

Trial of Jas. H. Tillman.

word that is uttered and often gives suggestion to his counsel. He displays very little emotion. He seems to be acquainted with every detail of the case, perhaps better acquainted with the endless details than any one of his attorneys.

THE EVIDENCE ON FRIDAY.

The last report in The Herald and News closed with Thursday afternoon.

The evidence on Friday was the strongest and most dramatic yet proffered. The State devoted the first few hours of the day to proving that N. G. Gonzales carried no weapon at the time he was shot. Next it proved that Tillman even before the campaign of last year made threats against the life of N. G. Gonzales. During the afternoon the eye witnesses were placed on the stand.

The most dramatic feature of a noteworthy day was the damaging testimony of Dr. E. C. L. Adams, one of Tillman's friends, and a man who worked for Tillman in his gubernatorial campaign.

The first witness was Mr. August Kohn, of the News and Courier, who testified that he knew Mr. Gonzales well and often had conversations with him, but that he knew of no personal feeling which Mr. Gonzales held towards Mr. Tillman. That he could not say from the editorials in a paper denouncing a public man that the editor of the paper entertained bitter personal feeling toward that man.

A "BULLY-RAG" PERFORMANCE.

Mr. Kohn was subjected to a severe cross-examination, conducted in such manner as to make it a shameful performance. Col. Croft attempted to make Mr. Kohn say that from reading the editorials of the State he must have formed the conclusion that Mr. Gonzales entertained bitter feelings personally towards Col. Tillman. Mr. Kohn stuck to his position, and the truth of the matter was that Mr. Kohn proved too much for the attorney and the attorney became enraged and lost his head. At one time in a dictatorial voice he ordered Mr. Kohn to take his hands off his knees. Then, although Mr. Kohn had been excused the day before from testifying on account of a Jewish holiday, Mr. Kohn being of the Jewish faith, Col. Croft demanded that Mr. Kohn should swear in the name of the "Living Christ." An attempt to belittle a man's honest religious beliefs, something that is held in disrepute even among village school-boys! It was a "bully-rag" performance throughout. The most charitable construction that can be placed is that the honorable attorney for the defense lost his head. Judge Gary interfered when he demanded that Mr. Kohn swear in the name of the "Living Christ."

HAD NO PISTOL.

Mr. F. C. Withers, of the State; Dr. W. J. Murray; Dr. L. A. Griffith; Mr. L. G. Wood, of the State; and Mr. M. C. Wallace, of the State, who were with Mr. Gonzales immediately after he was shot when he was carried to the State office, testified that no pistol was found about his person. Mr. Wood, by request, having put on the coat and made an examination of the pockets.

"KILL HIM LIKE A DOG."

Mr. C. J. Terrell, editor of the Johnston Monitor, testified that he was talking to Col. Tillman, in front of Col. Tillman's office door, in Edgefield, before the opening of the summer campaign of last year, when Tillman made the remark that he was going to run for governor and was going to be elected and if that—referring to Gonzales with severe oaths—attacked him like he had been doing, he was going down there and kill him like a dog. Mr. Terrell said he remonstrated and told Mr. Tillman that he would go down and tackle him, man for man, but Mr. Tillman said no; "that he was going down there and give him no more showing than he would a mad dog."

Mr. Terrell then told of a second threat he heard Mr. Tillman make. He and Mr. Black were in a railway car when Col. Tillman came in. Mr. Tillman told Black he was going to do what he said he was going to do, and put an end to his (Gonzales') way of abusing him (Tillman.)

Mr. Terrell heard Mr. Tillman make a third threat the day they were canvassing the election returns

in Columbia. Mr. Terrell, Attorney General, Secretary of State Gantt, and Mr. E. J. Watson, of the State, were there when Tillman came up. Messrs. Gantt and Gunter left. Col. Tillman asked Mr. Watson to carry his threat to Mr. Gonzales, but Mr. Watson declined. On cross-examination, which was very severe and rigid, Mr. Terrell said he had never had any unkind feelings towards Tillman.

"WILL MAKE IT A — TRAGEDY."

Dr. E. C. L. Adams, a prominent physician of Richland county, who was a member of Col. Tillman's regiment in the Spanish war, and who supported Col. Tillman in his race for governor, testified that during the campaign he had several conversations with Col. Tillman in Columbia. That he advised Tillman if he wished to be governor of South Carolina he would have to fight Mr. Gonzales; that the men who were supporting him expected him to defend himself. That Tillman replied: "That won't do because I am lieutenant governor and will be impeached; but you boys need not worry, for by God, I will sniff his light with this." (drawing a pistol out of his satchel.) That Tillman said he had walked the streets in hope of meeting Gonzales. That he suggested that Tillman go to the State office, and Tillman replied that he couldn't get fair play. That he then offered to go to the State office with him and see fair play. "On one occasion," said Mr. Adams, "there was a man in Col. Tillman's room reading an editorial from the State, one which spoke of him as a blackguard and liar and I don't know what else, and another speaking of him challenging Mr. Gonzales' writing as 'mock theatrical.' He (Tillman) said: 'He can call it mock-theatrical if he wishes to, but I will make it the God damndest tragedy that ever happened in South Carolina.'"

