

Gillis Not Guilty.

Jury in Kershaw's Famous Homicide Case Acquits Defendant After Twenty Minutes' Deliberation---Testimony for the Defense.

The News of last Saturday contained the testimony of the state in the famous Gillis case—the killing of McRea Whitaker by J. E. Gillis—the trial of which occupied several days of the court in Camden last week. The principal witnesses for the defense were the defendant himself and Mrs. Reese, whose testimony as reported for the News and Courier is as follows:

J. E. Gillis, the defendant, took the stand in his own behalf. He testified that he was in Camden on the date of the difficulty, that his father, some time previously, had a negro cleaning up the ground, that he let the fire get out on the land of deceased's mother-in-law. When defendant came to his dinner his father sent him to help put out the fire.

While there Mr. McRae Whitaker came there and seemed to be very mad, and accused him of setting the fire out, which he denied doing, and explained his connection with it.

The explanation did not satisfy Whitaker and, rather than have any difficulty, he left. The day of the difficulty he and his father were in Camden. In the afternoon they left for home. At Green Hill swamp defendant stepped out of his buggy and when he looked around saw that Whitaker also had just driven up. Whitaker said: "You all are blocking the road," to which his father replied: "I thought you could pass," and at the same time drove out to one side. Whitaker said: "I have not seen you since you put the fire in my woods."

Defendant replied: "Mr. Whitaker, I did not do it, and I told you I had nothing to do with it."

Whitaker said, "Well I have been informed that you did, and I'll be damned if I didn't believe it."

Defendant again denied having anything to do with the fire, and told deceased he thought he owed him an apology for the way he treated him.

Defendant's father then spoke up and said: "Positively, Mr. Whitaker, he didn't put the fire in the woods. I sent him there and told him to get all the hands that he could and to put out the fire, no matter where it was. To this Whitaker said: "Well if I have been misinformed, I reckon I owe you an apology and would take back what I said."

Defendant said: "Well, that is all right, I am done with it." Defendant and his father got in their buggy and drove on.

Whitaker overtook them and passed them. When they reached Boykin's Whitaker said "Ed Gillis, God damn you, hold up there, I am going to settle this damn fire fuss." They stopped and looked back and saw it was Whitaker and Ancrum Boykin. They were coming at a rapid speed. They drove up near and both jumped out. Whitaker said: "God damn it, I am going to have a battle." Seemed to be pulling off his coat, Ancrum Boykin said: "Come, this damn thing has to be settled right now." Defendant said to him: "The matter is settled so far as I am concerned. Ancrum said, No, it is not settled," and Whitaker said: Yes, I am

going to have a battle."

He had his pistol at the time in his hand. Defendant said to Boykin: "We dont want to fight anyone, and if you all will let us, we will go home." Boykin said: "No, you won't do anything until Whitaker gets satisfaction," and shoved defendant's father aside and said: "Damn you, get out it; you are not in it." Defendant then said to him: If he is not in it you are not in." Boykin said: "Yes, I am in it, damn it; I am going to have something to do with it right now." About that time Mr. Sam Boykin came up and Ancrum Boykin said to him: "You take charge of him," meaning defendant's father. Mr. Barfield was standing near, and advised against a fight, but if they were to fight to have a fair fight.

Defendant said: "I don't want any," but Whitaker told him he was looking to have it right now. Ancrum Boykin said. "Give me your pistols, Gillis." He refused to do so. Whitaker then said: "That is all right; I will fix the G—d—s—c—b. I will kill him." Whitaker then threw his pistol over his head and said: "I am going to have a duel, and nothing else will do me," and stepped out and threw out his pistol on defendant, and about that time he realized that unless he acted and acted quickly he would be killed.

He drew his pistol and fired about simultaneously with Whitaker. Defendant fired twice in quick succession. Cannot say, as it was done so quick, how many times Whitaker fired. He knows once at least, just at the time defendant fired, and a little in advance, he believes, of defendant's shot. With defendant's second shot Whitaker fell.

AN EYE WITNESS, MRS. A. M. REESE,

who acted as postmistress at Boykin's Postoffice, in the absence of her husband, who was the postmaster, testified that on the afternoon of April 9, 1904, she was at Boykin's, when Mr. Whitaker drove up in a buggy toward the depot. Shortly after J. A. Gillis and the defendant rode to the postoffice and asked for their mail. She gave it to them and they rode off, her attention was attracted by Ancrum Boykin and Mr. Whitaker. Their buggy was hitched near the depot and they were walking very rapidly in the direction of Gillis. Whitaker seemed very much excited and was cursing the Gillises, who were sitting in their buggy. They were acting in a quiet manner. Whitaker was the aggressor. Defendant did not draw a mark on the ground and dare Whitaker to cross it. Just before the shooting I heard Mr. Sam Boykin and Ancrum insisting on a fair fight. Gillis did not decline a fair fight. Said he would give up his pistol. Did not hear Whitaker say he would give up his. Heard Whitaker say he would fight a duel, accompanied by violent language and then the shooting took place.

The case was concluded Saturday, the jury rendering a verdict of not guilty in twenty minutes. Among the attorneys for the defense was Mr. E. D. Blakeney, of Kershaw. The Hon. M. L. Smith assisted in the prosecution.

Marion Stands by Cotton Association.

Marion, Oct. 7.—Special to News and Courier: Cotton situation anomalous. Two bales sold yesterday and none today. Farmers will not accept less than 11 cents. Meetings largely attended and pledges signed today.

Assaulted a Magistrate

And Shot at Another Man, are the Charges Against a Laurens County Citizen.

Special to The State.

Laurens, Oct. 8.—John Manning Abercrombe of Dials township was lodged in the Laurens jail yesterday afternoon by Sheriff T. J. Duckett and his deputy, A. B. Sullivan. Abercrombe will probably have to answer to two indictments for assault and battery with intent to kill, as he is charged with making a brutal assault on Magistrate M. Hellams Friday afternoon and of firing upon a neighbor, Morgan Gwinn, shortly after the attack on Magistrate Hellams.

It seems that Abercrombe had a grievance against Magistrate Hellams because the latter had been employing Abercrombe's children to pick cotton after he, Abercrombe, had notified him not to do so again. This is said to be Abercrombe's alleged reason for his treatment of the officer. It is stated that he called at Magistrate Hellams' home and was cordially received at the door by Mr. Hellams himself. After exchanging a few words Abercrombe, who armed with a big pistol, told Hellams that he was going to kill him, whereupon Hellams retreated to ward his room, presumably for the purpose of his getting his gun to protect himself. Before reaching the weapon, however, Abercrombe entered the room at another door and secured the gun himself and then proceeded to kick and cuff Mr. Hellams in a very brutal manner. Abercrombe, it is said, appeared to be drinking and after leaving Mr. Hellams' he shot at Mr. Gwinn, who picking cotton with his wife in a field near the road.

Black Brute Lynched by His Own Color.

Bainbridge, Ga., Oct. 8.—News has just reached Bainbridge of the lynching of a negro today, eight miles west of here by a mob of his own race. The negro had criminally assaulted a negro girl and had attempted to assault another who cut him in the breast. He was arrested by Deputies James Ivey and Murkerson, who were bringing him to Bainbridge, when they were stopped by a mob of negroes who said they must have the negro. They got him and forced the deputies to go away on another road. The negro was strung up to a tree and riddled with bullets.

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