THE LAURENS ADVERTISER.

LAURENS, S. C., OCTOBER 14, 1903.

DOWN TO ARGUMENT IN TILLMAN CASE.

The Taking of the Tes- the house in the South Carolina legis-lature—Senator Talbird and Representimony Completed Saturday.

CHARACTER WITNESSES.

Testing Credibility of Men Put Up By the Defense.

ANOTHER INCIDENT OVER

Witness Mitchell's Manner Toward Mr. Bellinger Such That He Expresses Himself Forcibly and Clearly.

nesses—for the State.

As has been said before in these reports, an accurate estimate of this trial, its incidents, its issues and what they involve may best be had and can only be had from the stenographic notes which are being published daily in this paper. Intelligent South Carolinians ought to read them carefully and perseveringly, until the trial is over. The fate of the prisoner at the bar is a matter of profound, extraordinary importance—to the prisoner at the lates of the prisoner at the darmy importance—to the prisoner at the lates of the prisoner at the darmy importance—to the prisoner at the lates of the pr the bar and his friends; but to the State of South Carolina, or in other words, the people of South Carolina, prosecuting this case larger issues are involved. Never before perhaps has a criminal trial including so many principles of first importance to the public been seen or heard in South Carolina. The journalism of South Carolina is to a degree involved, for utterances of a large proportion of the newspapers of the State are actually in evidence and the duty of an editor to his readers, with its limitations, is a subject of searching inquiry, incessantly cropping out. The methods of the lawyers, for the one side or the

her, are brought into a relief incom-/parably sharper than in most cases. The history of South Carolina for a cause and more to the point, the history of the State for years to come may be involved in it. For these and numerous other reasons, readers of this newspaper are urged to peruse with attention the necessarily accurate story that the stenographer's notes tell.

Applying generally to the witnesses no means was the same true of the witnesses for the State. At least three or the latter, men like State Senator Talbird, Representative Dowling and Talbird, Representative Dowling and Dr. E. L. Adams testified to a close friendship with the late lieutenant governor. Barring the gentlemen connected with The State newspaper and one or two witnesses like Dr. J. W. Babcock, those presented by the prosecution had no direct interest one way or anther in the personality of Mr. Gonzales or the prisoner. Lancaster, King. Gause. Alken. Bomar, together man of intelligence, a woman of cul-ture, a woman whose virtues entitle her to the honorable position she oc-cupies in private life—does it not seem a mysterious dispensation of Provi-dence that she should have been se-lected to occupy at the moment of the words, she "could have almost reached out and touched" its victim? How strange, how passing strange, that of all persons it should have been left to her in the thronged streets of Columbia at this busy time to have been the observer to as and describe the doomed coltor, with his countenance "perfectly plade" "with no scowl there," seemingly besorbed in his thoughts" at the integration of the devoted friends of the soner have testified against him. The soner have testified against him by of his devoted friends and some nections have testified for him. A prisoner as a teller of the truth. That is very proper.

Senator Tillman's Name.

Without reference to the personal matter between the lawyers, happily ended, attention is here directed to the statement made by Mr. Nelson that we have the right to show the state of mind of the deceased to the Tillimans, the defendant or his uncle." etc.

Mr. Crawford argued point of was unjust to the United States as senator from South Carolina to bring took the view that it might have some bearing and it was admitted, "to show the relations between the deceased and the prisoner and for no other purtook the view that it might have some bearing and it was admitted, "to show the relations between the deceased and the prisoner and for no other purtook the view that it might have some bearing and it was admitted, "to show the relations between the deceased and the prisoner and for no other purtook the view that it might have some bearing and it was admitted, "to show the relations between the deceased and the prisoner and for no other purtook the view that it might have some bearing and it was admitted." The section of the court of matter between the lawyers, happly anded, attention is here directed to the statement made by Mr. Nelson that we have the right to show the state of mind of, the deceased to the Tillimans, the defendant or his uncle."

When D. V. Cheshie, who served in the prisoner's regiment, was on the plant of the court of the court of the court of the court of the cour

the house in the South Carolina legislature—Senator Talbird and Representative Dowling.

