

CLAIM FIFTY YEARS OLD.

STRANGEST OF ALL LAWSUITS IN CALIFORNIA.

Woman Sues Man's Estate for a Wrong at His Hands Committed Many Years Ago.

Los Angeles, Cal., November 24.—A suit for \$20,000 on promissory notes given by the late Theodore Bunnell during a fifty year appeal for forgiveness has been started against his estate on behalf of Mrs. Melissa Link Funk, of Attica, Ind. A point that will be argued in the trial will be whether or not Mrs. Funk invalidated the notes by forgiving the man who had injured her half a century ago.

The suit was filed yesterday in the United States circuit court. It asks payment out of Bunnell's \$200,000 estate, mostly lying in Santa Monica, Cal., Colorado Springs, Col., and Grand Junction, Col., which latter town Bunnell founded. Bunnell had been a resident of Santa Monica many years and died a year ago at Colorado Springs at the age of 75 years. He never married.

Letters and promissory notes alleged to have been signed by Bunnell, which have been filed, apparently show that Bunnell, when a young man in Indiana fifty years ago, attempted to mistreat Mrs. Funk, when Melissa Zink, 13 years old. Stricken with remorse during the remainder of his life he wrote many letters to Miss Zink begging forgiveness, and sent her several notes payable from his estate because of the harm he had done her.

The first note is as follows: "Rob Roy, Ind., April 26, 1860—I promise to pay Melissa Zink, or order \$5,000 for damage did to her in 1859, and for the love and gratitude I bear her pledge my estate for all I am worth the payment of this note after death by the person who settles my estate without cost to the bearer. "Theodore Bunnell.

"My explanation: No one will misconstrue this and blame Miss Zink. She is the most virtuous girl I ever knew. I love her with a pure and divine love and would marry her if she would marry me. I went to her home in a storm, found her alone, as I thought I would, and I assaulted her. There was a desperate fight between us and she was badly hurt. I gave up when she got an ax. She was only 13 or 14 years old at that time. I begged forgiveness. She may tell the rest. She never lies.

"Theodore Bunnell.

In 1860 Bunnell went West to Colorado and for many years lived as a plainsman. He hunted buffalo and conducted a trading store not far from where Grand Junction now stands. For \$3,000 he obtained control of a large tract and made a town site of great value. Letters to Melissa Zink Funk, to which the name of T. P. Bunnell is attached, pleaded unceasingly for forgiveness and expressed the keenest suffering in mind and heart.

Not satisfied with his continued appeals, the complainant alleges, Bunnell made another note of \$5,000 in favor of the plaintiff on January 18, 1870, at Lafayette, Ind. It read as follows: "Promise to pay Melissa Funk or order \$5,000 not to marry John Beverly, this note to be paid by the administrator of estate after death.

"Theodore Bunnell.

Bunnell died at Colorado Springs while on the way to Indiana. Another, dated at that place five days before death, reads thus: "Aug. 15, 1907.

Promise to pay my dear friend, Melissa Z. Funk, or her daughter, or either of them, or order, \$10,000. This note to be paid by the person who settles my estate after death without cost to bearer. This note is given in love and gratitude as a reward to one I did injure so willfully. "Theodore P. Bunnell.

A letter which has been exhibited by the executor of the estate in California, was sent, it is asserted, about the same time to Melissa Z. Funk and begged her to go to Colorado Springs and grant him forgiveness before he died. But the same day it is said to have reached her she received a telegram announcing his death.

In one of these letters, sent from Santa Monica on March 1, 1907, Bunnell wrote to Mrs. Funk and said he was sick and nervous and realized that he had only a brief time to live. He offered to send her money to come to California if she would consent to leave her home in Indiana. She evidently refused to come, for another letter, under date of July 23, told her he was about to start east and told her his plan to stop at Colorado Springs on account of his enfeebled condition. He expressed love for her and told her he wanted her to be happy for the rest of her life.

