

The Marlboro Democrat.

"DO THOU, GREAT LIBERTY, INSPIRE OUR SOULS AND MAKE OUR LIVES IN THY POSSESSION HAPPY OR OUR DEATHS GLORIOUS IN THY CAUSE."

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DUNCAN RULED

By the State Supreme Court on a Serious Charge.

AFTER HE HAD FILED

Sensational Charges, in Which He Claimed That There Was a Conspiracy in Columbia to Injure Him Professionally, and That Certain Records Have Disappeared.

Affidavits containing sensational statements and charges were presented to the Supreme Court Tuesday in the argument of the case of Jesse Hunter, a negro, represented by Mr. John T. Duncan, of Columbia. After hearing the case the Court dismissed the motion for a new trial on after discovered evidence.

Mr. Duncan, who has put up a hard fight for his clients, Jesse Hunter and his wife, Frances Hunter, convicted of assault and battery, presented a lengthy affidavit from himself in which he set forth the progress of the case and charged that certain attorneys of Columbia and others are in conspiracy to injure him professionally, and that certain records in this and other cases in which he was attorney have been lost or stolen from the office of the clerk of the Circuit Court and the clerk of the Supreme Court.

One of the principal affidavits in the case was that of a negro, Jeff Taylor, who stated that it was himself and not Jesse Hunter who did the shooting for which Hunter was convicted, and that he had feared to testify to the truth of this matter on the trial by reason of intimidation. This affidavit was probated by Mr. Washington Clark, an attorney of Columbia.

Solicitor Benet presented an affidavit from M. Clark, stating that he had one day been called into the office of Mr. Duncan and asked to probate a paper signed by a negro, and that the negro who afterwards owned the name of Jeff Taylor was not the negro he saw in the office of Duncan, but was of entirely different appearance.

Solicitor Timmerman also denied that he had received the papers said to have been served on him by Mr. Duncan, but on the other hand Mr. Duncan presented affidavits to show that he had been at the Drafts Hotel, in Lexington, and seen Mr. Timmerman on a certain date. In his own affidavit Mr. Duncan denounces Mr. Timmerman as a coward as well as a liar, and filed with the Court a note addressed to Mr. Timmerman containing these epithets.

Mr. Duncan also charges the new solicitor, Mr. Christie Benet, with being in the conspiracy against him and denounces him. He names Mr. D. W. Robinson, an attorney of this Bar, and Mr. Robertson's father-in-law, Mr. W. G. Childs, president of the Bank of Columbia, as among the chief conspirators, and declares he might name many others to the court.

Mr. Duncan made the race for the United States Senate in 1896, and on the stump made grave charges against then Governor Gary Evans, and in his lengthy affidavit he refers to this fact and to Governor Evans.

He presents an affidavit from his former stenographer, now married, which contradicts that of Mr. Clark in regard to the description of the negro who gave the affidavit signed by Jeff Taylor.

The two negroes whose escapades brought about this sensational state of affairs, Jesse and Frances Hunter, were convicted of assault and battery with intent to kill in June, 1908, and Jesse was given five years and Frances was given 12 months. The shooting for which they were tried occurred in January, 1906. They lived in lower portion of Richmond County and it was asserted that Jesse Hunter had put his aged mother out of the house where she had lived for years, and which was said to be her own property.

Her other children remonstrated and the officers of the law were called in. Magistrate Lykes, with a posse, went to the house and they were fired on by some one. Jesse Hunter and his wife were arrested, indicted, tried and convicted for shooting the officers, and at the trial Jeff Taylor was a witness for the prosecution, but since that time it has been stated that Taylor was the man who fired the shots and it was on this after-discovered evidence that Mr. Duncan asked for a new trial for his clients, which motion was refused.

The Supreme Court Tuesday afternoon of its own accord, issued an order requiring Mr. John T. Duncan, an attorney of the Columbia Bar, to show cause before the Court on Monday, June 8, why he should not be attached for contempt of Court or disbursed as an attorney for submitting what are declared an oath

HELPED MRS GUNNESS

AT LEAST THIS WAS THE CONFESSION OF TEXAS JAIL BIRD.

But When Sheriff Smutzer Was Ready to Carry Him to Indiana, He Changed Statement.

