

STORY OF THE TRAGEDY

AS TOLD BY THOSE WHO WERE PRESENT AND SAW IT

Testimony Before the Coroner's Jury in the Killing of Abe Pearlstone by J. J. Jones.

We publish below the full and complete testimony given before the coroner's jury in the sad tragedy at Branchville, in which Mr. Abe Pearlstone was killed in a personal difficulty with Mr. J. J. Jones. The investigation was conducted by Magistrate A. S. Dukes, acting as coroner. W. C. Wolfe, Esq., represented Mr. Jones, and Messrs. Martin & Warren, represented the State at the inquest. Here is the testimony as reported by the stenographer, Mr. W. L. Rodriguez:

Mr. J. M. Byrd, sworn, says: Questions by acting coroner Dukes: Where do you live, Marlon? In Branchville.

What county and state? Orangeburg County, South Carolina. What is your occupation? Postmaster.

Tell the jury about this killing this morning that you saw. We just want the outline. Well, the first thing I heard was a scuffle in the office. I thought it was one of the carriers playing. I said, "Stop playing." Doc said that it was a fight. Of course I went out to separate them and did stop the fight saying, "Stop fighting," that my wife was in here. Abe Pearlstone stopped then and came back with me, apologizing. The next thing I heard was the report from the pistol. Abe Pearlstone said he was shot. I told him to let's go to the drug store. He said he was shot. I hollered to Doc to get a doctor.

Who did the shooting? John J. Jones. You saw it? I saw him with a pistol in his hand just after the shot was fired. At the time of the shot I had my hand on Abe Pearlstone's arm, and he was apologizing.

Questions by Mr. W. C. Martin, for the State: Mr. Byrd, state whether or not there was any effort on Mr. Pearlstone to go to Mr. Jones? You mean after the fight? None whatever, because we were talking and he was apologizing.

The fight was over? Yes, sir, I had separated them, and Abe Pearlstone and myself were coming off together. From the time I separated them I did not see Mr. Jones until the flash of the pistol.

Where was Mr. Jones standing when he fired the pistol? Between the postmaster's door and the front door. What position was Mr. Pearlstone in when shot? He was walking with me. Going in which direction? Toward the front door. During the fight Jones was jam'ed against the carrier's door. I told them to stop fighting, and that my wife was back there. We walked toward the postmaster's door; by the money order window. I then saw the flash of the pistol. That called my attention and I saw the pistol in Mr. Jones' hand.

Where did Mr. Jones go after the shot? I presume to his place; I did not watch him. State whether or not Mr. Pearlstone said anything after they separated. No, he came with me. Even after he was shot, he only said, "I'm shot." I tried to get him to the drug store. He said he was shot. I hollered to the clerk to go for a doctor.

Was anyone else in the lobby at the time? Yes, sir, so I hear, but I did not see them when I went out; I was looking at the fighters. How long after you separated them before the shot was fired? I could hardly tell you that because I did not time it. It was not very long; we had walked about fifteen or eighteen feet, and the shot was fired right afterwards.

The fight was over, you consider? Objected by Mr. Wolfe on the ground that the answer to this question would necessarily be a matter of opinion. Objection sustained. Questions by Acting Coroner Dukes: Where did this happen? In the lobby of the postoffice.

At what place? In Branchville, Orangeburg County, South Carolina. Questions by Mr. Wolfe: It all happened very quickly, Mr. Byrd? Yes, sir, in a few minutes. There were hardly any minutes to it, were there? You could hardly say it took a minute? Well, I did not time it.

You would not attempt to say how long? No, sir, being a little excited. Did you notice Mr. Jones being bruised and bleeding? I noticed a little blood on his face. You did not pay any special attention to that? No, sir.

There were several people around, Mr. Byrd? So I hear, but I was watching fight and could not say. Your purpose was to quell the disturbance as quickly as possible? Yes, sir.

Questions by juror: Did you see any one else in there with a pistol besides Mr. Jones? Not that I saw. Question by juror: Did Mr. Jones go out of the building? No, sir, he did not have time; I did not see that because I was looking at Mr. Pearlstone.

