

THE HORNER CASE

Geo. H. Weber Turns State's Evidence and Confesses.

A CAREFULLY LAID PLOT

Hay, Kidwell and McFargue Sentenced Today.

OTHER WORK.

Dallas Guard, March 11. 105 State of Oregon vs E D Horner and Geo H Weber; forgery. The grand jury, Saturday morning, March 11, 1899, reported "a true bill." The indictment is based on the Coleman note of \$50.00.

The parties were brought into court Saturday, March 11, 1899, at 9 o'clock in the forenoon to plead to the indictment.

George H Weber entered a plea of guilty to the indictment.

The prosecuting attorney asked that the time for setting day of sentence be postponed. The court demurred and set Monday morning at 9 o'clock for sentence.

E D Horner then entered a plea of "not guilty."

AFFIDAVIT FOR CONTINUANCE.

Geo B Dorris, attorney for the defendant E D Horner, filed the following affidavit for continuance:

"I, E D Horner, being duly sworn, say that I am the defendant in the above named case; that I am a citizen of Portland; that I came to Eugene on legal business, on Monday, March 6, 1899; that I am the owner of the note described in the indictment; that on Tuesday, the 6th day of March, 1899, my attorney, Mr Hufford, delivered to me, as the owner of said note, the said note, and advised me to take the same and get out of Lane county with it; that action or suit would be commenced against me to recover the same; that acting on that advice I immediately started to Linn county, that I might not be sued away from home; that while en route to Linn county I was arrested by an officer and the said note forcibly taken from my possession against my will and consent, and placed in jail; that I was indicted on March 10, 1899, and have not had one day to prepare for my trial or secure witnesses in my behalf. That Mr Hufford is my attorney and is a resident of Portland, and I have not had time since the finding of said indictment to procure his attendance at this term of court. I expect to prove by said attorney the foregoing facts, and I can have him present at the next term of this court.

"That _____ is a resident of Portland and a material witness in my behalf; I expect to prove by said witness that I purchased said note for value in her presence, and the said note was delivered to me by the said Alice Edmondson in her presence; that I had no notice of said writing being a forgery at the time of said purchase; that I can have said witness present at the next term of this court, and this affidavit is not made for delay.

"E D HORNER."

Sworn to before County Clerk Lee on March 11, 1899.

RESISTING AFFIDAVIT.

The State filed the following affidavit resisting the continuance of the case:

"I, George H Weber, being first duly sworn, say that I am acquainted with E D Horner and know that he did not purchase the note mentioned in the indictment, from Alice Edmondson or anyone else; that the Alice Edmondson in said note is a fictitious person.

"GEO H WEBER."

Sworn to before County Clerk Lee, March 11, 1899.

Judge Hamilton refused to grant a continuance on the showing made.

The following jury was then taken to try the case Saturday morning, March 11, 1899: Lincoln Taylor, Fred Wright, O M Cahow, J F Atkins, P T Carter, E P Coleman, Philo Wilcox, E K Henderson, I K Peters, Joe Dusean, George Morris and T J Kirk.

The formal statements of the case were made by the attorneys.

GEORGE WEBER.

The principal witness was called and testified as follows: Lived here 14 months; acquainted with Horner for 4

or 5 years; [A certain receipt was handed witness that it is supposed Horner had for a time.] I sent this receipt to Horner in Portland, at his request; sent receipt to Horner July, 1898; he wanted a sample of Coleman's hand writing; he turned the receipt; sent it to me by registered letter; I first saw the legal paper in December; they were sent to me to be filed; saw the \$50.00 Coleman note before; think Horner wrote the receipt on the note; the note was dated March 6th; I saw Coleman before it contained Coleman's signature on July 4, 1898; on May 8th in Portland, Horner said he would be content to raise either by holding up a check or by doing an old man's name; I did not know if he was up to Eugene he would find such an old man; you will have to have a lady in case; the name is Coleman; Horner said just work up your name; that he'll mail; I said "No." In July he wrote me about the matter further; he also wrote that I would not have to force the note; I prepared the note at Schwan's; he said find out the face of the note except the signature; the name Alice Edmondson was gotten from a cigar package; and I also wrote the receipt of \$100 on the back of the note.

The defendant, led by his attorney, Geo B Dorris, that the jury be instructed to find in a verdict of not guilty, although that no proof had been offered showing that the note had been altered and published.

The court overruled the motion.

The defendant introduced no evidence.

87 State of Oregon vs John H Hay and Ivan Kidwell; larceny in a store. A true bill. Defendants arraigned Tuesday afternoon and took day to plead. Wednesday morning at 9 o'clock they entered pleas of not guilty by their attorney, L Blyen, Trial set for Wednesday afternoon.

