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WOMAN REPUDIATES STATEMENTS MADE TO THE STATE INCRIMINATING EARL DUBOISE IN JOSEPH LUCY MURDER

IN PRELIMINARY HEARING TODAY MRS. RALPH DUBOISE REFUSED TO RECOGNIZE HER SWORN STATEMENT MADE IN CONNERSVILLE AND DEFENDANT'S ATTORNEY PRESENTS ANOTHER.

MEN SUSPECTED OF HAVING KILLED LUCY ARE RELEASED

Peter Sturgess and Will Philpott Were Given Freedom Yesterday and Young DuBoise Was Released.

WOMAN'S TESTIMONY WRECKED PROSECUTION.

It Was She Upon Whom the State Depended to Convict The Men on Charge of Having Killed Aged Recluse.

CHARGES ARE MADE.

ASSERTED THAT RELATIVES OF THE WOMAN HAVE INDUCED HER INTO TURNING RIGHT-ABOUT-FACE.

WOMAN ENTERS DENIAL.

Says That She Was Not Influenced by Relatives But Was Scared When She Made a Statement to Jessup And Meredith.

At the preliminary hearing of Earl DuBoise, held on suspicion in connection with the Lucy murder case, this morning in the city court, Mrs. Grace DuBoise, sister-in-law of the accused, absolutely repudiated a statement, sworn and signed by her before Justice Preston Cates of Connersville, in which she charged that in July, 1906, Earl DuBoise had confessed to her that Peter Sturgess, Will Philpott and himself were responsible for the death of Joseph Lucy, the aged Milton recluse. The woman admitted that she had signed this statement and that it had been carefully read to her before she attached her signature, but added that she was so scared that she did not know what she was doing.

Surprised and angered at the testimony given by Mrs. DuBoise, Prosecutor Jessup grilled her for over an hour on the witness stand, but to every question he put to her, Mrs. DuBoise would reply that she "did not remember" or "No, sir, I never made such a statement." After every effort had been made in a fruitless attempt to make the woman admit that she, without intimidation, had made incriminating charges against her brother-in-law, Prosecutor Jessup gave up the examination of the witness in disgust and ordered that young DuBoise be released from custody. Philpott and Sturgess were released from custody yesterday.

To add to the general confusion this morning, caused by Mrs. DuBoise repudiating the statement held by Prosecutor Jessup, Attorney John F. Robbins, counsel for Earl DuBoise, produced a statement, sworn to and signed by Mrs. DuBoise, in which she averred that she had never given Prosecutor Jessup or Sheriff Meredith a statement in regard to the Lucy murder case, or that Earl DuBoise had ever said anything to her which would incriminate Sturgess, Philpott or himself. Mr. Robbins said that until the woman appeared at his office this morning he had never seen her before or had direct or indirect communication with her. He said that he told her before preparing the statement that she should tell the truth and that if she had really ever heard Earl DuBoise make any statement she should admit the fact.

Despite the fact that Mrs. DuBoise in the statement held by Mr. Robbins, avers that she never talked with Prosecutor Jessup and Sheriff Meredith in regard to the Lucy case, she admitted to Prosecutor Jessup this morning on examination that she had stated to him and Meredith on the occasion of their first visit to Connersville that Earl DuBoise had confessed to her that he and his two associates were the murderers of Lucy, but the woman added, she was so badly frightened

when she made this statement she did not know what she was saying or doing.

"You came to our house, pushed me into the kitchen and then started to ask me about the case, after you had told me that you were officers. That scared me so bad that I did not know what I was saying," said Mrs. DuBoise, as she nervously pulled at the strings on the babyhood which she held in her lap. When asked if it was not a fact that her husband was in the room when she made her statement the woman admitted this was true. She also admitted that it was possible for him to hear everything that was said.

"Did we try to scare you into making such a statement?" the prosecutor asked.

"You told me that if I did not tell what I knew I must suffer the consequences," she replied.

"Didn't you hear Justice Cates tell you Saturday when we were in his office that all you were required to do was to tell the truth and that there was no reason to be alarmed?" asked the prosecutor.

"I don't remember," she answered.

"At any time did the sheriff or myself treat you in a rough or ungentlemanly manner?" was the next question.

"No, not exactly that way," the witness answered, "but you talked to me so that I got scared."

"Do you remember when this sworn statement was prepared and where?" asked the prosecutor, as he showed the affidavit to Mrs. DuBoise. She replied that she could not remember.

"Why, that was only drawn up about forty-eight hours ago. You certainly have an awfully short memory," said Jessup.

"It looks that way," she answered.

"Is this your signature at the bottom of the statement?" asked the prosecutor.