By juror: When they separated, where did they go? Mr. Abe went off first and Jones came along after him. Question by Mr. Martin: Then Mr. Jones was between the front door and Abe Pearlstone? No, between the carrier door and Abe.

Who was nearest the front door when the shot was fired? When the shot was fired, Jones was nearest the front door. Questions by Mr. Wolfe: Were they close together when

the shooting occurred? They were a few feet apart, possibly three or four feet. The smoke from the pistol curled around my pants leg.

Was Mr. Pearlstone armed? Not that I know of, I did not see anything.

Question by Mr. Martin: What position was Mr. Jones in when he shot him? He was half way facing Abe (Pearlstone), and shot just as I looked up. His back must have been towards the street.

Testimony of Mr. Clifton Dukes. Mr. Clifton Dukes, sworn, says: Questions by Acting Coroner Dukes:

Clifton, tell the jury just what you saw in regard to the death of Abe Pearlstone. I was in the Postoffice about 9:45 standing by the money order window, and Abe Pearlstone came in and went by the general delivery window. There was no one to wait on us. After a while Jones came in. He went down to his box. Abe had a paper in his hand and asked Jones to read it. He asked him three times. It was a sheet of paper, but I don't know what was on it. At the third time, Jones looked at it and rather pushed it from him. Abe said "Take this," and hit him, and Marlon ran through the postmaster's door and separated them and told them to get out. Abe said, "let me get my hat." Jones walked off. Then Marlon got hold of Abe. Jones walked right by me. I had not moved. As he got by me he was between the postmaster's door and the front door, he turned halfway around with the pistol in his hand with the case on it. He pulled the case off the pistol, and held the pistol at arm's length and fired. He shot one time and hurried out the door. When he shot, Abe wheeled around. Abe said, "He's killed me, good bye, good bye." I ran out and called a doctor. Mr. Jones was standing in his furniture store across the street, just above the postoffice.

Mr. Dukes, did you see Mr. Jones when he fired the shot? Yes, sir. Questions by Mr. Wolfe: Mr. Dukes, it all happened very quickly, did it not? Yes, sir, in a short time.

And you say Mr. Pearlstone struck Mr. Jones several blows before they were separated? He was hitting at him I saw the blood. Questions by Mr. Martin: Mr. Dukes, you stated that Mr. Pearlstone struck him several times? I do not know how many times he hit him. Jones was ducking his head by the carrier's door. The first time he was hit in the face, but after that I do not know where he was hit.

You say when he handed him the paper the third time Mr. Jones did what? He pushed the paper from him and said something I did not understand. Abe then said, "Take this," and hit him. He would not take the paper. You state that Mr. Pearlstone's hat was on the floor? It was on the floor when Marlon said they would have to get out.

Was Mr. Pearlstone advancing on Mr. Jones when he got shot? I did not see Abe when Jones turned around. Abe was right in front of the general delivery window. Marlon was on the side of Abe. Marlon was between Abe and myself. If he walked, he went very slowly. Questions by Mr. Wolfe: Jones struck no blows in that fight? I did not see him. He was behind. Abe was between us.

You saw Mr. Pearlstone strike the first blow? Yes, sir, he hit him in the face. Question by juror: How close to the front door was Mr. Jones when he shot? Very close. Right up to the door? He could have stepped down in one step. Abe was back by the general delivery window. He was at least nine feet away.

Question by juror: When they parted them in the corner didn't Mr. Pearlstone apologize to Mr. Byrd, and where was Mr. Jones all that time? Yes, sir—Jones was walking out. He walked from the back straight out to the front. Questions by acting Coroner Dukes: How far was the fight from the front door? The fight was in the corner by the carrier's door. What distance? It was about 25 to 30 feet from the front door.

Question by juror: Did Abe make any other remarks? No, sir. I heard Abe say "read this paper," they are the only words. Who spoke first? Mr. Pearlstone said "Read this paper."