Killing at Barnwell.

Barnwell, November 28.—Shooting from the dark, and hidden by the deep shadows cast by the blazing lights of the carnival now in progress in Barnwell, Perry Ussery was killed here tonight by an unknown assassin. The killing is a mystery, and no motive has been assigned as Ussery was a perfectly peaceable party. He lived near Barnwell and had come to town to enjoy the pleasures of the carnival.

The shooting occurred about 10:30 o'clock to-night, and the streets were well filled with people. Consequently the affair attracted much attention, and many drew their revolvers and fired into the shadows that concealed the skulking coward. In the melee Town Marshal Burts was shot in the leg, and Marvin Hollen was wounded in the neck. Both men are supposed to have been wounded by the shots fired by the indignant people of the city.

Ussery's body was removed and an inquest will be held, but it seems at this time that little will develop, although every effort will be made to discover the identity of the man who fired the fatal load of buckshot that sent Ussery to his death.

BREAKING UP BLIND TIGERS.

Aiken Officers Make Big Haul Near Merritt's Bridge.

Aiken, November 26.—Vigilant efforts are being made by the constabulary officers of this county in an effort to break up the blind tigers that are alleged to infest the Edisto river swamps. The officers, Cato, Samuels and D. H. Wallace, returned to the city yesterday from Merritt's bridge, where they made a successful haul, bringing with them a large copper still that appeared to be new.

Sunday night the officers paid a visit to the vicinity and found a quantity of "mash," but the still was conspicuously absent. They calculated that if things were left undisturbed the "mash" would be made into blind tiger about Tuesday afternoon, that being the time it would require before the mash would be sufficiently soured to be used.

Tuesday afternoon they were on the scene. They found that their calculations as to time were correct, but they were just a few hours too early to catch the bunch at work. They found the still, a new copper apparatus, all in readiness, and the "mash" in "first-class condition," and all other appurtenances ready for stilling, but the operation had not actually commenced.

Yesterday morning the same officers made another raid in the same vicinity as the one above related. This raid was made at a sawmill about four miles from Merritt's bridge. They did not find a still at this point, but found an empty furnace where a still had recently been taken from, apparently very hurriedly. Five barrels of mash were destroyed.

"UNCONVERTED" MAN.

Wants to Bring Suit Against the Government for \$24,000.

Washington, November 27.—If Joseph Burgess, of Washington, should succeed in what he thought he was trying to do when he walked into police court yesterday morning, he would establish a precedent, which would bankrupt the nation in about thirty minutes. Burgess claimed that he wanted to file suit against the government for \$24,000, because he was an "unconverted" man. If he succeeded, possibly there are some folks who would seek to have themselves turned out of the church so as to become eligible for similar bounty from a generous government.

"Let me show you how I bring this suit within the written law," explained Burgess to Detective Barbee. "In the first place, only the 'unconverted' come within the limits of the statute. The average age of persons under the written law is seventy years. I am thirty-six. Basing my claim on this theory, I figure that I lose \$500 a year, which makes the government owe me \$24,000."

Burgess says that he is a machinist, and that his home is in West Orange, N. J. He says he came to Washington about a week ago to file his suit.

"Do you ever drink?" one of the detectives asked the machinist.

"Well sometimes I do drink a little," admitted Burgess.

"Which do you prefer, beer or whiskey?"

"I love them both," replied the "unconverted" man. "Give me either one that's handy."

After allowing the man to file his "suit," the detectives locked him up on a charge of insanity.

ENDS HIS LIFE.

Well Known Sumter Man Commits Suicide by Shooting.

Sumter, November 27.—The citizens of Sumter were shocked early this morning by the discovery that Mr. W. A. McIlwaine had taken his own life yesterday by shooting himself in the mouth in a small house at the rear of O'Donnell & Co.'s store. Mr. McIlwaine had been missing from his home since 10 o'clock yesterday morning. He acted in a queer manner before leaving home. He left his watch and keys at home and took his revolver with him.