Mrs. DuBoise carefully studied it for a minute, then said: "Yes, that's my signature, but I did not know what I was signing."

Referring to the questions and answers in this statement, Mr. Jessup then asked the witness if she did not remember that DuBoise had told her at his home in July 1906, three weeks after her marriage, that Sturgess, Philpott and himself had killed old man Lucy.

Mrs. DuBoise had forgotten.

"Didn't you say that DuBoise had told you that Lucy was killed with a baseball bat, and that the bat had been hidden in the barn at the Lucy farm?" questioned the prosecutor.

"I do not remember of saying such a thing," was the answer.

"Didn't you say that DuBoise had told you that after the murder he and Philpott had gone to Hamilton and had a 'high old time' with the money secured from Lucy?" was the next question.

Again Mrs. DuBoise's memory failed her.

Since it was announced in the newspapers that Mrs. Ralph DuBoise had made a statement which incriminated Earl DuBoise, Will Philpott and Peter Sturgess, numerous relatives of the accused men have visited her at her home in Connersville. It is the opinion of Prosecutor Jessup that they succeeded in inducing the young woman by threats, to repudiate all statements she had made.

On the witness stand this morning Mrs. DuBoise denied anything of this nature, but it could be plainly seen that she was badly frightened and that she gave the answers to the questions put to her as though she had been thoroughly coached. She never looked at the relatives of the men suspected of the crime, but now and then her shifting, nervous glance would meet the cold grey eyes of young DuBoise, who sat opposite her at the side of his counsel, and every time her eyes met his they would drop quickly and her body would tremble in an agitated manner.

Enroute to Richmond this morning on a traction car, Mrs. DuBoise sat with a woman who is a relative of Philpott. To a question directed at her in court by the state, Mrs. DuBoise emphatically denied that this woman had attempted to influence her to testify in behalf of Earl DuBoise, or that she had induced her to go to the office of Attorney Robbins to swear to a statement repudiating the sworn statement held by Prosecutor Jessup. Mrs. DuBoise is only eighteen years of age. She is quite pretty and was becomingly dressed in black. She was accompanied here by her husband and baby.

For the time being, the Lucy case is closed, but the state has hopes of securing evidence of a substantial nature. Philpott and Sturgess were released yesterday because there was no direct evidence against them. The statement made by Mrs. DuBoise could not be held against them as evidence, as they had never made any statements to her. Mrs. DuBoise in-

formed the court that she did not know Sturgess but at the conclusion of the hearing she was one of the first to reach his side and congratulate him over his release. All three of the accused men were flanked by their women relatives while the men of their families warmly wrung their hands.

TALKED AT MILTON.

Mrs. Ralph DuBoise Makes Queer Assertions.

Milton, Ind., Jan. 28.—Surrounded by seven witnesses yesterday afternoon, Mrs. Ralph DuBoise, sister-in-law of Earl DuBoise, absolutely repudiated that Earl DuBoise ever confessed his connection with the Lucy murder case, further, that Sheriff Meredith and the prosecutor of Wayne county, when they called on her, did not mention the Lucy murder case.

Mrs. DuBoise first states that Earl DuBoise never privately communicated with her concerning the Lucy murder case, and at no time did he ever tell her he had anything to do with it. Secondly, the woman declares she never overheard any conversation between Earl DuBoise and William Philpott in regard to the murder of Lucy. She affirms that Earl DuBoise never stayed at her home and never ate a meal there. She holds that Earl DuBoise never told her he had received \$20 of the money said to have been stolen from Lucy after the murder. Mrs. DuBoise said she never had heard of such a statement until she read it in the press.

The woman further stated that she never met William Philpott, of Milton, until Sunday, Jan. 12. Lastly, Mrs. DuBoise avers that the sheriff who called to see her did not mention the Lucy murder case to her and states that he was after information in regard to another affair, which she refuses to divulge.

Ralph DuBoise, the husband of the woman, states that Earl DuBoise, his brother, never told him anything concerning the Lucy murder case.

Theories for Action.

Three phases of the woman's sudden turn are given credence in Milton. Some persons hold that family influence has been brought to bear upon Mrs. DuBoise, which, were the detailed statements true, caused her to refuse them to save the family name. Others are prone to believe that some new move has been planned by the authorities, whereby they hope to gain complete confessions from some one, or all, of the men, on information in connection with the murder. Still others advance the theory that possibly the authorities have an intimation that a fourth person may be closely concerned in the murder mystery and take this mysterious method of flushing them.

L. ERT SLACK HERE

Will Address Commercial Club Tonight Taking Place of W. D. Bynum.