At 1 p.m. Wednesday, March 7, the pleas of not guilty were withdrawn by each defendant, and each defendant entered a plea of guilty. Saturday forenoon at 9 o'clock was set for sentence.

These men are the ones who stole goods from the stores of E H Topham, F E Dunn and J H McCue.

This morning at 9 o'clock the parties were brought into court. Hay asked the mercy of the court claiming he had been drinking when he committed the crime; that his parents needed his support; that he had already been in jail 100 days; that he came here to obtain employment.

The court sentenced him to two years in the penitentiary, saying his excuses could not stand and should not avail.

Kidwell said he was not the instigator of the crime; that he fell in bad company; was 20 years of age; asked for a light sentence.

The judge then sentenced him to two years in the penitentiary.

Kidwell said: "Thank you sir." His face was one of smiles.

87 State of Oregon vs Claude McFargue; forgery. A true bill. Arraigned Tuesday forenoon and took day to plead. Entered a plea of "not guilty" Wednesday forenoon at 9 o'clock. Set for trial Thursday forenoon.

Wednesday, plea of "not guilty" withdrawn at 1:30 o'clock afternoon, and plea of "guilty" entered. Saturday morning at 9 o'clock set for sentence.

McFargue was indicted for passing a check on Berkholder & Hemenway signed by "A K Patterson," drawn on the First National Bank of Eugene for the sum of \$49.90.

SENTENCED.

Judge Hamilton: Saturday morning, March 11th asked the defendant if he had anything to say why he should not be punished upon him.

McFargue said: "Nothing."

Judge Hamilton: "I will sentence you to four years in the penitentiary."

Dallas Guard, March 10.

88 State of Oregon vs H A Daniels; embezzlement. The grand jury filed a true bill March 10, reported "a true bill."

This is the case of the Oregon Cigar Co.

84 State of Oregon vs A F Tuttle; assault with intent to kill. The grand jury Friday morning, March 10, reported "not a true bill."

89 State of Oregon vs A F Tuttle; poisoning at Melissa Tuttle's residence. The grand jury Friday morning, March 10, reported "a true bill."

The defendant was immediately brought into court and arraigned when he waived all time and entered a plea of guilty. The court then fined him \$25 or 12 days in the county jail. He will board with the county 12 days longer as he has no money. The reason for the light sentence was that the defendant had already been confined 73 days in the county jail.

Tuttle was arrested in Eugene. At the time he fired his revolver it was thought he shot at Marshal Stiles, but he discloses this, saying he fired his gun into the air.

104 State of Oregon vs James Smith; larceny.

Grand jury Wednesday, March 8, returned "a true bill." He was immediately arraigned and took his day to plead.

Thursday morning at 9 o'clock he entered a plea of "not guilty."

The following jury was then drawn in the case: J J Ellwood, J F Atkins, Bruno Vines, Wm Campbell, J T Rowland, H E Allingham, C W Thompson, George Morris, George Courtwright, O M Cahow, Fred

Wright and E H Payne.

Attorneys Stevens and Blyen appeared for the defendant and Attorney Brown and Horner for the state.

The case was on which defendant took and called many two guns from the store of M S Barker, in Eugene, Oregon. The defense claimed for their client that he was not responsible for his actions and he was innocent of having under some hallucination, and also donating heavily. The guns were introduced and Attorney Blyen created some confusion by asking if they were loaded.

The jury retired at 5 o'clock. This day afternoon to deliberate on a verdict. Friday morning, March 10, at 2 o'clock they informed the court that it would be impossible for them to agree, when they were discharged.

On account of the present jurors being disqualified from hearing the case, and the cost being considerable to subpoena a new one, and also that the defendant was out on bonds, the court continued the case against Mr Smith until the next term of court.

80 State of Oregon vs James Kelly, Charles Halsard and Willie Connelly; burglary.

The grand jury Wednesday afternoon at 1 o'clock reported a "true bill" against each of the parties.

At 3 o'clock the trio was arraigned and took their day to plead. Judge Hamilton set 9 o'clock Thursday morning for that event, and informed them that they would be expected to go to trial at once thereafter. He appointed Attorney Blyen to defend Connelly and Attorney Markley to act in a like capacity for Kelly and Halsard.

These are the parties who broke into the S P R. passenger house and robbed the Jap section men.

Thursday morning, March 9th at 9 o'clock Charles Halsard and James Kelly each entered a plea of guilty.

The court set 9 o'clock Friday forenoon for sentence.

On motion of the prosecuting attorney the three went to jail. Willie Connelly and James Kelly were the defendant discharged.