After signing and swearing to a confession that, if true, would solve many of the mysteries of the Guinness murder farm at La Porte, Ind., and would hang both himself and Ray Lamphere, the suspect now under indictment, Julius G. Truelson, Jr., of New York city, broke down as Sheriff Smutzer was about to take him from Vernon, Texas, where he is confined in jail, to Indiana and has retracted all he said. Truelson is in prison in Texas on a charge of swindling and forgery, having represented himself as Jonathan G. Thew, of Pittsburg, a cousin of Harry K. Thaw, and passing forged checks and drafts amounting to thousands of dollars under this name.

Truelson, who says he is but 22 years of age, bears the marks of long dissipation, and he admits that drugs have placed him in his position. According to his confession he has two wives, and this was later corroborated. He told the prison authorities in Vernon that his first wife, whom he married in Saratoga Springs, N. Y., in 1904, was put out of the way at the Guinness farm, and as the woman has been missing for some time, it lent color to his story. His second wife, with whom he eloped from New York city in March of this year, he also intended doing away with at the Guinness murder patch, according to his statement, but was prevented by Mrs. Guinness writing him that the authorities were getting too warm on his trail.

Truelson's confession, complete in everything, and filled with details a great many of which had never made their appearance in the newspaper accounts, was forwarded to Sheriff Smutzer at La Porte, and that official went to Texas to have a conference with the prisoner. When he arrived there he found Truelson in prison, and as he did not have access to newspapers, how he possessed himself of all the details, unless he was an actual conspirator, was a mystery. The Indiana sheriff finally decided that the forger's story was true and prepared to return with him to Indiana, but when the time for leaving came, Truelson broke down and declared that the whole was a fabrication.

Sheriff Smutzer immediately began another investigation, that of looking into the alibi Truelson presented, and after a few days he became convinced that the prisoner's confession was the mere work of his brain, and left for home without him.

In his written confession Truelson stated that he first ran across Mrs. Guinness through her matrimonial advertisement. He paid the widow a visit, but was too tough a customer for her to do away with, and when she asked him to join her, he consented. Together with Lamphere, Truelson declared that they had not only gotten victims for the marrying widow, but had buried them after she put them out of the way, and in some instances helped her in her bloody work of death.

Truelson further declared that he and Lamphere, convinced that Mrs. Guinness was plotting to do away with them, tossed a coin to see which should murder the widow's entire family and set fire to the house, and that the lot fell to Lamphere.

FELL TO HER DEATH.

From the Roof of a Burning New York Tenement.

One woman was killed and six others were terribly burned Tuesday in a fire in the furnished room house, No. 313 West Thirty-eight street, which threatened the lives of a score of persons. The woman leaped from the roof to death on the pavement below. Lieutenant Mandray, of Engine company No. 1, with four firemen, went down in the collapse of a burning stairway, but all escaped with slight burn and bruises. Mrs. Bell-traine leaped from the rear of the house. An unlaced shoe caught in the supporters as she passed the floor and this turned her so that she struck head foremost on the cement paving.

\$5,000,000 Worth of Coal for Fleet.

The estimated cost of the coal consumed by the Atlantic fleet when it shall have finished its cruise around the world is placed at \$5,000,000. The cost from San Francisco through the Suez canal is estimated at \$2,639,000. Only American coal is being used.

to be "false and fictitious" affidavits in the case of Jesse and Frances Hunter, argued before the Court last Tuesday.

FATAL DUEL.

ONE MAN KILLED ANOTHER INJURED.

In a Running Fight in Autos An Abductor is Killed by His Brother-in-Law.

In a running fight between the occupants of two automobiles, in which two revolvers were emptied, William Patterson was shot and killed Friday afternoon by his brother-in-law near Millersburg, Ind., and Ernest Franks, the brother-in-law, was dangerously wounded by Patterson in the thigh.

Patterson had as a prisoner in his motor car Mrs. A. Sargent, a young woman, whom, it is alleged, he had abducted in an exciting and daring manner under the supposition that she was a counterfeiter and was fleeing from Franks. Mrs. Patterson lately had separated from her husband, it is said, on account of his rough treatment. He blamed Mrs. Sargent for much of his domestic troubles and it is supposed that he had borne a grudge against her. Several weeks ago, fearing for her life, Mrs. Patterson left her home and took refuge with her father, Mr. Franks. Mr. Sargent, at his wife's request, accompanied her to Ligonier and was her guest for some days, but had intended returning to her home at Wawassa.

