

EVENING STAR

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Proprietors and Publishers.C. L. BITTINGER,
Editor and General Manager.

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City Editor and Business Manager.

March 16 In History.



- 455 — The Roman Emperor Valentinian assassinated.
 1750 — Caroline Lucretia Herschel, astronomer, born; died 1848.
 1751 — James Madison, fourth president, born in Port Conway, Va.; Napoleon IV. died 1836.
 1856 — Napoleon Eugene Louis Jean Joseph, son of Napoleon III., born in Paris; killed in Zululand June 1, 1879.
 1907 — Hellion Hall, the home of Upton Sinclair's co-operative colony at Englewood, N. J., burned.

ASTRONOMICAL EVENTS:
 Tonight and Tomorrow Morning.
 Sun sets 6:04, rises 6:04; day's length 12 hours; moon sets 6:17 a. m.

AT THE CHURCHES YESTERDAY

The churches were well attended yesterday. Rev. Barnett preached a fine sermon at the Methodist church, taking for his text the Savior's words, "I have all power in heaven and on earth, even unto the end of the world." His sermon was listened to with the closest attention. Four persons were baptized at the morning service.

Rev. C. C. Carroll drew a large audience last night and spoke on "doctrines and teaching of Christ," and held his audience to the end with undivided attention. This week will be observed with fasting and prayer and each night during the week prayer meetings will be held at the homes of the various members of the church.

FOR COUNTY TREASURER

In this issue, Mr. Thos. E. Pasteur presents the announcement of his candidacy for re-election to the office of county treasurer. Mr. Pasteur has held the position for the past ten years and has made an ideal official. If any man has aught against him or the manner in which he has conducted the office, the Star has never heard of it. We hear of no opposition to him and we prophesy that the verdict of the people May 19 will be, "Well done, good and faithful servant, continue in the work so far well done."

George G. Mathews, the able editor of the Bartow Record, spent Sunday with his wife and children in Ocala, and left for Tallahassee today. Editor Mathews replied to Attorney General Ellis' letter about his opinion on 25 cents an acre of all state lands sold belonging to the school fund. Editor Mathews plainly showed that from Governor Broward came the request to the attorney general to investigate the statutes bearing on the matter and therefore to our George is really due all the credit for informing the people.

Mr. Ben R. Blitch, of Blitchton, announces his candidacy for re-election as a member of the board of public instruction of Marion county. He has done his duty in the past as a faithful and conscientious public servant and hearing of no opposition he will be re-elected.

Mr. C. B. Stillwell and pretty niece, Miss Adelaide, of Jacksonville, were guests of the Ocala House Sunday and last night and returned home today via the Oklawaha river route to Palatka. Mr. Stillwell is associated with Mr. E. P. Rentz in the lumber business.

The following parties were registered at the Montezuma hotel Saturday afternoon and Sunday: Mrs. C. W. Hollingsworth and daughter, Annie, of Dunnellon; W. V. Knoblock and Miss Estelle Morriston, Martin; J. Grant, Romeo; H. P. Brown, Istachatta; A. R. Harper, Daisy, and Dr. P. Burgin, McIntosh.

THE CONSPIRACY CASE

Messrs. Robertson and Dean Bound Over to the Circuit Court

Hearing testimony in the Dean-Robertson-Spencer case was resumed Saturday afternoon.

C. I. Jeffords, a traveling man stopping at the Ocala House, saw part of the difficulty between Dean and McIver. He said Dean slapped McIver once or twice before he pulled his pistol and things looking decidedly squalid, Jeffords beat a hasty retreat.

Walter M. Briggs, night clerk at the Ocala House, was called, but excused until Ed Tucker had been examined. This question was put to him by the state: "When you were buying a cigar at the Ocala House did you say to Walter Briggs 'there would be trouble here tonight between Robertson and McIver?'" Tucker said no, but Robertson did make threats against McIver.

