Henderson. These affidavits are on file with the Frye and Henderson letters.

On another occasion during the same session (1902), a bill introduced by Senator Ilderton of Florence, affecting railroads, was passed by both Houses with amendments by the House, and upon the Senate's disagreement with the House amendments, the bill went to conference, which failed to agree, and the bill failed.

Senator Ilderton thereupon charged on the floor of the Senate that he had been "most shamelessly and outrageously treated" by Lieutenant Governor Tillman, in that instead of appointing to serve on the conference and free conference committees senators who favored the bill and thus represented the views of the Senate, Tillman selected opponents of the measure, who secured its failure by refusing to agree to the House amendments.

The lieutenant governor did not deny he had appointed opponents of the bill to represent the Senate but claimed the right to select conferees "without reference to their friendliness or opposition to a measure."

Again Mr. Gonzales wrote to Senator Frye and Speaker Henderson and inquired their opinion on the propriety of the lieutenant governor's action. Senator Frye replied, under date of March 19, 1902:

"I have served in both Houses of Congress 32 years and I have never known a Presiding Officer of either Body to appoint a Conference Committee the majority of which did not represent the majority vote of the Body over which he presided. No Presiding Officer would dream of doing otherwise."

The reply of Speaker Henderson was to the same effect, dated March 21, 1902.

Dr. Ilderton was on the opposite side of the political fence from The State, but he secured these letters from Mr. Gonzales and confronted Tillman with them at the 1902 campaign meeting at Florence, in the summer of 1902.

It would seem that such a revelation of official misconduct and misrepresentation by the presiding officer of the Senate would be sufficient to put an end to his candidacy for Governor in the coming primary election. Mr. Gonzales then hoped it would have that effect, and he thought it might do so. At that time he would have been gratified not to have to mention J. H. Tillman again in the editorial columns of The State.

On the day of this first page exposure, March 24, 1902, Mr. Gonzales in his editorial, headed "The Exposure of 'Jim' Tillman", said that Tillman "is not only lieutenant governor of South Carolina, and by virtue of that office president of the Senate, but he is an avowed candidate for Governor of the State." "His character as a man is therefore a matter of public concern," he said. "Still more so is his character as an officer." His nomination for Governor, he said, would be construed as an endorsement of his character by the Democrats of South Carolina. It is their business, he said, and should be their pleasure to know what manner of man he is.

If Tillman should persist in his purpose to seek the endorsement of the Democratic party for the Governorship, he was sure, he said, there will be a series of revelations concerning his fitness for that distinguished position.

After summing up the evidence he had presented so fully concerning the misrepresentation Tillman had imposed on the Senate, the editor of The State concluded his editorial with these words:

"The time was in South Carolina when no man thus convicted of dishonorable conduct could lift his head again in politics. Despite all surface indications to the contrary we do not believe that there can even now be political countenance for a man self-written to be unworthy of public trust."

But Jim Tillman was inordinately ambitious, inordinately vain, and utterly reckless.

Not only that, but there were men around him, also ambitious, whose political fortunes, they knew, might rise or fall with Jim Tillman's fortunes. They were determined that he should run for Governor. He did so. The prediction Mr. Gonzales had made as to further revelations proved true. He met defeat (D. C. Heyward was elected).

No man who had been so prominent, and in a way so promising, in South Carolina politics, ever passed his last years in such utter political oblivion. Eight years later James H. Tillman died, forgotten except for his act in killing the most brilliant and one of the most courageous newspaper editors South Carolina has produced.

So much space is here given to the incident of Lieut. Gov. Tillman's deliberate deceit of the State Senate because there have, in recent years, been so many erroneous ideas throughout the State, among the younger generation, as to the character of the accusations brought against him by the editor of The State.

N. G. Gonzales held to the belief, all through the 1902 campaign, that exposure of Tillman's public record was all that was necessary to bring about his defeat. He did not at any time refer in any way to Tillman's personal life nor his family relationships.

But others did that. At the Gaffney campaign meeting Ed H. DeCamp, editor of the Gaffney Ledger, went on the stand and denounced Tillman to his face as a "drunkard" and "gambler". DeCamp went away unscathed, and he lived respected and beloved until his death, at a venerable age, a few years ago.

In his closing editorial of the 1902 campaign, the day before the primary election, August 25, 1902, Mr. Gonzales said that he would have preferred that some one else, some other newspaper, or some opposition candidate, had taken the lead in opposing Tillman's candidacy, but since none had done so, The State, having the information, had done so. However, he said the voters were not concerned about the source of charges, but their truth. "One by one", he said, "the newspapers have swung in line, until out of 11 daily journals in South Carolina 10 have pronounced against Jim Tillman." Then he listed the 10 newspapers by cities, as follows:

Anderson, The Daily Mail
Charleston, The Evening Post
Columbia, The Evening Record
Columbia, The State
Florence, The Daily Times
Greenville, The Daily News
Greenwood, The Daily Index
Spartanburg, The Daily Herald
Spartanburg, The Evening Journal
Sumter, The Daily Item

In his address to the Lexington County jury which tried Jim Tillman for murder, and acquitted him, William Elliott, then a youthful attorney, a kinsman of Mr. Gonzales, and one of the attorneys associated with Solicitor J. Wm. Thurmond in the prosecution, pointed out that Mr. Gonzales criticised Tillman as a public officer and as a candidate, as he had the right and duty to do. "But," said William Elliott, the defense has "placed upon N. G. Gonzales' head the abuse of every newspaper in South Carolina." Mr. Elliott had read to the jury, voluntarily, all the editorials of The State referring to Tillman - a lengthy and tedious undertaking. Elliott declared: "Gonzales said again and again, 'If the people want to vote for James H. Tillman, I have nothing to say. All I want to do is to produce the evidence.'"

It was the Charleston Evening Post, not The State, in a comparison of Major Micah Jenkins and Tillman, which used the phrase: "The Soldier and the Swashbuckler, the Gentleman and the Blackguard."

The Anderson Daily Mail said of Tillman he "lives and breathes in a very atmosphere of falsehood."

Another newspaper, not The State, had compared Tillman to F. J. Moses, the arch-scalawag of Reconstruction in South Carolina.

But all of these accusations and epithets, said Elliott to the jury, had been erroneously attributed to N. G. Gonzales.

REQUIESCAT IN PACE!

In all his distinguished career as a reporter and editor, W. W. Ball never drew a more beautiful word picture than his description of the interment of N. G. Gonzales. In The State of January 21, 1903, Ball wrote:

"On the level summit of a lofty hill on the northwestern side of Elmwood Cemetery is a new made grave. A little apart and beyond a line of other graves that seems to mark the steady advance of the Great Destroyer, for the farther ground remains for those to be called later, one fancies it a fitting spot for the mortal part of a guardian spirit to sleep.

"There yesterday, as the gloom of evening softly fell, while a misty rain chilled all earth with sorrow, loving hands tenderly laid our brave friend and chief. Beneath the hill and about it, over its everlasting rocks, moan the waters of the Congaree. From the far-away mountains of the Blue Ridge, from the billowy hills of the Piedmont, they bear the everlasting requiem of a stricken people's grief and onward deepening to a profounder note, they carry it to the sea.

"In truth it is a fitting spot. Below in the distant south, tall factory chimneys lift themselves to tell of what his brain and work achieved to build this fair city on larger and broader and ever broadening plans. Their smoky pinions day by day soar heavenward with the story of what his unswerving faith has wrought for his beloved Columbia. No sound of clanging discords of human life reach the sacred place, and there above, yet close by, the mighty river flowing midway through Carolina and teaching her people their common brotherhood, he rests in peace."