

The Lancaster Ledger.

W. S. CARTER,
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ESTABLISHED 1852

White Man to Hang for Negro's Murder.

Bob Small Sentenced to Die
Within Two Months.—Negro
to be Hanged Same Day.

Special to The State.

Darlington, March 11.—This morning the two white men convicted yesterday of the murder of Frank Scott, colored, were formally sentenced.

John Noll, who was found guilty and recommended to mercy, was sentenced to life imprisonment in the State penitentiary and the date of execution of Bob Small, who was found guilty without recommendation to mercy was fixed by the court for the 5th of May. Senator Geo W Brown, counsel for the defendants, made a most determined effort in behalf of his clients, pitched on a high plane, and on every hand one hears him commended for the manner in which he looked after their interests. Moreover, there are some who claim to think the verdict too severe. They are, however, decidedly in the minority, for in all probability far the greater number of those who listened to the evidence are ready and willing to pronounce the verdict to be absolutely just and righteous.

John Noll, the defendant sentenced to life imprisonment, is but a boy, scarcely out of his teens.

Small and Noll were from North Carolina and worked at Harper's saw mill, nine miles from Darlington. They came to town on Monday, Feb 6th, each bringing a shot gun. After staying in town several hours, and, it is said, drinking heavily, they began their homeward march. All along the road they are said to have been boisterous and abusive to passersby, shooting at travelers, horses and mules. Finally they met this negro on a load of cotton seed for his employer, W P DuBree, with whom he has been working for 12 years, which is a testimonial to his good character. Bob Small hailed the negro and after a few words shot him. His companion, Noll, drew his gun to shoot him again, when R F Howie, county treasurer, traveling this road, came up in his buggy. Knowing the negro, he protested against the act and Noll turned his gun on Howie and fired, hitting him in the face with one shot and the horse receiving the balance of the load in his head and neck.

They continued their onward march to their shanties at the saw mill. Mr. Howie cared for the negro and drove back to town for the sheriff, who, with his deputies pursued the men, captured them at 1 o'clock Monday night in their shanties at the mill, tied them and brought them to jail.

The negro was a peaceable, reliable workman.

THE SAM MARKS CASE

Sam Marks, the negro, who was tried at the summer term of court for the murder of Hill Langston, a white man, and who was found guilty, was resented today, the supreme court having denied him a new trial. The date of his execution was also fixed for the 5th of May. Popular sympathy is, however, very much with Marks—at least here in the town of Darlington. The jury

which tried him was composed of some exceedingly good men, but popular feeling ran high at the time in some sections of county, and it will be remembered the State militia was called upon to protect the defendant. The impression seems to be that all this had its weight with the jury, unconsciously perhaps. Scores of good men, familiar with all the circumstances, can be found to assert that the negro is guilty of no more than manslaughter, if even that. The prevailing sentiment in the town of Darlington is that this is a case in which the governor might well exercise his executive clemency.

MOSE HAM FREE.

Mose Ham, another negro, was indicted along with Sam Marks, charged with being an accessory to the killing. In his case the jury, the same as that which found Sam Marks guilty, hesitated for hours as to whether to find him guilty or guilty with recommendation to mercy, finally taking the latter course. Upon appeal to the supreme court, that tribunal remanded the case against Mose Ham for a new trial, stating that there was absolutely no evidence against him. In view of this Solicitor Johnson today not pressed his case. This is doubly interesting as bearing upon the circumstances under which Marks was convicted.

Happenings in the State.

As Chronicled by the Alert Correspondents of The Columbia State and the Charleston News and Courier.

(Specials to The State.)
Killed With a Rock.

Belton, March 12.—Ellis Greer and Sam Breazeale, negroes, became involved in a row last Sunday which resulted in Sam striking Ellis in the forehead with a rock, crushing in the skull from the effects of which Ellis died Friday evening.

Negro Killed in Edgefield.—Two Sent to Penitentiary for Life.

Edgefield, March 10.—Several miles above here Mr. Lemuel Corley was yesterday forced to kill a negro, named Jim Lamer.

Mr. Corley is one of the county changing overseers. He was approached by said negro saying he wanted to see one of the convicts. He was armed with a shotgun. Corley asked him what the weapon contained; he answered by raising his gun and saying he would shoot him, thereupon Mr. Corley, quick as a flash, shot the negro dead with his rifle.

Charles and Arthur Holloway, both negroes who have for two days been on trial here, charged with the killing of Spencer Barnes, another negro, at Pleasant Grove church, three miles from Edgefield, on August 1st, were tonight convicted of murder with recommendation to the mercy of the court. Life imprisonment in the penitentiary will likely be the fate of these negroes.

Notice to the Public.

I will hold all inquests in the county. Phone to my residence at Pleasant Hill for me when needed.

J. Montgomery Caskey,
apt. 20—1st Coroner L. C.

CANNER SALVE
The most healing salve in the world.

Oyama Keeps His Word To His Hungry Troops.

Mukden Was Entered on Schedule Time, the Japs Capturing
Enormous War Supplies.