Was there any harsh words before the fight commenced? No, sir. No cursing? No, sir. Testimony of Earl Smoak. Earl Smoak, sworn, says: Questions by Magistrate:

Tell the jury what you know about the death of Abe Pearlstone. I was sitting by the general delivery window in the postoffice on a chair and heard Mr. Pearlstone tell Mr. Jones from Mr. Jones. I told Marlon there was a fight. I went to the side door and Marlon was parting them. He told Abe not to fight because his wife was in there. Abe said "Beg pardon." He said he did not know his wife was in there. All that time Mr. Jones was walking to the door. Just before he got to the door he turned around and pulled out the pistol and shot Abe. He did not turn clear around. Only sideways. Did you see the pistol? Yes, sir. Would you know the pistol if you saw it now? I think so.

Does that look like it? It was not in a case. (Case taken off.) That looks like it. (Pistol exhibited to jury by Mr. Martin.) Questions by Mr. Wolfe: Mr. Smoak, this all happened very quickly, did it not? Yes, sir. I suppose you were excited? No, sir, not any.

Well, a fight of that kind usually excites people, doesn't it? It might some people, but it did not me. It didn't frighten you, but excited

OLDEST MAN DEAD

DIED ALL ALONE WHILE WORKING IN WOODS.

Other Interesting Happenings in and Around the Thriving Little City of Bowman.

Bowman, Dec. 22.—Special: Fee Glover, the oldest negro in this entire section and probably the oldest colored resident in Orangeburg county, was found dead Tuesday afternoon, not very far from his home in the Shiloh neighborhood. It is stated that the old negro was on a visit to some of his numerous kinsmen hereabouts and upon returning home Monday evening, night caught him, and not being able to see very well he lost his way and wandered about in the woods, and succumbed to fatigue and the cold winds of the night. A search was made for the old man and he was found in the afternoon of Tuesday in the woods, dead. Your correspondent saw the old man for the first time near the farm of Mr. Jas. Bozard, about ten days ago, and being struck with his appearance, indicating that he was quite old, asked him as to his age, and he replied promptly that he was 110 years old, and that Mrs. Jerome McMichael had a record of his age. He was walking with a stick, but he was able to navigate fairly well. His body was somewhat bent with age, but otherwise he appeared to be in good health.

Well, Christmas is almost here again and preparation for the enjoyment of this hallowed occasion is in course of preparation are plainly to be seen by the eye all around. From indications the supply of Christmas "boots" will be liberal indeed. It is customary with some to get a little liquor if they never use it any other time and others again who use it habitually will always get in an extra supply.

Mr. Thomas M. Riley of this section has recently moved with his family to Berkeley county, purchasing a large farm there. Farmer Pell, son of Mr. Wm. D. Bell, R. R. No. 4, now owns Mr. Riley's plantation, having purchased it not long since. The old homestead place of the late Capt. W. B. Riley was purchased recently by Samson Utsey, son of Mr. George W. Utsey, R. R. No. 1. These two young men are hard working farmer boys and with no lagging success will likely crown their efforts as tillers of the soil.

The handsome residence of Mr. E. N. Mittle, the erection of which was begun sometime ago, is about completed in all of its details, and will soon be occupied by the owner with his family.

The residence of Mr. S. A. Fair, assistant cashier of the Bank of Bowman, is being handsomely improved.

An incident of some amusement occurred last Monday about five a. m. on Mr. Fair's premises. The alarm cry of a hen with some young chickens awoke him and a hasty investigation revealed the fact that some "varmint" was causing the trouble. He took the precaution to carry his gun, and walking cautiously, ran up against—a big "possum" enjoying a chicken feast.

Former engineer J. Clifton Evans, who was painfully hurt in a wreck on the B. and B. R. R. some time ago has again accepted a position on the road in the same capacity, with an increase in wages. He is well posted for his age in general machine work, having a fairly well equipped shop for auto repairing, etc.