SENTENCED.

At 9 o'clock Wednesday morning, March 10, Judge Hamilton sentenced Charles Halsard and James Kelly to three years each in the penitentiary.

Before the sentence Attorney Markley, their attorney, asked for the mercy of the court; they had pleaded guilty and saved the county money by not having a trial.

District Attorney Brown gave the court a brief history of the case, and also stated that the boys were from Willie Connelly's team's evidence but only for a few days, as he had been threatened with violence by the two men.

Kelly and Halsard each said that the charge against them had no ill will against the boys.

These two men are regular criminals and evidently made the "go to gun" used by Brown last week when he attempted to hold up Sue Hill Withers. Kelly is only one arm.

The men will be taken to Salem tomorrow.

The indictment charges Geo H Weber on Dec 5, 1898, in the said county of Lane, State of Oregon, then and there being, did then and there willfully, knowingly and feloniously utter and publish a true and genuine note of J B Coleman, a certain false and forged writing, namely, a promissory note for \$50.00 drawn, January 5, 1892, alleged to have been given to Alice Edmondson, knowing the same to be false and forged. On the back of said forged writing and promissory note appended with the following endorsement: "Cash on Aug 10, 1896. \$100."

Sworn to, O. M. Cahow, Mar 10, 1899.

For value received I hereby transfer all my right, title and interest in this note to E H Payne.

Alice Edmondson.

With intent to injure and defraud the said J B Coleman and some other person and persons to the grand jury unknown, contrary to the statute in such cases made and provided and against the peace and dignity of the State of Oregon.

The defendants were arraigned Friday afternoon at 2 o'clock and took until 9 o'clock tomorrow to enter their pleas. Geo B Dorris appearing for Horner and Geo W Kinsey for Weber.

The court said he would expect to try the case tomorrow forenoon.

25 Ida Payne vs Henry G Pymale; divorce. Defendant withdrew answer. Divorce granted.

26 Nellie Hubbard vs John P Hubbard; divorce. Default.

27 Clara Corne vs Perry Carter; divorce. Refuse to appear. Forfeited day of June term.

28 Isaac Carson vs E H Lauer and Sarah Lauer; to recover money. Motion for a new trial taken under advisement.

29 Maudie M Burns vs I E Eureside; divorce. Divorce granted.

30 Emily Bovey vs The Shalaw River Lumber Co; to recover money. Default. Judgment for \$2,205 and \$25 attorney fees and a car of said lumber property.

31 Pauline Fogle vs M P Fogle; divorce. Default. Divorce granted.

32 S A Huddleston vs executrix of the will of James Huddleston, deceased vs the City of Eugene. Decree according to the judgment of the supreme court, which was in favor of the City.

33 Thomas J Johnson vs Katie Johnson; divorce. Default.

34 Besie A Nixon vs G B Nixon; divorce. Divorce granted.

MURDERERS IN MANILA.

A Vendetta Vows to Kill an American Soldier Every Week.

DEPREDEATIONS OF OUTLAW BANDS.

Natives Driven to Desperation by Spanish Barbarities—Insurgents Take Terrible Revenge Upon Their Former Oppressors—Tragic Incidents in the Filipino Revolt.

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There are many native outlaw organizations on these islands, and at first we credited this outlawry to the natives as a class, but we have learned our mistake. They are not confined to any one class, foreigners as well as natives being members of the various bands.

Probably the greatest of these organizations is the Maccabebes, who are especially strong in Manila and on the island of Luzon. Almost every night these organized freebooters find victims in the city and suburbs. Chinese, Spaniards, natives and Americans all fall prey to these outlaws. Lately they have made a vow to kill at least one American soldier each week, and they have been succeeding in their resolve. The death of the Maccabebes organization in Manila will be only the question of a few months, for our officials are now hot on the trail of its leaders. There are other lawless classes of natives on these islands. In many cases they are led by "anting anting," or charm men, and their system of robbery and plunder extends over large districts. A just administration will eliminate many of these outlaw bands, whose existence in many cases was brought about by the outrages of their cruel and oppressive Spanish masters.

Lately I have had occasion to learn much about the inhumanity of Spanish officials in the Philippines. Every day these tales of barbarity are cropping out. It was in the collection of taxes that the Spaniards were most unrelenting. The natives were taxed for everything, even to their children. Out in Malaban a native had three children, and when the taxgatherer arrived the native had but money enough to pay the tax on one child. He was given a choice of which this should be, and the other two were beheaded before his eyes. This is only one of many similar cases. It is no wonder that the insurgents revolted against their inhuman rulers, and their thirst for Spanish blood is but natural in view of the circumstances.