H. D. Palmer said he saw Robertson and Dean come out of Robertson's house Saturday night—the night of the difficulty.

Mayor Geo. A. Nash testified, saying he suspended Dean as soon as he heard of the trouble. Mr. Nash said Mr. Robertson sent for him Sunday evening to have a friendly talk. That Mr. Robertson told the mayor he had ordered the marshal to restore Dean to the police force.

M. M. Little, salesman at Rheinauer & Co., said he saw part of the fight, as he was leaving the store for home. He rode on his bicycle to the Ocala House, where he saw something was going on, and heard Dean say, "You d—s— of a b—, I'll kill you." He said Dean struck Mr. McIver two or three times ere drawing his pistol.

Ex-Marshal G. W. Cleveland was the next witness. He was asked if he suspended Dean. He said he did. He was asked if he was not requested to restore him to the force. Cleveland said he saw Robertson Sunday, when Robertson asked him to restore Dean to the police force. He was asked if Robertson had told him that he would place Dean in the marshal's position. He was asked if he knew J. E. Campbell and if he told Mr. Campbell of Mr. Robertson's conversation when he, Robertson, told him, Cleveland, that he was going to place Dean on the police force as marshal, as he, Dean, would hit a man when directed to by him, Robertson. Cleveland denied any such conversation with Campbell. On further questioning the fact was established that Cleveland had had such a conversation with Robertson last July. Didn't remember of such a conversation with Campbell, if so it was a long time ago.

T. J. Owen was sworn and said that relations between McIver and Robertson were not friendly, as he tried on several occasions to settle differences between the two men. Robertson told Owen that McIver had better look out as he, Robertson, had took McIver's abuse long enough. Owen didn't deliver that message to McIver, but did tell Mr. G. A. Carmichael of the conversation, and that he thought McIver heard of it.

Mr. R. B. Bullock addressed the court and asked to withdraw the plea of his client, Homer Dean, of not guilty to the charge of assault with intent to kill and enter a plea of guilty of aggravated assault, which the court denied.

Mr. Burford, counsel for Messrs. Robertson and Spencer, desired to put Dean on the stand to question him as to his knowledge about the conspiracy with which Robertson and Spencer were charged. There was considerable contention over the admission of Dean's testimony, the state contending that if put on the stand he would be subject to any questions the state's attorney might ask him. Mr. Bullock refused to have his client go on the stand.

Mr. J. H. Spencer was then called. The state asked him if he at any time combined or conspired with Dean and Robertson to kill or injure McIver. He answered no. The state then requested him to relate in his own way what he knew about the difficulty. Mr. Spencer said he was not present at the difficulty. He had an engagement with two traveling men representing an automobile tire house, with Robertson, who desired special tires for his car. While talking McIver came up and asked Robertson to have a word with him, which was granted. They went off and returned. It having grown late, Mr. Spencer desired to go home and suggested to Robertson that he accompany him, which he consented to do. When Mr. McIver again approached and asked for a second conference, Mr. Spencer heard Mr. Robertson say "It's a d— lie and to have the party

who made the accusation brought to him, and he, Mr. Robertson, would tell him so to his face. I don't want trouble, I'll run from it, but if you will insist in it you can have it." Mr. Spencer then started for home, via Guarantee Clothing store, Mr. R. with him, to buy a box of shoe polish. As they turned the corner of the Ocala House Mr. Robertson said to Spencer, "Did you see two of McIver's men standing with him?" Spencer said he did. Then Robertson insisted on going back. He started back, going into the Ocala House, but never said anything to McIver and went on down the street and Mr. Spencer saw him enter the wine rooms. Then he heard McIver say that John Robertson was running the town but couldn't run his business. That R. had bought cement of him and he had proof of its delivery to R. Then Spencer stepped up and said, "Let's drop it; I'm here as a peace commissioner." McIver said he and George MacKay were afraid to walk the streets. Then Spencer started again for his shoe polish and looking across the street saw Dean in T. B. Snyder's store. He went across and calling Dean out told him McIver and Robertson were going to have a fuss and that Dean should not let it occur. Mr. Spencer then met a man at the annex saloon, told him of the incident and started for home. He met T. B. Snyder at south end of the A. C. L. depot and together went to end of the block, where he stopped to see if his garage was locked. He heard a noise and a cry for the police and ran back to see what was up. He saw a form on the sidewalk and thought that some one had been killed. He stopped for a moment and then went up and saw Dean and McIver. Some one said send for the sheriff. Mr. Spencer ran to the pool rooms and telephoned for the sheriff, the latter saying send me a hack, which Spencer did.