Rev. J. H. Danner is on a pleasure trip with friends at Bowman. Rev. Mr. Danner, with his brother, Sam. W., held several interesting and profitable revival meetings at Bowman M. E. Church, some time ago. Both of these brethren have a number of close friends here.

Officers Are Elected. The annual election of officers of Orangeburg chapter, Order of Eastern Star, was held last Tuesday night and the following were elected to serve during the ensuing term: Mrs. H. C. Wannamaker, worthy matron; Maj. Wm. L. Glaze, worthy patron; Mrs. J. M. Oliver, associate matron; Mrs. E. D. Reeves, conductress; Miss Fannie Dibble, secretary, and Miss Annie R. Fairry, treasurer. The worthy matron will appoint the chaplain, warden, organist, sentinel and the five points of the star. Mrs. Edward Hawes is the past worthy matron.

Still in the Lead. Mr. J. W. Zeigler, special agent of the Equitable Life Insurance Society, received the following telegram from Mr. W. J. Roddy, manager, Thursday morning: I cannot resist the opportunity of congratulating you again on the magnificent record you are making. You stand second on our list for paid business for 1910, and we have just notified the Society of your qualification as a member of the Southern Century Club, which will meet in Atlantic City, N. J., in 1911. This is a great finish up for December.

You? No, sir. I was just as always. You don't know who were in the lobby? There were about three others besides Mr. Jones and Mr. Pearlstone. State whether or not you saw Abe Pearlstone advance towards Mr. Jones just before the shooting? No, sir, he did not a bit.

Questions by Mr. Wolfe: They were pretty close together when the shot was fired, were they not? They were between eight and ten feet apart, I think. You know they were as much as that? Yes, sir.

PAUL GILMORE HERE.

Celebrated Actor to Appear in "The Bachelor" Here Today.

"The Bachelor", which is the name of Clyde Fitch's latest and most charming comedy, will be seen here for the first time today, matinee and night. It was first produced at the Maxine Elliott theatre in New York last spring, and, with the exception of Chicago, has not been seen outside the metropolis. The original cast, headed by Mr. Paul Gilmore is assured.

In "The Bachelor," Mr. Gilmore, who is a well known actor takes the part of a man who has no use for matrimony. His stenographer, working under an assumed name, falls in love with her employer but he is unaware of the fact until the "mock heroics" of her kid brother upset their well laid plans. For the bachelor, feeling that perhaps he is to blame for the few attentions he has shown her, offers himself a victim upon the altar of matrimony.

The second act brings the bachelor to the home of the typewriter, where he comes prepared to ask the mother for her hand. Meantime, however, the stenographer has learned of the proposal, so that when the bachelor calls, she indignantly releases him.

Tickets are now on sale at Lowman Drug Store. Prices: matinee, gallery, children 50, adults 75; down stairs, \$1.00. Night, 50, 75, \$1 and \$1.50.

Dots From Four Holes. The Gilmore Sims Literary Society of Four Holes High School will give a Christmas entertainment on Friday afternoon, Dec. 23rd, beginning promptly at 2 o'clock. All of the friends and patrons of the school are requested to be present.

Misses Leda Hungerfiller and Olive Bozard have returned home from college to spend the Christmas holidays.

Mr. M. M. Riddle and Miss Corrie Hungerfiller were the guests of Miss Alma Collier on last Saturday afternoon.

Our teachers will leave on Saturday morning for their homes to spend the Christmas holidays. We wish them a Merry, Merry Christmas. Brown Eyes.

List of Unclaimed Letters. List of letter remaining unclaimed in the Orangeburg postoffice for week ending Dec. 20, 1910. Persons calling for same will please say that they are "advertised": E. C. Browder, Edward Burt, Gena Corbett, T. H. Deaney, Malinda Fancy, Oscar Fields, Luvania Gillard, Meaters Hawthorne, Ella Herzy, Estelle Houser, Louisa Holloway, Jacob Holman, Gabriel Jamison, Gus Jefferson, Charles Johnson, D. J. Johnson, Iva Jamison, Laura Keels, Thomas Kizer, Calvin Lurkey, Fernman Marcus, Jessie Mitchell, Mrs. Sarah Owens, L. W. Rowe, H. Shaw, Asbury Somers, Peter Williams, George Williams.