The leper colony of Manila is located in an old convent on the Paseo del Norte beyond the Santa Cruz district of New Manila. During the turbulent



INSURGENT OFFICERS.

times of the siege and blockade vigilance was relaxed, and many of the poor wretches escaped from their prison and commenced wandering about the streets in search of food. As soon as we entered the city the work of returning these lepers, some 200 or 300 in number, was begun. Every time one crept from his hiding place he was hauled on a bull cart and taken back to his dreary prison to slowly rot away. The appearance of the leper is repulsive yet pitiful. There are seen faces so contorted and disfigured by the terrible disease that every vestige of humanity seems to be lacking; eyes from whose laden lids comes no gleam of answering intelligence to tell that in that deformed and shriveled frame there still dwells a human soul. I have seen bodies and limbs so shrunken, twisted and decayed that it seems a marvel that so battered a hulk had still sufficient vitality to hold imprisoned the smoldering spark of life.

Manila has no theaters worthy of special mention, the Zurilla, the finest of the playhouses of the city, being at present occupied as barracks by our troops. The Philippine theater, down in the Suaipe district, is about the only playhouse whose doors are now open to the public. Here a number of native productions have lately been given which are certainly unique if not artistic specimens of the histrionic art.

Out to the north of Manila is situated a native cemetery in which is located a chapel with which is connected some stirring events of the late war between the Spanish and the insurgents. At the breaking out of the insurrection two years ago the Spaniards built a blockhouse, which is still in good condition and an interesting place to visit. This blockhouse stands about 200 yards to the north and east of the church and in an open field about half a mile from the Calle de Real. It is built in the form of a hollow square, with crenellated towers diagonally placed at the northeast and southwest corners, and seemed to be impregnable.

However, in providing for an emergency the small Spanish detachment garrisoning the blockhouse forgot to secure a supply of water. They had only a small tank and were dependent upon the rains to keep up the supply. When the insurgent forces appeared upon the three sides at once, the garrison was not in the least daunted, as plentiful

supplies of food and ammunition were stored within the strong stone walls. For four days and nights they kept the insurgents at bay, but the water supply was gone, and there were no signs of rain as it was the dry season.

Two days longer the garrison held out and then retreated under cover of darkness to the cemetery chapel, no doubt believing that they were safe from the vengeance of the natives under the sanctity of the cross. The insurgents closed in and occupied the blockhouse deserted by the Spaniards. This position commanded the north wall and windows of the chapel, and under the



AN INSURGENT ON GUARD.

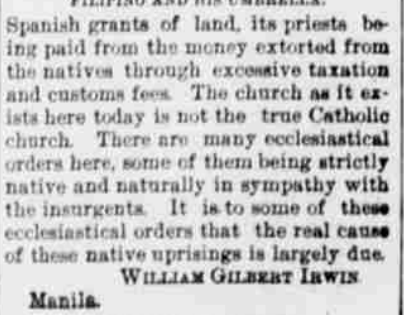
cover of their guns the insurgents crept up and commenced the work of cutting a passage through the two foot stone wall which surrounded the cemetery and chapel. The Spaniards could in no way check this movement, as there was no way of reaching the men on the outside of the wall without exposing themselves to the deadly fire of the insurgents.

To cut a hole through the wall required two days, and then a hole only sufficient to admit two men at a time was made. Through this opening they flooded into the yard, and then, making a charge on three sides of the building, climbed in through the windows and killed the 28 Spanish soldiers of the garrison. What a scene of carnage there was the next morning when the sun sent its golden rays through the gothic windows in the dome of the chapel! On the floor beneath lay the 28 dead soldiers, the remnant of the garrison of the ill fated stone fort, struck down beneath the cross which had been the rod of iron used in tyrannizing over the poor and ignorant natives; surely a retribution on those, who, by their brutality and un-Christianlike abuse, taught their victims to know no pity!

When Cavite fell, a single Spanish officer escaped capture or massacre. He sought refuge in a small room which, like several of its kind, opened into a court from which an arched passage-way led out to the street. His flight was observed at the time, but the insurgents, busy with their bloody slaughter, forgot him. But toward evening his flight was recalled, and a horde was soon upon him. He had barricaded the door, and at last this was broken down. The officer then fought fiercely for his life, and only after a great struggle, in which a number of natives were struck down, was his sword arm pierced by a bullet, and disabled, he fell an easy prey to their thirst for Spanish blood. Finally his head was severed from his body, and one of the natives, bolder than the rest, set it up on a window and, falling down before it, shouted, "Sextus gloria!" and thus the bloody work was christened the sixth glory.