SENATOR BROWN.

Senator George W. Brown, who walked out of the State house and down the street with Col. Tillman on the day of the shooting, having just turned around to meet a lady friend when the pistol was fired, testified. He said he was on the right going down and Col. Tillman was on the outside. Senator Talbird being in the middle. Just as they got to the corner of the transfer station his attention was attracted and he looked behind and recognized a lady friend of his, Mrs. Emma Melton, and started towards her. He had not seen Mr. Gonzales when the explosion took place. Just as the report occurred the lady screamed and ran and he followed to quiet her.

REPRESENTATIVE BOMAR.

Representative Bomar, of Spartanburg, was between the State house and the transfer station when his attention was attracted by the report. When he first saw Mr. Tillman after the shot Mr. Tillman was on the outer edge of the pavement with a revolver in his hands, holding it as if in the attitude of shooting. He saw no demonstration on the part of Mr. Gonzales. He was about 150 feet distant. He corroborated Senator Brown as to the positions of Messrs. Brown, Talbird and Tillman.

SENATOR TALBIRD.

Senator Thomas Talbird, of Beaufort, who was walking along with Mr. Tillman at the time of the shooting, he and Senator Brown and Mr. Tillman having left the State house together, testified that he was on the outside walking down, Governor Tillman in the middle, and Senator Brown on the inside. As he got to the transfer station he recognized Mr. N. G. Gonzales. He had his overcoat buttoned and he had his hands in his overcoat. And then, to exactly quote Senator Talbird's words, he said: "Mr. Gonzales was ten or fifteen feet from us when I first noticed him. When he got within five or six feet of us Governor Tillman said: 'How are you?' Good morning.' 'How are you, Mr. Gonzales?' or some expression of the kind. Mr. Gonzales turned toward the left, toward the transfer station, as if to pass us on the inside. I paid no further attention to him, as he got out of my line of vision. I was looking up the street about the time I supposed he would get on a line with us. I heard the remark, 'I received your message,'

and then to my right I saw a pistol in Governor Tillman's hand and it went off. Senator Talbird testified that the remark "I received your message," and the report of the pistol were almost simultaneous. Senator Talbird is a close friend of Mr. Tillman, and was also a schoolmate of Mr. Gonzales.

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Mr. J. F. Sims, of Columbia, who was the first to reach Gonzales after the shooting, testified that Tillman held his pistol on Mr. Gonzales after he shot. That he heard Tillman say to Gonzales after the shot was fired, "I received your message."

Congressman Wyatt Aiken testified that he on the day of the shooting met Mr. Gonzales and had a conversation with him. He and Mr. F. H. Dominick walked up town together, ahead of Tillman. He spoke to Gonzales and did not think he noticed him. Immediately after Dominick looked around and he said, "Are you going to see if these fellows are going to embrace?"

Messrs. J. S. Young, agent for the street railway at the transfer station, and Ollie Lyles, office boy at the transfer station, had their attention attracted by the shot and gave testimony corroborating the other witnesses.

SATURDAY'S TESTIMONY.

Mr. C. M. Lide, who was near when the shooting took place, testified that his attention was attracted by the shot. He said Mr. Tillman had on a greyish brown overcoat, while the one exhibited in court is dark blue.

Mr. A. G. Lamotte, who assisted Mr. Gonzales to his office, swore that Mr. Gonzales had no weapons on his person.

Young Mr. August Scheidemann, who was riding along on his bicycle at the time and saw the whole affair, corroborated the other witnesses.

MRS. EMMA MELTON.

Mrs. Emma Melton, who at the time was working in the crossing department, and who is the lady whom Senator Brown turned back to speak to, corroborated Senator Brown. She said if Mr. Gonzales had taken one step more he would have got to the opening between Tillman and the gentlemen with him, and the corner. She said she

was looking at Mr. Gonzales for the purpose of speaking; that his features were plain and his eyes were downward as if he were in deep study, and that he made no demonstration.

THE DEFENSE OPENS.

Miss Mary Julia Roper, a witness for the defense, was then placed on the stand. She is a relative of the Tillman family and a native of Edgefield, but for some time she has been in New York, where she holds a position as trained nurse in one of the big hospitals there. Her testimony she gave in a straightforward manner, and as some one expressed it, she was a "game little friend of Tillman." She is a young lady.

Her testimony was chiefly on the point of Mr. Gonzales' feelings towards Col. Tillman. It happened that Capt. R. E. Elliott, an uncle of Mr. N. G. Gonzales, was a patient at the hospital at which Miss Roper was the assistant superintendent. It was while at this hospital and during Mr. Gonzales' visits to his sick uncle that Miss Roper claims that Mr. Gonzales had the conversation regarding Col. Tillman.

Mr. Gonzales, Miss Roper stated, knew of her relations and friendship to the Tillman family at the time of his conversations.

"Did he (Mr. Gonzales) say anything else about Mr. Tillman—what he made him do?" asked Col. Croft.