Repeating that it is not the province of a reporter to pass upon the credibility of a winess and with no purpose of doing so, it must be said that a characteristic was imputed yesterday to the late editor of The State the possession of which those who knew him best did not suspect in his life time. Mr. Gonzales was described as a man who did not hesitate to go out into the street day and night and enter into conversation, voluntarily or otherwise, touching matters of gravest personal consequence to himself. His friends say and some of them have said in their testimony that he was a man of few words, that he wrote more than he spoke and that he was not of garrulous or communicative nature or habit. That he should have descended to the vernacular of rufflanism and the slang of the "gun toter" will come with a shock to those all over South Carolina acquainted with his peculiarly quiet, even gentle demeanor, his uniformly precise, clean and well chosen words of expression. The witnesses may have told the truth—let the jugy say—but there are two juries. From one of them The State newspaper is excluded for the present. Let the other and greater—whatever its final verdict rendered in the light of years—read the evidence and answer at least for itself, answer if N. G. Gonzales was a man who spoke freely, familiarly, recklessy, and blatantly, on personal and private topics touching his very life and the life of another, like a braggart and a feoi? Read then the testimony. Examine the picture that these witnesses have drawn. Then form your estimate of its artists. Line for line, wor for word, it is given elsewhere.

Those who have read the proceedings.

The Clash Yesterday. Those who have read the proceedings of the trial will have observed that more than once the name of Senator B. R. Tillman has been called, in one or another connection by attorneys for the defense. When at the opening of the court yesterday Mr. Rembert was reading from editorials of The State, not heretofore read by the prosecution, a passage of some heat occurred between Mr. Bellinger of the State's counsel and Mr. Nelson of the prisoner's. It ended satisfactorily to the gentlemen chiefly concerned. Both were intensely in earnest in what they said, but both were apparently cool and self-controlled. The colloquy grew out of the effort on the part of the defense to have read an editorial taken from a New York paper and reproduced in The State, to which the State objected on the ground that it contained no reference to newspaper attacks of The State at various times, Mr. Gorzales of former years together with references to newspaper attacks of The State at various times. Mr. Corft announced at 5.40 o'clock that a new line or phase of the examination would be entered upon this morning and the court adjournment the question arose as to whether or not the prisoner could testify concerning editorials in The State bearing upon him and not introduced in evidence. Mr. Bellinger objected that the editorials themselves were the best evidence. Mr. Johnstone stressed the argument that the prosecution had in possession the files extending over the years of the newspaper's existence; that they were not in the possession the prisoner.

"Have you asked for them as you did for others? You could have had the ground that it contained no reference to the prisoner. The following from the stenographer's notes describes the colloquy, and is printed in extenso

Mr. Nelson-Any clipping which re-

greatly persecuted man and at the same time was still resentful. What he said yesterday related for the most part to the controversies between himself and Mr. Gonzales of former years

that they were not in the possession of the prisoner.
"Have you asked for them as you did for others? You could have had

them with pleasure," observed Mr. Bellinger.

"We did ask you to bring them here," exclaimed Mr. Johnstone, "and you ravished them from us."

"That's right," quietly replied

The introduction of the editorials of ship of N. G. Gonzales presented a case against Lieut. Gov. Tillman, candidate for governor. It was presented with fers to agriculture, religion or anything and connects the two Tillmans power and courage, with a skill that with it and editorially is referred to is competent.

Mr. Bellinger—Yes, but this editorial does not mention Jim Tillman and rial does not mention Jim Tillman and alive, was the case answered? Was with it and editorially is referred to is competent.

Mr. Bellinger—Yes, but this editorial does not mention Jim Tillman and is incompetent because it does not refer to him.

Mr. Nelson—We have a right to show the state of mind of the deceased toward the Tillmans, the defendant or his uncle, and when he calls attention to an article reflecting upon one or both it is competent to bring it out before the jury.

Mr. Bellinger—We all understand that Mr. Nelson's object in bringing it origin. If they were not demolished, Mr. Bellinger—We all understand that Mr. Nelson's object in bringing it in here is to make a political trial out of this case, and that is what we are opposing. They cannot make it appear that the deceased because he had ill will towards the whole family, that every word of his relating to any member of that family can be brought in in the discussion of a crime committed by the defendant who happens to be a member of the family, and I believe that both sides are anxious to narrow this thing down to the facts of the case. But we can see that this is a trial between the Siate and James H. Tillman; not in any view of the case political but simply criminal. The other side may take a different view of it, but we contend that they should be limited to the criminal law and criminal evidence. Along that line, it has been suggested, would we be permitted to introduce editorials praising the late George D. Tillman in order to show the relation toward the family?