No trace of the missing man could be had and suicide was feared, as he had been very despondent of late over his continued ill health. This morning his body was found.

Mr. William A. McIlwaine was born and reared in Sumter county and was one of Sumter's most highly respected and dear citizens, and he was among the last who would have been suspected of taking his own life. He was 49 years of age. He was in the employ of O'Donnell & Co. for years and was one of their most popular and trusted men in their dry goods department.

He was a man of affable disposition and courteous address and had hundreds of friends who were pained and shocked at his untimely and tragic death.

He is survived by his wife, who was Miss Fannie McKagen of Sumter, and one child.

Deceased was a very consistent Christian and a church man; regular in his habits and sober and refined and cultured and a man of high integrity.

Deafness Cannot be Cured

by local applications, as they cannot reach the diseased portion of the ear. There is only one way to cure deafness, and that is by constitutional remedies. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a rumbling sound or imperfect hearing, and when it is entirely closed, Deafness is the result, and unless the inflammation can be taken out and this tube restored to its normal condition, hearing will be destroyed forever; nine cases out of ten are caused by Catarrh, which is nothing but an inflamed condition of the mucous surfaces.

We will give One Hundred Dollars for any case of Deafness (caused by Catarrh) that cannot be cured by Hall's Catarrh Cure. Send for circulars free. F. J. CHENEY & CO., Toledo, O.

Sold by Druggists, 75c. Take Hall's Family Pills for constipation.

FIRES ON MINISTER.

E. E. Taylor Says Rev. Morris Attempted Assault.

Newton, Ga., November 25.—Rev. Mr. Morris, pastor of the Milford Methodist church, was shot and slightly wounded in the leg by E. E. Taylor, as the minister was leaving his church.

Milford is a town without railroad, telegraph or telephone communication. Details are meagre.

Taylor fired five times, but only one shot took effect, striking him in the leg.

According to the information received at Newton, Morris boarded at the home of Taylor, who married a Miss Hudgins, of near Milford, and Taylor charged Morris with attempted assault on Mrs. Taylor. Taylor moved into the county about a year ago.

After the shooting Taylor was kept in custody at Milford until a warrant could be issued and served by Sheriff Perry, who lodged the prisoner in jail at Newton.

Taylor has also sworn out a warrant charging Morris with attempted assault on Mrs. Taylor.

MOONSHINERS CAPTURED.

Deputies Make Daring Raid in Alabama.

Anniston, Ala., November 28.—The famous home of moonshine whiskey in the Turkey Haven mountains of Alabama was conquered, at least for the present, by United States revenue officers when to-day they brought to jail here Jim Floyd, for a decade the leader of the Floyd gang, and eight alleged members of his band.

Five bullet wounds in Floyd's body attested to a desperate all-night fight with the alleged moonshiners. Floyd had boasted that he would not be taken alive and he was captured only after loss of blood had dimmed his eye and made his grip on his revolver unsteady.

Two nery deputies made all the captures. They were Internal Revenue Agent Knox Scott and Chief Deputy Marshal Ashley and they laid their plans craftily last night when about to begin battle. They concentrated their apparently forlorn hope upon the leader of the band, Jim Floyd, and when his companions saw him lying prone at the officers' mercy they fled, their fighting spirit gone.

The two officers believed that Floyd and some of his companions were in the home of Bob Allen and shortly after dark they attacked this house. During the shooting Floyd appeared at a window and was shot as he attempted to jump through it. Three of Floyd's band in the house then gave up the fight and the officers started on a night roundup of the others. Fearless of the bullets which sped at them and by good luck escaping even the slightest scratch, the pair captured one after another of the band, only one man, keeper of an alleged still, getting away. The still of this man was destroyed.

The price of the semi-weekly News and Courier will be raised after February 1st. Better renew your subscription.