Mr. Spencer then went back to the scene of the trouble and talked to Mr. Schwartz. They started for home together and as they passed Mr. Robertson's home they agreed to stop and tell him of the trouble. They found the lights out and Mr. R. in bed, but he came to the door in his night clothes and when told of the assault, exclaimed, "The hell he did. Come in and tell me about it."

Mr. Dean then took the stand and denied that he knew of any conspiracy in this trouble, but over this evidence there was much contention between the opposing counsels, the defense insisting the testimony should only apply to what Dean knew about the supposed conspiracy, while Anderson insisted that the court ruled he could call on Dean for the whole story, but the judge overruled him.

After supper Mr. Robertson was put on the stand and while we did not hear him Mr. Burford said in his address he had, like Spencer, told a straightforward story, which, while admitting he had spoken some strong words, he had no thought of really injuring Mr. McIver.

Schwartz substantiated Spencer's part of the story and stopping at Mr. Robertson's house. This concluded the testimony and the judge called on the attorneys for their arguments.

Mr. Anderson declined to open for the prosecution, Mr. Burford insisting he should as he had a right to know the state's case. The judge limited the time to thirty minutes each, with fifteen minutes extra for Mr. Anderson to outline what he would contend for.

It said it was so difficult to prove in any conspiracy case direct evidence of its existence, as those implicated took every means to guard against it, but that circumstances showed which way the wind blew. He summed up the evidence and insisted the state had a strong case that would justify the court in holding all parties for action of the grand jury. It was Burford's duty to explain Dean's attack on McIver.

Mr. Burford followed for Robertson and Spencer. He ridiculed the idea of a conspiracy, taking the statements of his clients and those of the other witnesses. If there was a conspiracy at all it was on the part of the prosecuting attorney getting up adverse testimony. That he was not Dean's attorney and declined to say anything of his actions.

Mr. Anderson replied and made from his standpoint an able reply. He said he was in this case only as attorney for Mr. McIver and did not have any ill will against any one implicated in it, but that he wanted to see his client well represented.

R. B. Bullock closed for Dean. He said that he would not deny that Dean had committed an assault, but that he had intended no murder.

To fortify his argument he read a verdict of the supreme court in a case similar to this in which parties by the name of Davis and Parnell were implicated.

Davis threatening to shoot Parnell. Davis took his gun and got out in the road and told Parnell he was going to kill him, but did not and the court claimed that he was not guilty of assault with intent to kill, but only assault.

Bullock claimed the instrument of death must be used. That a gun was intended to kill and if a man flourished a deadly weapon and did not use it the intent of murder was absent and demanded that the court render its decision accordingly.

Judge Bell here adjourned court until Monday morning at 9 o'clock. The attendance at this preliminary hearing was large. At night the court room was nearly full. This morning about fifty persons were present.

The decision of the court follows:

The State of Florida vs. H. H. Dean, et al.

The court is of the opinion that the evidence shows that the defendant, H. H. Dean, at the time and place mentioned in the affidavit, committed an aggravated assault upon D. E. McIver.

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John B. Cutler, proprietor of the Crystal Ice Company, is now a resident of this place, and will make his future home here. We are glad to have Mr. and Mrs. Cutler among us and hope that their life here will be pleasant and prosperous.—Crystal River News.

ATTENTION, KING'S DAUGHTERS

The dues of the members belonging to this organization are now due and under understanding are payable to the treasurer, Mrs. Jake Brown. The dues for one year, \$1; six months, 50c.

\$25 REWARD

Col. W. N. Camp is trying to create a flower garden. As fast as he plants roses, some miscreant comes along and steals them. He will give \$25 for information leading to the discovery of the guilty party. That thief needs a striped suit.

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