Mr. Nelson—When the time comes.

fense, Mr. Mahaffey. A member of the legislature from Spartanburg was sworn for the State some days ago, two in fact, Mr. Horace Bomar and Dr. S. T. D. Lancaster. Mr. Mahaffey's testimony speaks for itself. Its object apparently was to show that what Dr. Lancaster was positive was a pistol handle in the prisoner's pocket might have been the neck of a bottle, Mr. Mahaffey saw the neck of a bottle, and acording to his testimony, it contained whiskey, sticking out of the pocket of the lieutenant governor of South Carolina. Mr. Mahaffey's testimony may unpleasantly recall to the public mind some of the "abusive editorials" that appeared in South Carolina papers last summer—but that is another story. Mr. Mahaffey did not seek to shirk the reputation of a man who understands something about whiskey. The main point is the contrast between Dr. S. T. D. Lancaster of Spartanburg and Mr. Jesse Mahaffey, both members of the South Carolina house of representatives. Wherein that contrast lies is not to be specified here. Dr. Lancaster is well known throughout the State. So is Mr. Mahaffey. Each side in the trial has a Spartanburg legislative witness. Let the people of the State who know these two men consider the two specimens and take their choice. Senator Douglass of Union was the first witness examined for either side who was not cross examined. He is a witness for the defense. His testimony

own motion, stricken from the roll of counsel for the defense, after he had testified; Mrs. Mary A. Evans of Newberry, George W. Lybrand and R. F. Sox.

Mr. Blease's testimony was principally directed to the test of Dr. F. J. Adams for

The audience vesterday was about as large or small as usual. When the prisoner took the stand it was somewhat larger than earlier in the day. The people of Lexington continue to manifest no keen interest in the trial

Lexington, Oct. 9.—The defense closed its case in the trial of James H. Till-good man ever performed such a duty save with sorrow and reluctance. No honest man ever performed it but for honest man ever performed it but for the reason that as a duty it was suppressed by himself, who will be remember the recess for dinner at 1.30 p. m. and again for a few minutes after the recess. No noticeable change appeared in the respect unless they be actually sufficiently well without glasses to walk the streets without them."

A feature of the day was the strong attack upon the reputation for truth-telling of T. D. Mitchell, unanswered save by himself, who will be remembered as the man who accosted Mr. Gonzales, so he said, on the street at night well without glasses to walk the streets without them."

A feature of the day was the strong attack upon the reputation for truth-telling of T. D. Mitchell, unanswered save by himself, who will be remembered as the man who accosted Mr. Gonzales, so he said, on the street at night be found to swear that his oath is not with Mr. Gonzales, it was Mitchell and the streets without them."

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A feature of the day was the strong attack upon the reputation for truth-telling of T. D. Mitchell, unanswered save by himself, who will be remembered as the man who accosted Mr. Gonzales, the man was a sufficiently well without glasses to walk the streets without them." throughout the trial, and even when in the cross examination he was con-

case for the defense in testimony may be divided into two parts. One of these consists of testimony of a number of persons to whom it would appear from what they said that Mr. Gonzales talked somewhat freely, even volubly, of his sentiments towards the prisoner and in the presence of whom he uttered threats. To his friends and constant associates Mr. Gonzales was undoubtedly a reticent man upon subjects of a private nature. To the friends of the prisoner he was often voluntarily and amicably confidential. It would not be proper for a newspaper man to say that this phase of Mr. Gonzales' character seems, as revealed at this late day, preposterous, for the witnesses were an these certic words. Gonzales' character seems, as revealed at this late day, preposterous, for the witnesses were on their oath; but it is only stating a fact that to him it appears amazing and more—yes, miraculous. When a man is dead, even his friends may learn something about his life never suspected from the most unsuspected source—even from those who estimated his height at four feet and six inches.

As for Richard Holsonback, as was foreshadowed yesterday, his reputation for truth and veracity was assalled. Mark Toney of Johnston and Tillman Denny of Johnston and W. J. Huiett of Johnston and Milliam Toney of Johnston and Lewis Holmes of Johnston and Lewis Holmes of Johnston would not believe him—no not upon his oath. Mr. Nelson cleverly got it out of the witness Holmes that he had voted for Holsonback for coroner and, in fact, Holsonback for coroner and, in fact, had "brought him out" as a candidate.