To this Miss Roper replied: "Mr. Gonzales asked me if I considered Col. Tillman a brave man. I told him I certainly did, and he said he did not; that he had made Mr. Tillman show the white feather twice, and that Col. Tillman had challenged him to two duels, which he did not acknowledge, and that Col. Tillman had no more resentment about him than to come into the hotel lobby and offer him a cigar, which he declined."

"Was it upon one or several occasions that you heard him speaking of Mr. Tillman in this derogatory manner?"

"It was upon several occasions," Miss Roper answered.

Miss Roper said that during Mr. Gonzales' visits to the hospital he spoke of Col. Tillman as a villain, a gambler and a coward.

SENATOR TILLMAN A WITNESS.

It has been stated that Senator

Tillman will be a witness for the defense.

LEXINGTON WILL BE CROWDED.

A great many Lexington county people have expressed their determination to come to Lexington to hear the arguments. It is expected there will be a big crowd here during the progress of the arguments.

JOHN K. AULL.

SICK JUROR IN THE TILLMAN CASE.

Milton Sharp Quite Ill With Billious Fever and the Trial May Not Proceed Today.

News and Courier.

Lexington, October 4.—Milton Sharp, one of the jurors in the Tillman case, is quite ill with billious fever, and it is possible the trial may not proceed on Tuesday. Mr. Sharp began complaining yesterday after the adjournment of Court and his condition did not improve during the night. He was worse this morning and Dr. Wingard, a local practitioner, was called. He made another visit this afternoon, and while he expressed the hope that Mr. Sharp would be well enough to allow the trial to go ahead on Tuesday he was by no means positive.

The juror is subject to these attacks and it generally required from three to four days for him to recover. He is receiving the best medical attention.

In the event Mr. Sharp becomes seriously ill and is unable to attend, the Court will be obliged to order a mistrial, and the work of the past week will amount to nothing.

Col. Tillman and his counsel are exceedingly anxious over the condition of Juror Sharp. They had expected to close up their case by the end of the week.

The jury is composed of men who have always led an active outdoor life and the confinement is telling on them. Except for short walks they are kept in a big room over a store, taking their meals at a near-by restaurant.

August Kohn.

AN ORDINANCE
Fixing the Rate and Prescribing the Time for the Payment of Town Taxes for the Year 1903

BE IT ORDAINED BY THE Mayor and Aldermen of the Town of Newberry, in council assembled, and by authority of the same: That for the purpose of raising a revenue and in the exercise of the taxing power of said Town, the following taxes are hereby imposed for the fiscal year ending December 31st, 1903, upon all real and personal property within the corporate limits of said Town (except such as is exempt from taxation under the Constitution and laws of this State) upon the valuation thereof as assessed for taxation for County and State purposes, viz.:

Section 1. That a tax of sixty cents on each one hundred dollars worth of real and personal property within the corporate limits of the Town of Newberry, in the State of South Carolina (except such as is exempt from taxation under the Constitution and laws of this State) is hereby levied for the purpose of raising a revenue to defray the ordinary expenses of said town for the fiscal year ending December 31st, 1903.

Section 2. That a tax of three-fourths of a mill on each dollar's worth of real and personal property within the corporate limits of the town of Newberry (except such as is exempt from taxation under the Constitution and laws of this State) is hereby levied for the purpose of raising a revenue to defray the bonded indebtedness of said town for the Opera House.

Section 3. That a tax of two and a half mills on each dollar's worth of real and personal property within the corporate limits of the Town of Newberry, (except such as is exempt from taxation under the Constitution and laws of this State) is hereby levied for the purpose of raising a revenue to pay the interest on and create a sinking fund for the bonded indebtedness of said town for the Sewerage System.

Section 4. That a tax of one mill on each dollar's worth of real and personal property within the corporate limits of the Town of Newberry (except such as is exempt from taxation under the Constitution and laws of this State) is hereby levied for the purpose of raising a revenue to pay the interest on and create a sinking fund for the bonded indebtedness of said town for the Sewerage System.

Section 5. That all taxes herein imposed or levied shall be paid to said town in lawful money of the United States, between the 15th day of October, 1903, and the 17th day of November, 1903, and that after the 17th day of November, 1903, a penalty of ten per cent. is hereby imposed upon and shall be added to all taxes in arrears.

Section 6. That execution issue according to law for the collection of all taxes, fines or penalties past due and unpaid for Thirteen days, and the costs of said execution.

Done and ratified under the corporate seal of said Town this 14th day of September, A. D. 1903.

W. E. BARHARDT,
Mayor of the Town of Newberry, S. C.

THOS. O. STEWART,
Clerk and Treasurer.

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Is not what our competitors predicted, a draw back to our business, but to the contrary business has increased and we greatly appreciate the kindness of our friends in looking us up in our new quarters. Our efforts to favor you in quantity, quality and price, shall be greater than ever.

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It penetrates without harm, removes soreness, relaxes inflammation, swellings and lameness, healing surely and quickly. Have it always on hand ready for accidents. It costs but twenty-five cents and may save you many dollars.

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Watches, Clocks, Silver and Plate Ware, Cut Glass and Table Ware SUITABLE FOR Wedding and Birthday Presents

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