W. P. RILEY

FIRE, LIFE ACCIDENT

INSURANCE

BAMBERG, S. C.

MONEY TO LEND.

We are prepared to lend money upon good security upon reasonable terms to all persons applying for same.

Call or write to

WOLFE, BERRY & RITTER,

Attorneys,

Bamberg Banking Co.'s Building,

Bamberg, S. C.

TAX NOTICE.

The County Treasurer's office will be open for the collection of State, county, school and all other taxes from the 15th day of October, 1908, until the 15th day of March, 1909.

From the 1st day of January, 1909, until the 31st day of January, 1909, a penalty of 1 per cent. will be added to all unpaid taxes. From the 1st day of February, 1909, until the 28th day of February, 1909, a penalty of 2 per cent. will be added to all unpaid taxes. From the 1st day of March, 1909, until the 15th day of March, 1909, a penalty of 7 per cent. will be added to all unpaid taxes. Following is the levy:

For State purposes, 5 1/2 mills.
For county purposes, 3 mills.
Constitutional school tax, 3 mills.
Total, 11 1/2 mills.

Special school levies:
Bamberg, No. 14, 7 mills.
Binnaker's, No. 12, 4 mills.
Clear Pond, No. 19, 2 mills.
Colston, No. 18, 2 mills.
Cuffie Creek, No. 21, 6 mills.
Denmark, No. 21, 6 mills.
Ehrhardt, No. 22, 2 mills.
Govan, No. 11, 4 mills.
Hunter's Chapel, No. 16, 1 mill.
Hopewell, No. 1, 3 mills.
Heyward, No. 24, 2 mills.
Hampton, No. 3, 2 mills.
Lees, No. 23, 4 mills.
Midway, No. 2, 2 mills.
Oak Grove, No. 20, 2 mills.
Olar, No. 8, 4 mills.

All male persons between the ages of twenty-one and sixty years, except Confederate soldiers and sailors, who are exempt at fifty years of age, are liable to a poll tax of one dollar.

Capitation dog tax, 50 cents.

All male persons who were 21 years of age on or before the 1st of January, 1908, and have not made returns to the Auditor, will do so on or before the 1st of January, 1909.

I will receive the road commutation tax (\$2.00) from October 15th, 1908, until March 1st, 1909.

JOHN F. FOLK,

Treasurer Bamberg County,

Bamberg, S. C., Sept. 15, 1908.

CAKES

When you are preparing for your Christmas cakes be sure and remember that you can get all the ingredients from us, and they are always

FRESH

We buy all goods in small quantities and therefore you will always be sure of getting nothing but fresh goods

FROM

us. We have Raisins, Currants, and Prunes at 15c lb, or two pounds for 25c. Also all other necessities for the cake equally as cheap. We also have a fresh supply of Mackerel at 15c, or two for 25c; Mince Meat 15c, or two for 25c; Heinz loose pickles 1c each. I have just received a barrel of these.

E. BART PRICE

Bamberg, S. C.



...A...

C. & K. HAT

For \$3.00 and \$3.50 and a

Florsheim Shoe

For \$4.00, \$5.00 and \$6.00

C. R. BRABHAM'S SONS

BAMBERG, S. C.

J. F. CARTER

Attorney-at-Law
BAMBERG, S. C.

Special Attention Given to Settlement of Estates and Investigation of Titles
Offices over Bamberg Banking Co.

If you need a safe that is a safe see me before buying

J. D. FELDER

Bamberg, S. C.

Agent Victor Safe & Lock Co.
Anything in Safes
Cincinnati, O.

YOU OUGHT TO SEE

the bargains now being offered at the 5c and 10c store. We have just opened up an entirely new line of goods, and the stock embraces all kinds of tinware, glassware, hardware, household articles, etc.....

You'll be Surprised

when you see the remarkable values we have. Come in and look around. Costs nothing to look and you will find many things you need at give-away prices. The ladies especially are invited to call.