Patterson, filled with liquor and in an ugly humor, arrived at Ligonier Friday afternoon a little before Mrs. Sargent started to the depot with Mrs. Patterson's father.

"I want that woman to get out of that buggy!" shouted Patterson.

He pointed a revolver at the doctor and at the same time dragged the woman from the buggy. Mrs. Sargent cried loudly for help, but was dragged into the automobile fainting, and placed in her seat. News of the abduction spread throughout Ligonier like lightning. Ernest Franks, brother of Mrs. Patterson, organized a posse of armed farmers and started in pursuit, taking the lead in a big touring car. The fugitives were overtaken just east of Millersburg, near the Washburn depot.

"Fall, or I'll shoot!" shouted Franks, standing up in his motor car.

Patterson replied with a string of curses and immediately opened fire with his revolver, shooting his brother-in-law in the thigh. Though dangerously wounded, Franks returned the fire with such unerring aim that Patterson was instantly killed.

YOUNG BANDITS.

Four Lads Hold Up and Rob a Railway Train.

Four boy bandits in knee trousers, the leader only 15 years old, held up and robbed the North-bound passenger train on the Great Northern, a mile and a half from Great Falls, Mont., Saturday night. One man was shot. The boys were captured and gave their names as follows:

Albert Hatch, 15, who is said to have planned the hold-up.
William Randall, 17.
George Creswell, 16.
Harry Rheames, 15.

Creswell claims he took no part in executing the robbery. Creswell, Rheames and Randall, say that Hatch turned the switch, ordered the engineer to back up the train and went through the coaches with Conductor Jack Hayes, forcing the latter, at the point of a revolver, to rob the passengers for him.

They also allege Hatch shot William Dempsey, who resisted him, and shot through Conductor Hayes' coat-sleeve, after which the boy bandits escaped. Then Hatch drew his gun on Rheames because the latter refused to join him in a hold up of another train. Hatch persuaded him not to attempt another robbery while being pursued.

PREACHER PLEADS GUILTY.

Unfrooked Minister Used the United States Mails to Defraud.

In the United States Court at Richmond, Va., James T. Hargraves, an "unfrooked" clergyman of the Episcopal church, residing in Hanover county, pleaded guilty to the charge of using the United States mails to defraud, and was sentenced to eight months in jail. Bishop Brewster, of Connecticut, was among the witnesses against Hargraves.

Tried to Sell Military Lands.

An alleged plot to sell land in the military reservation at Fort Niobrara, Neb., by false deeds, was revealed by the arrest at Indianapolis of four real estate men.

Relatives who are remembered in the will were mourning, and those who are not do a little mourning on their own account.

FATAL TORNADO

Sweeps Through Nebraska and Kansas Friday Evening

DOING GREAT DAMAGE

Twenty-One People Killed and a Great Deal of Property is Destroyed. It Was the Worst That Visited That Section in Many Years.

A tornado which passed over southern Nebraska and portions of northern Kansas Friday evening was the most destructive and covered the most territory of any similar storm which has visited that region in many years. At least 21 persons were killed, five were fatally injured and a score of others hurt. In addition, reports received say that several persons were killed at Byron, Neb., and Phillipsburg and Courtland, Kan., which town have been cut off from communication. Known casualties:

Dead—Lula Smith, near Geneva, Neb.; Irene Shively, aged 4, near Geneva; Mrs. Mand Carter, Trenton; Baby Carter; two children of Mr. Small, near Guide Rock; Henry Madison, near Franklin, Neb.; Mrs. August Fentell, near Shickley, Neb.; Elijah Artembrecht, near Shickley; Bay Fleming, drowned near Fairfield, Neb.; Mrs. Clifton Simple, Bryon, Neb.

Fatally injured—John Shively, Geneva; Ross Shively, Geneva; John Merriman, Shickley; Preston Bailey, Carlton; Mr. August Fentell, near Shickley.

Seriously injured—Mrs. John Shively, Geneva; Edward Russell, Geneva; A. E. McRaymond, Fairfield; Miss Young, near Guide Rock; Mr. and Mrs. Gray, near Riverton; Mrs. Bennett, near Geneva; Lester and Carter and second child, Carlton.