A. D. Webster, Postmaster. Caused by Fireworks. A special dispatch from Kingstree to The State says about noon Saturday the store of L. D. Rogers & Co. caught on fire and the stock of goods was practically all destroyed. The fire was caused from the accidental discharge of fireworks, which immediately set the whole store of dry goods and shoes on fire. Merchants handling fireworks should be very careful with them. No fire should be allowed where they are stored. Such precautions as these would have prevented the accident at Kingstree.

Will Give Them a Rest. The Times and Democrat will take Christmas holiday from Saturday evening to Wednesday morning, during which time the presses and the linotype and the office force will take a much-needed and richly-merited rest. The business office will be closed from Saturday evening to Tuesday morning, but no work whatever will be done in the mechanical department. There will be no paper issued from the office on Tuesday, the 27th.

Another Veteran Passes. Capt. Geo. W. Dannerly passed away at his home in North on Thursday morning. In the seventy-fifth year of his age. He had been in failing health for some time, and for the past several days his condition had been critical. Capt. Dannerly was a veteran of the civil war. He followed the stars and bars until it was farled forever. He left a wife to mourn his death. His death will cast a shadow over a large circle of friends.

Attraction at Magnolia School. There was an entertainment at The Magnolia School on Thursday night, December 22nd. The program was as follows: Song—"Divie" by the young ladies of the school. Play—"Our Country Aunt." Song by the children—"Spring once said to the Nightingale, I want to give you birds, a ball." Play—"Popping the Question," also tableaux and songs.

Broke Into Parsonage. The Colhoun Advance says on Friday night of last week some one broke into the Methodist parsonage near Bethel, during the absence of the pastor, Rev. W. W. Wainwright. As yet there is no definite clue as to who the guilty party is but suspicion rest upon some whose actions will be closely watched for development.

We publish the testimony in the Branchville homicide case. We do this in justice to all parties concerned in that unfortunate tragedy.

LOCAL NEWS ITEMS

PICKED UP ALL OVER TOWN BY OUR REPORTERS.

What is Happening Here and There. Local Items of Personal Interest to Our Readers.

Two men were hung in Berkeley and one in Columbia yesterday. It is against the law to sell top pistols or cannon that pops caps. Slater Bros. will receive two cars high class horses and mules on Dec. 27th.

Rev. J. C. Holland will preach in St. Paul Methodist Church on Sunday morning.

Mr. B. A. Shuler of Vance and Mr. J. J. Bell of Bowman were visitors in the city Thursday.

There will be services in the Episcopal church Sunday Morning at 11 o'clock, with appropriate music. Whatever else you do this Christmas, keep sober. It will add so much to the pleasure of those near and dear to you.

There is some talk about a factory being established here to manufacture wooden pipes for drains. Let it come, by all means.

Don't forget the Sunday School celebration at St. Paul Methodist Church on Sunday evening. All are cordially invited to attend.

There will be a Christmas tree at day East Orange School House on Tuesday afternoon, Dec. 27th, beginning promptly at two o'clock.

There will be an entertainment and Christmas tree at Four Holes Church on Monday, December 26th, beginning at two o'clock p. m.

Several days the past week the weather has been bitter cold. Friday morning there was a slight fall of sleet, after which it got some warmer.

Dr. William L. Izlar, formerly of this city, but now a travelling salesman with territory in the upper part of the State is visiting relatives in this city.

Major W. V. Izlar, who is in an infirmary, at Richmond, Va., for treatment, is improving and his many friends hope he will soon be well and at home again.

There seems to be a band of burglars operating in this city, and householders should be careful about locking up and securing their homes at night.

Gov. Ansel will leave the Pink Franklin case for Governor Bleasie to decide. In our judgment Franklin will be hung, and he had better try and get ready.