AN INTERESTING OCCASION.

W. D. Bynum, of Indianapolis, who was to speak before the members of the Commercial Club and their friends tonight, will not be able to be present, having been taken sick. L. Ert Slack, who was to have spoken some time ago, but was also sick, has agreed to come tonight and will speak on "Expenses, Debts and Taxes." Mr. Slack is one of the state's very brainy men and was a leader among the democrats in the last Indiana legislature. The Knights Templar are especially invited to attend tonight's meeting.

BRYAN SPENDS DAY IN CLOAK ROOM

Discussed Policy Toward Important Measures.

Washington, D. C., Jan. 28.—Wm. J. Bryan spent today in the democratic cloak room in conference with party leaders regarding the policy that should be adopted with regard to currency and other legislation of importance before congress.

THE WEATHER PROPHECY.

INDIANA—Snow or rain and warmer Tuesday night. Wednesday, fair and colder.

OHIO—Snow Tuesday night; warmer, Wednesday, snow and colder.

MITCHELL TO GET LONG VACATION

Will Get Six Months With Full Pay.

Indianapolis, Ind., Jan. 28.—After April first when he retires, President John Mitchell will be given a vacation of six months with full salary, all expenses and doctors' fees to be paid by the organization. Resolutions to this effect were unanimously adopted by the miners' convention this morning. The executive board was given power to prolong his vacation if it sees fit. Mitchell expressed his great appreciation.

DOYLE IS GUILTY OF GRAVE CHARGE

Anderson Man Accused of Cutting Girl's Throat. Found Guilty by the Jury.

GIRL'S STORY ACCEPTED.

JURYMEN PAID LITTLE HEED TO THE CLAIM OF THE DEFENDANT THAT IT WAS HE WHO WAS FIRST ATTACKED.

Anderson, Ind., Jan. 28.—After less than an hour's deliberation last night, the jury in the Shirley Doyle case returned a verdict finding him guilty of attempting to commit murder in the second degree.

The crime for which the charge was made occurred on the night of March 19, 1905, when the defendant, then out of prison on parole, cut the throat of Miss Lida Scott, the 19-year-old daughter of a neighbor, while they were out buggy riding.

The prisoner received the verdict with unchanging countenance and after a few words with his attorneys was taken to jail. No case tried in this city for years has aroused so much interest in the community, and throughout the five days of the trial the courtroom has been packed with spectators.

The closing hours of the trial presented a picture rivaling a dramatic scene in some great tragedy. Every available space in the courtroom was crowded with men and women, even encroaching upon the judge's bench. The principals sat at tables on either side of the room, facing each other. Doyle was accompanied by his aged father and wept as his counsel pleaded his case. Miss Scott was accompanied by her father and two women friends. Throughout the trying ordeal she retained her self-possession and only when the attorney for the defense pictured her story of shame to the jury did her lips move, and a pleading expression came into her eyes.

Defense Angers Neighbors.

The criminal career of Shirley Doyle began when he was 18 years old and shortly after he had married a young girl of this city. He had served seven years of a fourteen-year term for highway robbery. His effort to accuse Miss Scott of attempting to murder him to shield his own crime aroused the entire community.

The trial was a severe ordeal for Miss Scott, who has been unable to eat for the past week and has twice suffered hemorrhages from wounds in her throat. She was assisted from the courtroom last evening and is now under the care of a physician.

ATLANTA JAIL IS WITHOUT A PRISONER

Prohibition Law Is Probable Cause.

Atlanta, Ga., Jan. 28.—For the first time in its 15 years of existence every cell at the police jail is empty. Not a prisoner is incarcerated, and the turnkeys and matrons are having a very quiet time.

The police attribute this remarkable condition to the prohibition law, which went into effect the first day of the year. Since then there has been a dearth of arrests, most of those made being for offenses other than drunkenness and disorderly conduct.

WIRELESS MESSAGE ENCIRCLES GLOBE

Was Sent by Admiral Evans Off Coast of Cuba.

Washington, D. C., Jan. 28.—A wireless message sent by Admiral Evans off the coast of Cuba has been picked up at Point Loma, California. Admiral Cowles says he thinks it encircled the globe.

HURRICANE SWEEPS ATLANTIC COAST KILLING TWENTY

The Storm Sent Hundreds of Small Vessels on the Shoals And Death and Destruction Followed in Its Wake.

WATER SPOUTS FIFTEEN HUNDRED FEET HIGH.

Steamer Into Delaware Capes Reports Bad Storm Enroute Into Port—Loss of Life Expected to Grow.