The storm was general throughout Filmore, Webster, Franklin and Thayer counties, Nebraska, and reached into Kansas, from where reports are coming of great destruction. The town of Fairfield, Desper, and several other towns in Ogallala, Riveron, Nebraska, are among those visited by the storm and in no one of them did the elements spare life or property. At Carlton five residences and two churches were destroyed, while a new school building and 30 houses were partially wrecked. The home of Lester Carter was demolished and his wife and baby were killed, while Carter himself and another child suffered severe injuries.

At Geneva the storm wrought great destruction and in the adjacent country claimed several victims, dead or injured. At Fairfield 40 houses were partly wrecked or demolished. The loss there will exceed \$100,000. Vague reports from other points can not be confirmed because of broken wires. Trains in all directions are abandoned because of washouts and destroyed roadbeds.

The storm covered such a wide area and was so destructive wherever it touched the earth that it has almost caused a panic among the rural inhabitants. Hundreds of farmers drove into the towns, seeking shelter, many of them being homeless.

SERIOUS ACCIDENT.

Lost an Eye by the Bursting of Pepsi-Cola Bottle.

A Mr. Pope, who keeps a restaurant at Statesville, N. C., was the victim of a painful and serious accident on Monday. He was in the act of transferring a pepsi-cola bottle from a crate to an ice box when the bottle burst with such force that pieces of the glass literally split open the ball of his left eye. Mr. Pope applied simple remedies to the eye and then boarded a train and went to Salisbury, where he had the injury dressed by Dr. Brawley. He returned to Statesville on the next train and went to Charlotte to get to have the eye treated by Dr. Wakefield. The physicians have advised him that the sight of the eye is lost for good and that it might have to be taken out at once to save the uninjured eye. An overcharge of gas caused the bottle to burst.

FOUR MASKED MEN.

Robbed the Bank at Cuba, Kansas, on Tuesday.

Four men robbed the state bank of Cuba, Kansas on Tuesday and escaped with between \$6,000 and \$8,000 after a fight with citizens. No one was shot. After the vault had been ransacked the robbers went to the Rock Island depot, boarded a handcar and disappeared in the direction of Belleville. The robbers all wore masks. Posses are in pursuit.

THIEVES FOILED

PREVENTED NEW YORK ROBBERS FROM STEALING \$43,000.

In a Daringly Conceived Hold-Up Three Men Were Kept From Getting Bank's Cash.

Fearlessly thrusting herself in among vigorously wielded blackjacks, Mrs. Eva Javornicka prevented a daring attempt upon the part of three highwaymen to steal \$43,000 from the messengers who were carrying it in a thickly populated New York street to a bank. When the robbers made their attack, the woman, a witness, ran from a restaurant and put herself between the messengers and their assailants, screaming loudly for the police. By clinging to the robbers, she not only hampered them in their attempt to beat down the defense of the messengers but soon attracted a large crowd of persons who went to the rescue. Frightened at the hubbub being raised, the robbers ceased their attack and fled in different directions. Later a man accused of having been one of them was captured and evidence enough was soon found to hold him.

Daringly Planned Crime.

The police department of the metropolis declare the robbery was the nerviest on record, it being evident that the robbers trusted to their quickness to beat the messengers into submission and get away with their booty before their capture could be effected.

The attack was made in a thickly populated tenement district, and many saw the faces but, thinking it to be one of the numerous drunken brawls, common in that district, paid no attention to it. But Mrs. Javornicka, seeing the flash of steel, thought different and threw herself into the fray. The struggle while it lasted was vicious. Blinded by pepper thrown in their eyes, clubbed over the heads with blackjacks, and their wrists and arms slashed by knives, the messengers hung on to their precious burden like grim death, the woman meanwhile bothering the robbers so much that one attempted to stab her.

When help came, two of the messengers sank to the ground, overcome by the struggle, and were later taken to a hospital. Meanwhile one of the robbers, his hand covered by blood from his victim's wounds, was pursued through several streets by a crowd of small boys. He was in a fair way of making his escape when he bumped into an officer, and his explanations were so unsatisfactory he was locked up. Later Mrs. Javornicka positively identified him as one of the three thugs.

LOCKED UP IN VAULT.

And Had to Be Dug Out by Fellow Workmen.

To be buried alive in the reserve vault in the Trenton, N. J., postoffice and to be dug out by fellow workmen because no one could be found who had the combination is the experience of Conover Thompson, a steam fitter.