Mr. Holmes explained that it was done "as a joke." It will be remembered that Holsonback himself volunteered the informatics of the second seco

manifest no keen interest in the trial and many a minor cause has attracted assemblages many times as great.

The indications point to the closing of the testimony for the defense at an early day, perhaps today, but this is conjectural.

The jury seems to be enduring their long confinement well. Judge Gary is ever considerate of their comfort and gives them an occasional period of relaxation—which is enjoyed by others connected with the trial not less than by the jury.

"as a joke." It will be leminated that Holsonback himself volunteered that Holsonback nor he witness stand that Holsonback himself volunteered that holsonback himself Lexington, Oct. 9.—The defense closed lits case in the trial of James H. Till-

worthy of respect unless they be actuated by personal malice or interest?
Could three or four good men be found in Columbia, for example, with no interest in common, to swear against the good name of any other good man in Columbia? Who will say that Tillman Denny, Mark Toney and the rest are conspirators against the life of James H. Tillman? Who will say that they are conpirators against the good name of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. Simmons and Mr. E. W. Parker of Columbia of the same town, C. B. cess. No noticeable change appeared in his demeanor from that of yesterday; he has displayed the same composure he has displayed the same composure in Columbia, for example, with no incomposure to example the example state of the s

Senator Douglass of the defense. His testimony given yesterday will probably not be impeached.

The inference from yesterday's testimony is that James H. Tillman fired upon N. G. Gonzales because the latter had his hands in his pockets and rammed his right hand deeper in his pocket. The testimony all appears in the stenographic report and no intelligent reader will fail to gather a fairly correct estimate from its perusal. It is pon the day were destinate from its perusal. It is pon tot all way were James Davis of Edgefield, C. Other witnesses who testified yester-ditto
The other division of the defense's the division of the defense's case is the story of their eye-witnesses. This may be said to rest chiefly on the accounts of James H. Tillman and Richard Holsonback. Lorick and Chief Clerk Wilson of the comptroller's office were the only other eye-witnesses. If the prisoner be acquitted it will not be due to the stamportant and far-reaching, if it should be a fine impression on the minds of the stimographic report and not relievely to the precedent's twint of causes in South Carolina. It is not a fine impression on the minds of the special pet, prized the prisoner—far from it.

The other division of the defense's think this is competent."

The other division of the defense's think this is competent."

Whether or not this ruling of the special judge is to carry with it the full weight of all that its language the full weight of all that its langua appears to be the especial pet, prize and precious witness of the defense Replying to a question by counsel for the State, Odom admitted to being a Republican. Mr. Nelson asked if he were a national or a State Republican and he said that he was a Republican in national politics.

When the court opened Judge Gary announced that on reconsideration he had concluded that he went a little too sight of Mr. Gonzales, and he stated that he would not allow the prosecu-tion to be prejudiced on that account. He would, therefore, allow time for He would, therefore, allow time for obtaining witnesses on that point if the prosecution so desired. The prosecution did desire such witnesses, but later in the day stated that they could not reach Lexington until the afternoon train arrived. An agreement was then reached and read in court, both sides consenting, for the admission of the following as evidence and as true:

| Making | Most are showing irritation at the prolonged stay of the American warships at Beirut, but United States Minister Leishman maintains an attitude of patient and steady pressure and is obtaining satisfaction for his demands without any unnecessary bluster such as would be calculated to trouble his friendly relations with the following as evidence and as true:

| Making | Most emphatically such did not wear glasses. The defense addid not wear glasses could not see sufficiently "to walk the streets." Hyatt saw the pistol when Mr. Gonzales was leaning over to spit in a cuspidor—not wearing glasses.

| At some distance the prisoner saw the prisoner saw as evidence and as true: | At some distance the prisoner saw are showing irritation at the prolonged stay of the American warships at Beirut, but United States Minister Leishman maintains an attitude of patient and steady pressure and is obtaining satisfaction for his demands without any unnecessary bluster such as would be calculated to trouble his friendly relations with the Cottoman government.

"That N. G. Gonzales habitually wore glasses, was near-sighted; his eyesight was so defective that he could not see

held that was competent as showing the attitude of the mind of the prisoner, with stealing a platol, put up a forfeit with their histories in a measure together with their histories in a measure together with their employment, so all is in the detailed report and is rarely interest. The defense placed on the stand a third eye-witness, Chief Clerk Wilson bore himself well on the stand as wirned over the conduct of the cross of the satisfiant counsel.