Tokio, March 10, 8 p. m.—Field Marshal Oyama telegraphs as follows under today's date: "We occupied Mukden at 10 o'clock this morning.

"Our surrounding movement, in which we have been engaged for some days past, has now completely succeeded.

"The fiercest fighting continues at several places in the vicinity of Mukden.

"We captured a great number of prisoners, enormous quantities of arms, ammunition, provisions and other war supplies. There is at present no time to investigate the number of these.

Losses Suffered by Russia

Killed and Wounded Estimated at 90,000 and Prisoners at Over 40,000—Spoils Include 60,000 Rifles and 60 Guns.

Tokio, March 12, 7 p. m.—Field Marshal Oyama, reporting today, says:

"Prisoners, spoils and the enemy's estimated casualties against all our forces in the Shakh direction follow, but the prisoners, guns and spoils are increasing momentarily. The prisoners number over 40,000, including Gen Nachmoss. The killed and wounded are estimated at 90,000. The enemy's dead left on the field number 26,500. The spoils include two flags, about 60 guns, 60,000 rifles, 150 ammunition wagons, 1,000 carts, 200,000 shells, 25,000,000 rounds of small arms ammunition; 75,000 bushels of cereals, 275,000 bundles of fodder, 45 miles of light railway and 2,600 horses, 23 cart loads of maps, 1,000 cart loads of clothing and accoutrements, 1,000,000 rations of bread, 75,000 tons of fuel, and 60 tons of hay; besides tools, tents, bullocks, telegraph wires and poles, timber, beds, stoves and numerous other property.

"No report from the Singking direction has been received."

The battle has been officially named "The Battle of Mukden."

GOT OFF CHEAP

He may well think, he has got off cheap, who, after having contracted constipation or indigestion, is still able to perfectly restore his health. Nothing will do this but Dr. King's New Life Pills. A quick, pleasant, and certain cure for headache, constipation, etc. 25c at Crawford Bros, J. F. Mackey & Co's and Funderburk Pharmacy.

It is said that General Oyama is taking pass after pass with the nonchalance of a re-elected state legislator.—Detroit Journal.

OVERWORKED KIDNEYS

Murray's Buchu, Gin and Juniper is prescribed and endorsed by eminent physicians. It cures when all else fails. Prevents Kidney diseases, Dropsy, brights disease, etc. At all druggists.

\$1.00 A BOTTLE

Or Direct From
Murray Drug Co.,
Columbia, S. C.

Gen. Kuropatkin Resigns.

Takes all Blame for Defeat. He
Makes no Excuse Save That the
Strength of the Japanese Was
Miscalculated.

St Petersburg, March 13, 2:15 a. m.—General Kuropatkin has sent in his resignation to the Emperor.

General Kuropatkin has telegraphed to Emperor Nicholas, assuming himself all the responsibility for his defeat, making no excuses except that the strength of the Japanese was miscalculated, and refusing to place any of the blame upon the council of generals upon whose advice he determined to give battle. His reputation as an offensive strategist is gone, and though the Emperor's military advisers know not where to look for a better General, his resignation will be accepted.

In losing General Kuropatkin, the army will lose the idol of the private soldiers, an officer who, in spite of the intrigues of his generals and his failures to win a battle, has won their confidence and affection.

Baltic Fleet to Face Togo.

St. Petersburg, March 13, 2:10 a. m.—The immediate answer of the Russian government to the defeat at Mukden is the announcement that a new army will be raised, and the forces in the far East re-organized; that Vice Admiral Rojestuensky will be ordered to sail on and try conclusions with Togo, and that the war will be prosecuted to the bitter end.

This is the present temper of Emperor Nicholas and his dominant advisers. Should the island empire choose the "moderate" terms and recognize its adversary as the power in the far East, peace could be easily arranged; but the views of her diplomats in various parts of the world indicate that she is not ready to with the full magnitude of the disaster at Mukden still undetermined, but with the 1905 campaign seemingly already hopelessly compromised, retreat to Harbin inevitable and Vladivostok practically lost, declares that the time has not yet come when Russia can be forced to surrender herself.

ATTACKED BY A MOB

and beaten, in a labor riot, until covered with scars, a Chicago street car conductor applied Bucklen's Arnica Salve, and was soon sound and well. "I use it in my family," writes G. J. Welch of Tekonsha, Mich., "and find it perfect." Simply great for cuts and burns. Only 25c at Crawford Bros', J. F. Mackey & Co's and Funderburk Pharmacy.

—For letterheads, noteheads, billheads, circulars and all kinds of printing neatly and quickly printed, send your work to this office.
Roy S Strait.

—Subscribe to The Ledger.

MURRAY'S IRON MIXTURE

No is the time to take a spring tonic. By far the best thing to take is Murray's Iron Mixture. It makes pure blood and gets rid of that tired feeling. At all drug stores.

50c A BOTTLE

Or Direct From
The Murray Drug Co.,
Columbia, S. C.