Beard's 5c & 10c Store

BAMBERG, S. C.

PORTABLE AND STATIONARY ENGINES AND BOILERS

Saw, Lath and Shingle Mills, Injectors, Pumps and Fittings, Wood Saws, Splitters, Shafts, Pulleys, Belting, Gasoline Engines

LARGE STOCK AT

LOMBARD

Foundry, Machine, Boiler Works, Supply Store
AUGUSTA, GA.

MASTER'S SALE.

State of South Carolina—County of Bamberg.

D. H. Counts & Co., plaintiffs, vs. Alex. Dickinson, defendant.

By virtue of a decree of the court of Common Pleas for Bamberg County in the above stated cause, dated November 19, 1908, I, H. C. Folk, Master, will sell to the highest bidder, for cash, on Monday, December 7, 1908, at the court house in Bamberg, during the legal hours of sale, the following described real estate: "All that certain plantation of land lying and being in said State and County, containing one hundred and ninety-six (196) acres, more or less, and bounded as follows: North by lands of Maner Kirkland, East by lands of N. F. Kirkland, Sr., South by lands of the Methodist church, and on the West by lands of Asbury Kirkland, said land being the land on which I live now, bought from Messrs. Bates & Simms of Barnwell."

Purchaser to pay for papers. Should the purchaser fail to comply with his bid, the land will be resold at the risk of the former purchaser.

H. C. FOLK, Master.
Bamberg, S. C., Nov. 19, 1908.

MASTER'S SALE.

By virtue of a decree of the Court of Common Pleas for Bamberg County, in the case of N. J. Padgett et al, plaintiffs, against Jasper B. Padgett, defendant, I will sell at the home-stand of the late Robert Padgett, in Bamberg County, on Thursday, December 3rd, 1908, during the legal hours of sale, the following described personal property, for cash:

Two mules, one Horse, three Cows, one Sugar Mill, two Sugar Kettles, one Mowing Machine, one Hay Rake, one two-horse Wagon, one one-horse Wagon, one Buggy, one set Carpenter's Tools, one Stalk Cutter, and one Organ.

In case bidders do not comply with their bids, the property will be resold, at the risk of the former purchaser or purchasers.

H. C. FOLK, Master Bamberg County.
B. W. MILEY, Plaintiff's Attorney.
Bamberg, S. C., Nov. 11, 1908.

MASTER'S SALE.

J. Aldrich Wyman, plaintiff, against Kit W. Zanders, defendant.

By virtue of a decree of the Court of Common Pleas for Bamberg County, in the above entitled cause, dated November 18th, 1908, I, H. C. Folk, Master for Bamberg County, will sell at the court house in Bamberg on Monday, December 7th, 1908, during the legal hours of sale, to the highest bidder, for cash, the following described real estate:

"All that certain piece, parcel or tract of land, lying and being in the County of Bamberg, State of South Carolina, containing fifty (50) acres, more or less, and bounded as follows: On the North by lands formerly belonging to A. J. Salinas, now belonging to Barcus Bartley; on the East by lands belonging to W. Gilmore Simms, on the South by lands formerly belonging to Dr. F. F. Carroll, now belonging to Jno. F. Folk; on the West by lands of Mrs. Sarah Walker, formerly belonging to Henry Walker; the above described tract of land being the identical piece conveyed to me by Emma G. Simms."

Purchaser to pay for papers. Should the purchaser fail to comply with his bid within one hour, the land will be resold at the risk of the former purchaser.

H. C. FOLK, Master.
J. ALDRICH WYMAN, Plaintiff's Attorney.
Bamberg, S. C., Nov. 13, 1908.

MASTER'S SALE.

