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Lawyers Arguing the Tillman Murder Case

The Prisoner's Counsel Lay More Stress on Provocation Than on the Self-Defense Theory—Talking to End Today

Lexington, S. C., Oct. 12.—Argument in the trial of James H. Tillman was opened this morning with a forty-five minutes speech by Solicitor William J. Thurmond for the state. He was followed by George Rembert for the defense. William Elliott, Jr., then spoke for the state, and ex-Congressman George Johnson replied for the defense. E. L. Asbill of Lexington was speaking for the state when court adjourned. He will conclude to-morrow. It is expected that the speeches will be concluded to-morrow and that Judge Cary will charge the jury Wednesday morning. Messrs. Crawford and Bellinger remain to speak for the state and Messrs. Nelson and Crawford for the prisoner, Mr. Bellinger closing.

The audience was somewhat larger today, though the court room was not filled. The prisoner's wife and little daughter occupied seats. Solicitor Thurmond, after explaining an impressive the jurors, made a clear presentation of the circumstances of the killing. "You must direct your minds to that episode," he said. "The question before you is: Was the prisoner justified in firing the fatal shot? The mere allegation that a man has made threats, even if true, does not excuse him for shooting another." He especially laid stress on the evidence that the dead man was not armed and made no demonstration whatever toward his assailant before or after the shooting. George R. Rembert, a very young lawyer, in his peroration, related the parable of the Good Samaritan and pictured the prisoner as filling that role as colonel of the First South Carolina regiment in the war with Spain.

William Elliott, Jr., with no pretense of declamation, delivered a speech for the state that was a feature of the day's proceedings. It drew from Mr. Johnstone, who followed him for the defense, high praise. Elliott addressed himself closely to the testimony and his every sentence had telling effect. The strongest terms harped upon by the defense as used against Tillman, Mr. Elliott said, were quotations from other South Carolina newspapers. He said the severest expression employed was the comparison of Tillman with ex-Governor Franklin J. Moses. "That came from a paper that has always supported Senator Tillman. Yet the effort is made here to heap the responsibility for all the attacks by the whole press of South Carolina upon Gonzales. The laws of the land from time immemorial protect the freedom of the press, but they give to the citizen the largest remedies against abuse. What was to prevent Tillman from suing Gonzales for libel in the civil courts?" putting him behind the bars for criminal libel if he did not fear investigation of the truth? Thomas Jefferson, when abused in the public prints, was none too exalted in his own conceit to journey from Virginia to New York and challenge his accuser to the bar of justice in order to vindicate his good name.

Anti-Saloon Campaign

Durham, N. C., Oct. 12.—Special. The anti-saloon campaign opened here yesterday afternoon with an address by Hon. James H. Southgate. The address was delivered in the old opera house, and a large crowd was out to hear him, the auditorium being well filled. In his address Mr. Southgate traced the whiskey movement from the earliest accounts, and also traced the rise and fall of the temperance movement. He showed how the state

had at last begun to awaken to the danger of the whiskey monster, and told that a united effort was now being made to drive the traffic from the state. He predicted a glorious victory for the anti-saloon forces in Durham. There will be another temperance lecture next Sunday afternoon. The election will take place November 3, and from now on the anti-saloon forces will make a united fight. It looks as if those in favor of whiskey are not going to make much of a fight.

Confession of a Priest
Rev. John S. Cox, of Wake, Ark., writes, "For 12 years I suffered from Yellow Jaundice. I consulted a number of physicians and tried all sorts of medicines, but got no relief. Then I began the use of Electric Bitters and feel that I am now cured of the disease that had me in its grasp for twelve years." If you want a reliable medicine for Liver and Kidney troubles, stomach disorder or general debility, get Electric Bitters. It's guaranteed by all druggists.