His Life Sacrificed to Save His Whiskey.

An Employee of Sellers Killed by
a Flying Train.—A Tragic End
to a Long Trip for Shipment
of Illicit Liquor.

The State, 11th inst.

As the result of the effort of W. H. Sellers, the blind tiger king of Columbia, to evade the dispensary constables during the dark hours of night, one of his henchmen, Charles Thompson, is dead killed by the Seaboard's flying "Florida Limited;" another of his hirelings, Elias Waiters, is languishing in jail; the whiskey and waiters' mules and wagon have been seized by the constable, and the mules and wagon of the dead man are destroyed by the same train which in an instant ended the life of their owner.

The accident in which Thompson was killed happened about 300 yards beyond Weddell, a small station on the Seaboard Air Line, nine miles north of Columbia. The time of its occurrence was 9:53 o'clock on Thursday night.

Sellers expected a shipment of whiskey from the Carolina Distilling Company of Hamlet, N. C., to be delivered at Blaney that night. This point is on the Seaboard just across the line in Kershaw county and is 21 miles from Columbia. The whiskey arrived and Thompson and an unknown helper were there with a two mule team to receive and bring it to Columbia or whatever place it was to be stored. The shipment consisted of 1,000 half pints of the celebrated "King's Choice" corn whiskey and six kegs, containing five gallons of corn each. The half pints were packed in five barrels, containing 200 bottles each.

Thompson loaded the stuff on his wagon and started on his way toward Columbia. It was dark and raining. All went well until the party neared Weddell, 12 miles from the starting place. About 300 yards beyond Weddell from Columbia the wagon road crosses the railroad. This road, instead of crossing the track squarely, approaches it gradually and crosses it at an acute angle. There is a small bridge 12½ feet wide over the ditch beside the roadbed. The ditch is about two feet wide and two feet deep at this point. When Thomson approached this bridge, driving through the rain and dark, he cut his team to cross the bridge just a little too soon. The front wheels passed over safely, but the back wheels, of course, did not track the front one and the back wheel on the inside of the turn missed the end of the bridge and dropped into the ditch. The predicament was a serious one; the wagon could not possibly be moved backward or forward until the load was removed, and the mules were standing directly on the railroad track.

This was the situation when the "Florida Limited" came in sight running as fast as she could turn a wheel on a piece of track as straight as an arrow and down a heavy grade. It is evident from the indications—and the whole story is clear to those who saw them—that Thompson already anxious over his responsibility and vexed by his dilemma, when he

saw the train bearing down upon him, realized that it meant the loss of his valuable team and wagon and of his employer's property entrusted to his care unless the train was stopped.

TRIED TO STOP THE TRAIN.

With a reckless disregard of consequences he rushed along the side of the track toward the oncoming train in a vain effort to flag it down with his hat. He had gone about 50 feet up the track when the thundering train was upon him, and before he could realize his danger it had struck him and hurled him fully 40 feet away, dashed the wagon and its load aside like a wisp of straw and crushed both mules into a lifeless and mangled mass.

The train was brought to a stand still and remained there until it was seen that no aid could be rendered.

News of what had happened reached Division chief Osborne about 1:15 o'clock. He immediately detailed Constables Harling, Pegues and Boland to go at once to the scene and seize what whiskey they could find. They were soon on their way, and reached there about 3 o'clock yesterday morning. The illicit liquor had been carried away, but the constables lost their game and were soon away in hot pursuit. Seller's other employes, faithful to their employer, had notified him of the accident. Sellers left the city such a short distance ahead of the constables that they saw his buggy about a block away. It is stated by them that he was accompanied by R R Seeley, a well known blind tiger on lower Main street. As soon as they arrived at the scene of the tragedy preparations were begun to get the booze out of the way. Elias Waiters, a negro farmer who lives nearby, was employed with his horse and wagon to do the work, and, as he himself expresses it, was promised good pay. The statement was volunteered on the quiet from another source that Sellers had to pay the darkey \$125. to do the work.

THE LIQUOR SEIZED.

The constables followed their trail of the fleeing wagon back toward Blaney and finally caught it in a road off of the main road. The driver Elias Waiters, upon being questioned, said that he was carrying the whiskey to the home of a man named Thomas, who is a brother-in-law of Seeley. The wagon contained four barrels, holding 200 half-pints each, and 38 bottles saved from the fifth barrel which had been smashed by the train. Strange to say, when the wagon was struck it was turned bottom upward against the bank of the slight cut and the barrels were rolled on the edge of the bank without any damage except to one barrel. It was learned from the waybills at Blaney that all of the barrels and one keg were consigned to Sellers, one keg to T F Osborn, one to Morrison and one to T N Brown. The others are not accounted for. The negro, Elias Waiters, was placed under arrest for transporting illicit liquor, and as the transporting was done at night his horse and wagon were seized and will be sold.

Mothers can safely give Foley's Honey and Tar to their children for coughs and colds, for it contains no opiates or other poisons. Sold by Funderburk Pharmacy.