When it is remembered that the established church of the Philippines has but "five glories," the significance of this bloody work to the long oppressed insurgents becomes apparent. Finally one of the natives took up the head upon a pike and headed the procession about the room, and all shouted "Sextus gloria!" as they marched. This was another dark day for Spanish rule in the Philippines, and countless others just as horrible can be recited. Had Manila fallen before the hordes of Aguinaldo horrors more terrible than the modern world has ever known doubtless would have been enacted.

The church in the Philippines has been a great foment of evil. It would be a hard matter to tell just what the position of the church here is at present. It was established here coincident with the establishment of Spanish rule and is the established church of Spain, fostered by Spanish rule, supported by



FILIPINO AND HIS UMBRELLA.

Spanish grants of land, its priests being paid from the money extorted from the natives through excessive taxation and customs fees. The church as it exists here today is not the true Catholic church. There are many ecclesiastical orders here, some of them being strictly native and naturally in sympathy with the insurgents. It is to some of these ecclesiastical orders that the real cause of these native uprisings is largely due.

WILLIAM GILBERT IRWIN
Manila.

ANGELL WON THE MEDAL

State University Boy Successful in Intercollegiate Debate.

A Victory Following Victory.

McMINVILLE, Or, March 10.—The seventh annual Oregon intercollegiate oratorical contest occurred here this evening in the new Baptist church building. There was a good attendance from all over the state, the competing colleges being well represented. The contestants and respective subjects were as follows:

Miss Gertrude Lamb, Pacific college, "The Destiny of Our Race;" George Thompson Pratt, Albany college, "Tous-saint L'Ouverture;" Homer D Angell, University of Oregon, "Our Spanish War; Justice, Motive and Effects;" Miss Estella C Noll, Oregon state normal school, "Education the Eye of the Law;" O A Garland, Willamette university, "For an Anglo-American Alliance;" H B Blood, McMinnville college, "May War Be Justified;" R Orlinton, consolidated university, "The Anglo-Saxon Alliance;" W L Patterson, Oregon agricultural college, "The Handmaid of Civilization."

Composition—Dr Van Scoy, of Montana Wesleyan university, Helena; President Penrose, Whitman college, Walla Walla, President Anderson, Drain normal school.

Delivery—Rev Ray Palmer, John T Whalley, Portland; President McClelland, Pacific university.

The winner of the contest was Homer D Angell, of the University of Oregon, Blood of McMinnville college, ranking second. The medal is of gold, and is valued at \$25. It is the best ever given by the association.

A business meeting of the various delegations occurred at 4 p.m. Organization for the coming year was selected as follows: President, J F Meindie, state normal school, Mo mouth; secretary, Miss Winnifred Marsh, Pacific university; treasurer, Otto Pickett, Pacific college.

FEELING AT EUGENE.

This victory is but one of a solid chain than has fallen to the University of Oregon student-body during the present school year. Students and Eugene citizens alike rejoice over the record, and are enthusiastic over a record made that is almost unapproachable and covers every phase of college work.

Homer D Angell is one of the brightest members of the student body and very popular for the close attention and thoroughness which he exhibits for every phase of college endeavor. Mr Angell has been successful not alone in this contest but in athletic as well. He is one of the bright star guards who did so much to win for the football team its splendid victories and good name during the past season.

Every contest between the University of Oregon and other schools during the year has resulted in victory for the university. The list is summarized as follows:

Football—Won every game played against college teams.

Debate—Won the first contest of the intercollegiate debate. Has yet to try conclusions with Willamette university.

Oratory—Won the intercollegiate oratorical contest.

The spring field meet is yet ahead. The boys are not saying much, but don't expect to lose it.

Rhodes Goes to Berlin.

NEW YORK March 10.—A dispatch to the Herald from Berlin says: Cecil Rhodes will arrive Friday of this week. The object of his visit is to have an audience, if possible, with the Kaiser and to obtain his majesty's adherence to his project of a railroad from the Cape to Cairo, passing through German East African territory.

The greatest mystery is observed and his name is carefully concealed. He will probably be granted the desired audience.

County Judge Ryan of Clackamas county, has appointed J C Zieser, principal of one of the schools, county school superintendent, to fill the vacancy caused by the death of Professor Strange. The county commissioners met and appointed N W Bowland of Harmony, county superintendent. The late legislature created a separate board of commissioners for that county, depriving the county judge of some of his former duties. The judge and commissioners each claim the appointive power, and, unless the matter is adjusted by them, it will have to be settled in the courts.

G C Osburn formerly of Eugene has been elected treasurer of Athena Oregon.