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The sixty-second annual session begins September 15th. The term begins January 28th. St. Mary's School offers instruction in the following departments: The Preparatory School, The College, The Art School, The Music School, The Business School. There are two hundred and forty-eight students representing nine Dioceses. Faculty of twenty-five. Much of the equipment is new. Eight new pianos bought this year. St. Mary's Kindergarten is located in the center of the city under Miss Louise T. Busbee's charge. For catalogue address

REV. McNEELY DuBOSE, B. D.

Officials in the Dark Regarding the Far East

Position of the Government Explained—Russia's Excuse of a Lapsed Treaty Denounced as Scoundrelly—Her Promise Not Binding

Washington, Oct. 12.—With two great nations apparently about to engage in war over a question in which the United States have a material interest, this government occupies the remarkable position of being without official advice from any of its several sources of information concerning the situation that confronts Russia and Japan. For many days the state department has not heard from the far east, and what came to it last from that quarter of the world embraced nothing to throw light on political conditions. The Chinese minister, who is also being kept in the dark by his government, went to the state department today in search of news, but Secretary Hay was unable to give him any. Like Mr. Hay, the Chinese minister is anxious to know the nature and extent of the conditions which, according to press reports, Russia has demanded shall be complied with by China as preliminary to the evacuation of Manchuria by the czar's forces. While having nothing to confirm the press reports that Russia has declared lapsed her treaty with China providing for the evacuation of Manchuria October 8, the officials here are inclined to credit it. This attitude on their part indicates how thoroughly impressed the government is with the idea that Russia has no intention of keeping her solemn obligations.

with which Russia had entered into a solemn treaty to withdraw her troops from Manchuria on a date now passed. In these circumstances, this government, it is held, could not say to Russia, "You must leave Manchuria in accordance to your assurances to us." Russia would respond by holding that she had not entered into a formal agreement with the United States to evacuate Manchuria, and of course the government could not produce such a compact.

The navy department has advised that a large Russian fleet is in the vicinity of Port Arthur, but does not know how many vessels compose it.

Japanese Forces in Corea
London, Oct. 12.—The British foreign office has confirmation of the report that Japan has occupied Ma-San-Pho, Corea.

In an interview today Baron Hayashi, the Japanese minister to Great Britain, discredited the report that Japan had sent an ultimatum to Russia. He said: "According to the treaty of alliance with England I should have been informed immediately if any such action had been taken, so that the fact might be brought to the notice of the British government. Of course I have had certain information, but nothing of that character."

"War between Japan and Russia would be of great injury to both powers, but in the event of a crisis being precipitated I hope Japan will have the active sympathy of my ally, Great Britain. England and Japan have been acting together now for some time, and understand each other perfectly."

"Whether the opinion of the warlike element in Japan has any influence in the direction of public affairs I cannot say. In any event, the emperor always lends his ear to the voice of public opinion."

belief that war will be avoided between Japan and Russia. The Japanese government released steamers held for transports.

A man who is familiar with the situation in the far east said, after reading the dispatch: "I interpret this to mean that Russia has given Japan a free-hand in Corea, and in return Japan will not kick up any serious fuss over the non-evacuation of Manchuria, all of which will hurt United States trade in north China."

France Discredits Reports
Paris, Oct. 12.—The rumor that Japanese troops had occupied Ma-San-Pho, Corea, caused excitement here. It is learned from authoritative sources that the French government does not believe the report. France considers the danger of a conflict between her ally, Russia, and Japan exaggerated.

Situation Regarded as Serious
London, Oct. 12.—Although no definite development is announced the seriousness of the Russo-Japanese situation continues to be insisted upon here and in the European capitals. The uneasiness was reflected at the stock exchange today when the new Japanese five per cent bonds dropped 3 1/4 and the four per cent 1/4. Russian securities, however, were not affected.

In addition to the disclaimers of the Japanese minister, the London manager of the Nippon steamship line, the London manager of the Yokohama Specie bank and the Japanese consul minimize the rumors. The first points out that if Japan were mediating war the Nippon line steamers, which are subsidized, would certainly be recalled to transport troops. Nothing of the kind had been done and the company was not informed of anything abnormal.