Solicitor Thurmond conducted the examination in chief of the State's statements about the shooting when it occurred, he saw a turned over the conduct of the cross of the stands which satisfiant counsel.

Juror Sharpe though able to serve the sale and extend adjurned the wind and extended transversely across and state their platon. The proceedings generally were charmed the wind the wi

ity above the average of the best. As the confidante of Mr. Gonzales on one day and the witness protective of the prisoner's case of self-defense the next, Holsonback demonstrated versatility, When the defense announced that its

testimony in reply to the attacks on the character of their wit, s was concluded one of the attorn. 'or the defense announced that the

tion in declining it probably had in mind that a full week has elapsed since its case was before the jury. Ordinarily even a murder trial consumes one or two days, possibly three, and the impressions of the State's testimony are not so likely to fade in that time. This trial is unique in the courts of South Carolina as to time consumed, and the State's account of the killing was given by witnesses in the first week of the trial. Between the practical closing of the State's case and the beginning of that of the defense an intermission of the State's case and the beginning of that of the defense an intermission of three days elapsed, when the case was not daily and directly before the jury. Hence the State would have been at a distinct disadvantage in going to the trial without argument to freshen the State's side of the controversy in the minds of the 12 jurors.

THE SULTAN COMING TO TERMS.

American Claims-The War-

American Claims—The Warships Standing By.

Constantinople, Oct. 11.—Two more claims of the American legation have been satisfactorily settled, the more important being the issue of a firman granting to Dr. Banks premission to excavate the ruins of Bismah in Mezoptamia. The claim has been pending for three years, its settlement being constantly thwarted by a German professor engaged in similar work.

The second question settled concerns property belonging to the wife of the American consul at Smyrna upon which immigrants have established themselves and which the government now agrees to purchase. The negotiations regarding other questions between Turkey and the United States are also making progress.

making progress.

Some powers are showing irritation at the prolonged stay of the American warships at Beirut, but United States Minister Leishman maintains an atti-

More Promises Macedonia now in Bulgarian territory The porte offers to take all the refu-gees back under the joint supervision, of the Bulgarian and Turkish functionof the Bulgarian and Turkish function-of the Bulgarian and Turkish function-the way, owing to the destruction of their homes and means of subsistence and the doubt whether they will be

rnment that the sultan has ordered a

OF THE TESTIMONY.

A Resume of the Evidence at the Tillman Irial.

POLITICAL FAITH OF NO EFFECT

Reflections of One Who Ha Closely Followed the Car

Gonzales than members of the faction Look at the example of Talbird-a Reeach side have three hours for argument and then Judge Gary suggested that each have a day.

On its face, the suggestion of eliminating argument from the trial would appear fair to all sides. The prosecution in declining it probably had in mind that a full week has clarsed since.

witnesses for the State. This is no matter for surprise. Politics does no

sworn for the defense whose testimony was not attacked. His testimony was valuable and only valuable in corroborating the theory of the State, it strengthened the dying declaration of Mr. Gonzales—it placed Tillman from two to two and a half feet only from the outside of the sidewalk and made the direction of his aimed weapon transverse, across the sidewalk, towards the wall of the transfer station. At the bail hearing, one W. H. Hall made an affidavit, claiming that he was an eye-witness to the shooting and corroborating in "every particular" the account given by Richard Holsonback. Such the record shows, Hall was present when Lorick was on the stand or immediately after. The defense did not swear him. Why? Was the hard lesson of Lorick's testimony enough? not swear him. Why? Was the hard lesson of Lorick's testimony enough? And yet Holsonback and Lorick are the only eye-witnesses, except the prisoner, who in any degree support the defense. Holsonback's character has been attacked. Lorick was not allowed to answer questions imputing that more than once he had been charged with larceny.

Mr. Gonzales approaching and "eyeing him intently." How far away can you tell that a man wearing glasses is "eyeing" you?

Senators Brown, Talbird, Mrs. Melton, Mr. Lide, August Schiedman and others testify that Mr. Gonzales was almost abreast of the two senators and Tillman when the shot was fired. The course of the bullet proves it. Tillman told Spann Dowling at the jait that the bullet would shoot straight.

Tillman was about at Gervais street he was at the State house steps and overtook Tillman by the time of the shooting; while Tillman was crossing the