Everybody should be careful about fires. Commissioner McMaster says more fires occur between December 15 and January 1 than any other time. So be careful.

The graded schools closed Thursday for the holidays. The out-of-town teachers have gone to their respective homes. The schools will resume on Tuesday, January 3rd.

The Marchant Music Company wants to hire a young, industrious and ambitious man to engage in the music business. A good offer to the right person. Must come well recommended.

Mrs. Sophia E. Lockler, formerly Miss Myers, of Spartanburg, S. C., is visiting her relatives and friends in Bowman and Vance neighborhoods. Her former homes, during the Christmas holidays.

Messrs. A. P. Avinger, Jr., D. Hiram Avinger and W. C. Millican, of Vance, were among the shoppers in town on Thursday. They say everything is lovely and the goose hangs high at Vance.

Among the appointments made by Attorney-General Lyon in the engrossing department for the coming session of the Legislature we notice the name of Miss Sallie Wannamaker, of this city.

Mr. Cleon U. Hart, of Holly Hill, and Miss Mamie Lou Axson, of Calhoun County, were married on Wednesday at the residence of Rev. D. D. Dantzier on Whitman street, the officiating minister.

The Edisto Savings Bank has declared a dividend of 8 per cent and carried \$5,000 to the surplus fund. This bank under the splendid management of Judge Moss has become one of the strongest financial institutions in the State.

The weather man says Saturday will be unsettled, with rain threatened. Sunday the clearing up process will be on, but still there may be a little rain. Monday, the day which almost every one will have for a holiday, will be clear and cold.

It takes an extra delivery wagon to handle the large shipments of booze arriving in this city by express. This seems to be about the condition in many other places in the State. So Orangeburg is not alone in going back on the prohibition law.

Married at the Baptist parsonage, Cordova, S. C., Dec. 14th, Mr. Walter F. Smoak and Miss Maggie C. Westbury. Rev. J. R. Smith officiated. We wish for these young people a long and happy life, with only enough clouds to make a golden sunset.

On the first day of January next the Marchant Music Co. will give away two Square Pianos to two white families that would like to have a piano and that are too poor to buy one. Give them proof that you are unable to buy and get the piano.

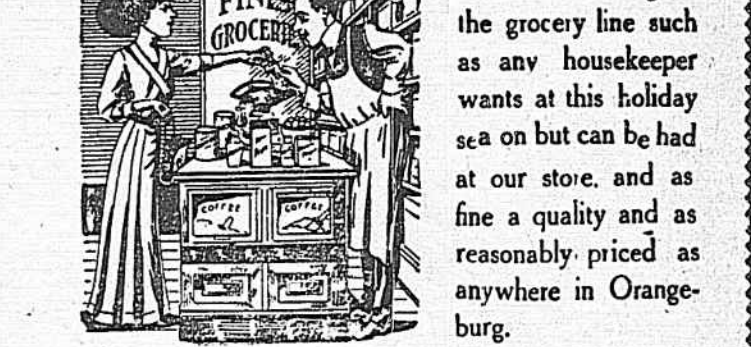
The Planters Bank has declared a dividend of eight per cent on the capital stock and carried a snug amount to its surplus fund. The Planters is most successfully managed and its prosperity is no surprise with such sound business men as its managers at its head.

Every Variety of Holiday Groceries Arriving Daily

AT

The Pure Food Store

There is nothing in the grocery line such as any housekeeper wants at this holiday season but can be had at our store, and as fine a quality and as reasonably priced as anywhere in Orangeburg.



Don't Forget

We are Agents for National Biscuit Co's Fruit Cakes, and Lowney's Fine Candy and Chocolates.

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Phone 15

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Big Auction Sale

Commences eleven o'clock

Friday, December 23rd.

We will sell to the highest bidder for cash, regardless of cost to us, thirty head of horses and mules, fifteen or twenty buggies and wagons, ten or twelve sets harness.

If You Are Wanting a Xmas Present Come to This Store.

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FIRE, LIFE,

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Written by

H. C. Wannamaker

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AND

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