The Japanese consul says that shipping is not affected and trade is normal. On the other hand the newspapers of Berlin, Paris and elsewhere and their correspondents, remark upon the various indications which they regard as ominous. Among these is the suggestion that the czar's return to St. Petersburg from Darmstadt without making his proposed visit to Rome may be connected with the situation in the far east, since his majesty's presence in Russia is necessary to a declaration of war.

The announcement that Sir Gerald Noel, vice admiral, has been appointed to succeed Vice Admiral Sir Cyprian Bridge in the command of the British China station is also pointed out as having peculiar interest, owing to Admiral Noel's official record and the resource and judgment he displayed during the troubles in Crete.

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MOONSHINE OUTRAGES

Their Last Visit to Old Man Kimball Met With a Warm Reception

Durham, N. C., Oct. 12.—Special. The moonshiners have been out on the war path again in Lebanon township, this county, some eleven miles from Durham. Last night they visited the home of J. A. Kimball, which they have visited on several occasions. This time they contented themselves with throwing rocks at the house and scaring the wits out of the inmates.

It is said that there are a large number of moonshiners in that section of the county, and what is worse, very little has been done toward breaking up the nefarious business. Some time ago they accused Kimball of informing

Saves Two From Death

"Our little daughter had almost fatal attack of whooping cough and bronchitis," writes Mrs. W. K. Haviland, of Armonk, N. Y., "but, when all other remedies failed, we saved her life with Dr. King's New Discovery. Our niece, who had Consumption in an advanced stage, also used this wonderful medicine and to-day she is perfectly well." Desperate throat and lung diseases yield to Dr. King's New Discovery as no other medicine on earth. Infallible for Coughs, and Colds, 50c. and \$1.00 bottles guaranteed by all druggists. Trial bottle free.

Hickory Votes Bonds

Hickory, N. C., Oct. 12.—Special. Hickory today voted a ninety thousand dollar bond issue for water works, sewerage and street improvements. The vote was 287 for and 24 against.

Declaration of War Expected

Berlin, Oct. 12.—A dispatch from Shanghai to the Frankfurter Zeitung states that news has reached there from Chefoo to the effect that the Japanese have occupied Ma-San-Pho, and that an official declaration of war is expected.

The relations between Japan and Russia have reached a crisis according to the official view here. The exact nature of the diplomatic exchanges between the two governments that brought out the present tenacity appear to be unknown at the legation of the two countries here or at the German legations at St. Petersburg and Tokio, although it is understood that Great Britain is privy to Japan's movements.

Significant Publications

St. Petersburg, Oct. 12.—Significance is attached here to the fact that the official Messenger and the Journal De St. Petersburg print the Berlin Local Anzeiger's dispatch relating to the movement of the Russian fleet and the possible coincident landing of Russian and Japanese troops in different parts of Corea. Several newspapers publish reviews of Japan's military and naval strength.

The cancellation of the projected visit of the czar to Rome is said to be due to the Italian Socialistic press and Socialist deputies.

Reasoning Advice

New York, Oct. 12.—A private dispatch received here today from Yokohama contained the following: "The political outlook is much better. Opinions here seem to incline to the

There is an idea among officials of the government who are chiefly concerned in the Manchuria situation, that the reasons for its policy of "hands off" in the Russian-Japanese trouble are misunderstood by the American people. An authority on the subject, one of the president's advisers, pointed out today that Russia had not entered into any treaty, agreement, compact or understanding with the United States to evacuate Manchuria and permit the opening of that Chinese territory to American trade. What Russia had done was to furnish assurances that she would evacuate Manchuria October 8. There was no contract between the United States and Russia, however, it was explained, and therefore the Washington government felt that it had no substantial legal right to demand that Russia carry out the assurances. That was regarded as a moral obligation on Russia's part. She had given her word of honor, as it were, but not entered into a mutual bond to carry out her pledge. The position of the United States in the matter was different from that of China,