Philadelphia, Pa., Jan. 28.—In one of the most terrific hurricanes that ever swept the Atlantic coast, twenty-four lives have been lost, and it is feared that others will be reported. So far as known twenty sailors and four women composing the crews of four barges, which were being towed from Baltimore to this city, are lost from sight.

Tells Awful Story.

Delaware Capes, Jan. 28.—Steamers arriving here report that the wind blew one hundred miles an hour and the Norwegian steamer from Columbia reports water spouts fifteen hundred feet high. There were many small wrecks along the coast.

APPEAL TO BE MADE

City Council of Hagerstown Wants Pennsylvania Trains Stopped.

IS NOW VERY INCONVENIENT

Hagerstown, Ind., Jan. 28.—At a meeting of the city council of this place Monday evening, the board ordered its attorney, B. F. Mason, to draw up a petition to the Indiana railroad commission asking it to use its influence upon the railroad officials of the Richmond division of the Pennsylvania to have at least two of the fast trains stop at Hagerstown. These would be the 11:37 a. m. and the 3:20 p. m. The people of Hagerstown and vicinity are put to a great inconvenience, as the trains run now, in getting to and from the county seat. Also there are many traveling salesmen who do not stop here for the same reason, they having to lay over to long a period.

CHAUTAUQUA PLANS

Committee Met Last Night and Discussed the Program To Be Given.

TO BE MOST ATTRACTIVE.

The program committee of the Richmond Chautauqua met last evening, but no decision on the program for this year was reached. The committee spent the entire time reviewing data on the various attractions offered by chautauqua and lecture bureaus throughout the country. The next meeting of the committee is subject to the call of the chairman and will probably be held in the near future, as the committee is anxious to have the program prepared at an early date so that there will be plenty of time for advertising the affair. The program this year committee members state, will be the most attractive ever offered.

DANCE POSTPONED.

The Beallview dance which was to have taken place at the Beallview Pavilion last Saturday night was postponed. The committee will arrange to hold it some time in the near future at the Pythian temple.

MISS ROBIE BETTER.

Miss Grace Robie who has been seriously ill since Christmas, is slowly improving and her recovery is now assured.

Don't Use Candle Light

Your ancestors did that but you light your house with gas or electricity. By the same token your ancestor advertised by means of hand bills, an expensive method. Don't follow your ancestors' example. Remember, the world moves and today your ancestor would be using Palladium Classified Advertisements with about ten times better results and an expense of about 99-100 less. Turn to page seven and read today's Classified Advertisements.

YOUNG MEN ARE BEING CONVERTED

Bethel A. M. E. Church Gains Many by Revival.

The revival that has been in progress at Bethel A. M. E. church for the past three weeks continues. Rev. Joseph Russell of Washington, Ind., is here assisting in the meetings. One of the interesting features about the meeting is the effect upon the men. All the converts and seekers up to now are young men. The meetings will continue all this week.

ESCAPED PRISONERS MAY HAVE SPENT A NIGHT IN RICHMOND

Men Who Sensationally Broke Jail in Indianapolis, Stopped At the City Building, It Is Asserted.

FIREMEN RECOGNIZED MEN BY NEWSPAPER PICTURES

Made Trip to Basement and Found Them Sleeping, But Thought They Were Common Tramps Until Today.

Local police are of the opinion that Earl Martin and Lon Hoyt, two prisoners who made a daring escape from the Marion county jail, Indianapolis, yesterday afternoon about 5 o'clock, spent last night in the basement of the city building. The men who were at the city building last night answered perfectly the pictures of the two fugitives which appeared this morning in an Indianapolis newspaper. There whereabouts are now unknown.

Assistant Chief Sinex of the fire department, stated that last evening he went into the basement of the city building and found two "tramps" there. He had occasion to examine them closely but said nothing to them. This morning when Sinex saw the pictures of Martin and Hoyt in the Indianapolis newspaper, he exclaimed, "Why those are the two men who spent last night in the basement."

The local police are inclined to believe that the two fugitives were here last night as the Indianapolis paper states that they were traced by officers to the Indianapolis railroad yards, the scent being lost there. For more than a month Martin has been suffering from appendicitis. The two men slid down a rope from a second story window of the jail, then dropped from the dangling end to the ground a distance of fifteen feet. How Martin withstood the shock of the fall is remarkable. An Indianapolis dispatch states:

Shortly after the escape of Martin and Hoyt Sheriff Clay obtained the McGuffey-Henderson blood hounds and the two dogs were taken to the jail and put on the trail about 6:30 o'clock. Readily picking up a scent beneath the window where the prisoners escaped the dogs went at a rapid pace across Alabama street and into the Union railway yards just below the viaduct. With some hesitation at times they followed a trail to the East street crossing of the tracks and there became confused.