Thompson was sent to the reserve vault to make some connections with the new building now being erected. He bored a small hole in the wall and was so intent on forcing through a pipe that he did not hear the vault door close. He felt suffocated, called through the pipe and was heard by fellow workmen.

The door had been closed by Postmaster Alexander C. Yard, who had been called out of town. Thompson worked from the inside and fellow workmen from the outside until the hole was large enough for the steam fitter to crawl to freedom.

BROWN BEATS SMITH.

Georgia Changed Her Governor on Last Thursday.

An Atlanta Dispatch says official returns from 126 counties and official counts from the remaining twenty of the votes cast in Friday's Democratic primary, gave Jos. M. Brown, for Governor, a majority of 12,003 over Hoke Smith. Of the 140 counties in the State Brown carried 99. For railroad commissioner, Judge George Hillyer and F. C. Callway won the successful candidates. The race for prison commissioner is still in doubt. All of the present Congressmen were returned with the exception of E. B. Lewis, in the 3d district, who was defeated by Dudley M. Hughes.

Death Sentence for 14 Bandits.

Eleven men and three girls have been sentenced to death by court martial at Warsaw, Russia, for attacking a post car at Sokolow. A bomb thrown at the car killed two soldiers and wounded ten. Following the wreck the train was looted.

EIGHT DEAD

As a Result of a Collision on Trolley Line

AND MANY ARE HURT.

The Horror Occurred on the Washington, Baltimore and Annapolis Electric Railway and Was Caused by Confusion of Orders.

At Annapolis, Md., in a head on collision between two special cars of the Washington, Baltimore and Annapolis Electric Railway company, shortly before 8 o'clock Friday night, eight persons were killed outright and a score of others were seriously injured, some of them perhaps fatally. The collision was due to a confusion of orders, as the line has been running several extra cars each way in connection with the commencement festivities at the Naval Academy. The dead are:

Richard Norton, 25 years old, Baltimore; Police Patrolman Schriber, 40 years old, employed by the railway company at Academy Junction; one unidentified white woman, apparently about 25 years old, said to be from Baltimore, and dressed in ball costume; Zach O'Neal, 25 years old, New York, motorman of one of the wrecked cars; Ruth Slaughter, six years old, daughter of General Traffic Manager William E. Slaughter of the road; J. W. McDaniel, Baltimore; George White, Baltimore.

LAD BREAKS HIS NECK.

By Falling From Stair Railing While Sliding Down.

While sliding down a stairway railing in the cotton mill at Tucupa, in Spartanburg County, Friday, Claryce Prince, aged 9 years, fell to the floor and broke his neck. He died instantly. The accident happened only after 12 o'clock, after returning home after having carried dinner to his father. He straddled the railing at the stairway and started to slide down when he lost his balance and fell. The coroner was notified, an inquest was held and a verdict of death by accident was returned.

HORSE SHOT AND KILLED

Under Revenue Officers by Moonshiners in Oconee.

Revenue Collector R. P. Merrick was fired on by moonshiners in Oconee county Friday and though his horse was killed under him, he escaped uninjured. Merrick and several officers were returning from a raid on illicit stills in that county, and had in custody one prisoner. The ball fired at Merrick from the rifle passed his body and struck his horse in the top of the head killing him instantly.

FOUR MEN KILLED.

A Boiler Tube Explodes on the Cruiser Tennessee.

A report from San Pedro says an explosion occurred on the United States Cruiser Tennessee. A boiler tube blew up, killing four and injuring many others. The cruiser has not entered San Pedro harbor and the details are not yet available. The Tennessee sailed from San Francisco on May 17, and since then has been cruising in southern California waters, touching Santa Barbara, San Pedro and San Diego.

BANDITISM NEAR PITTSBURG

Mounted Masked Men Rob Store and Shoot Up Town.

A dispatch from Pittsburg, Pa., says following the holding up and robbing of a Pennsylvania railroad express train and a street car the vicinity was treated to a third wild Western affair Thursday when two masked men, heavily armed and riding horseback, smashed the window of the Monogahela Consolidated Coal and Coke Company's general store at Eastman, appropriated valuable articles and galloped away firing revolvers.

Blow From Bat Fatal.

At La Fayette, Ga., Willie Watson, aged 10, was instantly killed in a ball game Friday. While engaged in a game with a number of his friends a bat slipped from the hands of a boy who was attempting to hit the ball and struck him over the heart, causing instant death.