By virtue of a decree of the Court of Common Pleas for Bamberg County in the case of Carolina Reed and Frances Hart, plaintiffs, against Martin Holman, defendant, dated November 13th, 1908, I will sell to the highest bidder, for cash, at the court house in Bamberg, on Monday, December 7th, 1908, during the legal hours of sale, the following described real estate:

All that certain tract, piece or parcel of land, situate, lying and being in the county and State aforesaid, containing thirty (30) acres, more or less, and bounded now, or formerly, on the North by part of the estate lands of the said Carolina Holman, deceased; on the East and South by lands now or formerly of James M. Smith, and on the West by lands now or formerly of B. G. Price.

Terms: Cash, purchaser to pay for papers. In case purchaser fails to comply with his bid the land will be resold at the risk of the former purchaser.

H. C. FOLK, Master.
H. F. BUIST, Plaintiff's Attorney.
Bamberg, S. C., Nov. 14, 1908.

SUMMONS FOR RELIEF.

The State of South Carolina—County of Bamberg—Court of Common Pleas.

Decania Dowling, plaintiff, against Toledo Computing Scale Company, defendant.

To the defendant, Toledo Computing Scale Company.

You are hereby summoned and required to answer the Complaint in this action, a copy of which has been filed in the office of the clerk of court for Bamberg County, and to serve a copy of your answer to said Complaint on the subscriber, at his office, Bamberg, South Carolina, within twenty days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the Complaint.

Attest:

J. F. CARTER, Plaintiff's Attorney.
C. C. C. P. for Bamberg County.
Dated October 16th, A. D. 1908.

MASTER'S SALE.

By virtue of a decree of the Court of Common Pleas for Bamberg County in the case of Carolina Reed and Frances Hart, plaintiffs, against Martin Holman, defendant, dated November 13th, 1908, I will sell to the highest bidder, for cash, at the court house in Bamberg, on Monday, December 7th, 1908, during the legal hours of sale, the following described real estate:

All that certain tract, piece or parcel of land, situate, lying and being in the county and State aforesaid, containing thirty (30) acres, more or less, and bounded now, or formerly, on the North by part of the estate lands of the said Carolina Holman, deceased; on the East and South by lands now or formerly of James M. Smith, and on the West by lands now or formerly of B. G. Price.

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H. C. FOLK, Master.
H. F. BUIST, Plaintiff's Attorney.
Bamberg, S. C., Nov. 14, 1908.

MASTER'S SALE.

State of South Carolina—County of Bamberg.

Barnie S. Brown et al, plaintiffs, against Barnie S. Brown, Jr. et al, defendants.

By virtue of a decretal order in the above stated cause, dated November 14, 1908, I, the undersigned, Master of Bamberg County, will offer for sale at the court house in Bamberg, on Monday, December 7th, 1908, during the legal hours of sale, the following described real estate, in two separate tracts:

All that certain tract of land, situate in said County and State, containing three hundred and eighty-three (383) acres, more or less, and bounded on the North by lands of the estate of Dyches, W. M. McCue, and Mrs. G. W. Garland, East by lands now owned by Junior Kinard, South by the waters of Lemon Swamp, and West by lands of John Green and C. R. Brabham.

ALSO

All that certain other tract containing one hundred (100) acres, more or less, bounded on the North by the waters of Lemon Swamp and the above described tract, East by lands of J. W. Hill, South by lands of S. W. Sandifer and Mrs. M. I. Fishburne, and on the West by lands of C. J. S. Brooker and Mrs. M. I. Fishburne.

Terms: One half cash, balance on a credit of twelve months. Credit portion to be secured by bond and mortgage or mortgages of the premises at 7 per cent. interest, with option to the purchaser or purchasers to pay all cash is he or they so desire. Purchaser to pay for papers.

In the event that purchaser or purchasers fail to comply with their bid, the premises will be sold again at the risk of the former purchaser or purchasers.

H. C. FOLK, Master.
B. T. RICE, Plaintiff's Attorney.
Bamberg, S. C., Nov. 17, 1908.

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