It was supposed the prisoners had boarded a passing switch engine. Martin is awaiting action of the grand jury on a charge of petit larceny. He was regarded as a "good catch" when he was arrested some time ago, and for that reason Sheriff Clay had ordered him guarded while he was being kept in the sick ward. Hoyt is held in connection with Roy McKinney, who shot him several months ago on account of an alleged intimacy with McKinney's wife.

The law says that on petition of fifty freeholders of a township the commissioners may construct a gravel road not exceeding three miles in length, when said road connects at either end with a pike, and that the township at large must pay for the improvement. Several petitions for roads were presented in Delaware county under the provisions of this act but to each there was vigorous objections on the part of farmers who would be forced to pay part of the expense. Some lawyers also held that the act was unconstitutional. When the Delaware county commissioners refused to order the construction of a gravel road in Washington township on petition of Benjamin Crouch and others, the petitioners appealed to the circuit court. Whatever the decision of Judge Leffler, the case will probably be carried to the state supreme court.

TEN BACHELORS GET LEAP YEAR PROPOSALS.

Petersburg, Ind., Jan. 28.—The local papers advertised fifty-two bachelors as leap-year propositions for the maids and widows of Pike county, and yesterday ten of the bachelors had received leap-year proposals, but none was accepted. The recipients asserted the stringency of the money market was a bar to marriage.

REVIVAL SERVICES.

There was much interest in the revival meeting at the Grace M. E. church last night. Services will be held this evening at 7:30.

The occupant of a top floor office in No. 13 Park Row, New York, estimates that in going to and from his office he travels 129 miles a year by the elevator.

CITY CLERK WAS GIVEN FINE IN POLICE COURT

Taggart Pled Not Guilty to Charge of Intoxication. But On Testimony of Arresting Officers, He Was Convicted.

City Clerk John F. Taggart in the city court this morning, through Attorney H. U. Johnson, entered a plea of not guilty on a charge that he, a public officer, was intoxicated during office hours. Sergeant McManus, one of the arresting officers, testified that Taggart was intoxicated. Mr. Johnson did not offer any testimony to substantiate his client's plea so the court assessed the minimum fine for the offense, \$10 and costs. This fine was paid by Taggart's father-in-law, M. J. Wilson. After the hearing of the case, Taggart went to his office in the city building and resumed work.

COUNCIL'S ACTION IS NOW BEING LOOKED TO.

Speculation as to Whether That Body Will Again Accept Apology of Taggart or Whether He Will Submit One

It was a trying ordeal for Sergeant McManus to testify against Taggart. For eight years these two men worked side by side in one of the local foundries and during this time a warm friendship sprang up between them. The charge on which Taggart was convicted, was the first case of its kind that has been tried in a local court for many years. The statute covering this case provides that in case a public officer is arrested for intoxication during his working hours he shall be fined not less than \$10, nor more than \$100, to which the court may add imprisonment in the county jail of not less than ten days. The statute further provides that on a second conviction for this offense the circuit court has the authority to remove the offender from his office.

Members of the city council make no statement as to what action council will take in regard to the Taggart case. Last month Taggart apologized to council for his actions. Whether a second apology will be accepted remains to be seen.

IMPORTANT RULING

Judge Leffler of Muncie Will Render a Decision of State Interest.

CONCERNS THE ROAD LAW.

Muncie, Ind., Jan. 28.—Judge Joseph G. Leffler, of the Delaware county circuit court, will in a few days render a decision of interest to every county in the state. He will determine, as far as he is able, the legality of the statute which gives the county commissioners the right, under certain conditions, to construct a free gravel road and charge the expense of this road to the township or townships through which it is constructed. The case is now in the circuit court on appeal from the county commissioners' court. Evidence has been submitted and the arguments will be made, following which the decision will be rendered.

The law says that on petition of fifty freeholders of a township the commissioners may construct a gravel road not exceeding three miles in length, when said road connects at either end with a pike, and that the township at large must pay for the improvement. Several petitions for roads were presented in Delaware county under the provisions of this act but to each there was vigorous objections on the part of farmers who would be forced to pay part of the expense. Some lawyers also held that the act was unconstitutional. When the Delaware county commissioners refused to order the construction of a gravel road in Washington township on petition of Benjamin Crouch and others, the petitioners appealed to the circuit court. Whatever the decision of Judge Leffler, the case will probably be carried to the state supreme court.

It is said that the county commissioners of practically every county in Indiana are involved in a similar tangle. In several counties the commissioners are waiting for Judge Leffler's decision, and are not granting road petitions in the meantime.