

## Republican Progress

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### Wm. Norman's Suit for \$10,000.

THE JURY OUT FROM FRIDAY NIGHT TILL MONDAY AT 2:30.

### UNABLE TO AGREE, THEY ARE DISCHARGED.

### They Stood Eight for Defendants.

The suit of William Norman, who was the victim of a terrible outrage, in which he was beaten almost to death by White Caps last May, was commented in circuit court Monday a week. Marquis D. Reed, Isaac Bonham, Marshall Norman, John Carson, Henrich Norman, Eli Sowders, James H. Hagdale, Frank Norman, Isaac Sipes, Jr., and William Steadholder were made defendants, and Norman placed his damages at \$10,000.

A jury was selected from a special venire after about two hours' time, when court adjourned for dinner. By 1 o'clock the room was crowded, the interest being intense. After a statement of the case on both sides the first witness called was Norman himself, and there is no better description of the outrage than Norman's story on the witness stand.

"One Tuesday night last May," said Norman, "when I and my family were asleep in my country home, I was awakened by a terrible knock at the door. Hardly had I heard the noise and realized the situation when the door fell to the floor and six masked men entered the room where I and my wife were sleeping. Their faces were covered so that I could not recognize them. Hardly had they entered when they began shooting. They knocked over the stove and put out the lamp. In an instant they jerked me over the foot of the bed, dragged me out of the door, through the yard, and into an adjoining lot. They tore from me my night clothes, leaving me absolutely naked. While these men held me to the ground the others went in search of my family. My wife was found and they brought her where I was. Two held me while the others began whipping me with limbs. They beat me with clubs from the small of my back to my heels. I was struck across the breast several times, from which I still suffer. I begged for my life, but they only seemed to strike with more vengeance, and had no mercy. Then they blindfolded me. I asked them to let me go, but they refused, and said they would kill me if I looked. When they left me I was almost dead and children helped me to get up. I lay for almost a month unable to move, and since that time I have not been able to do anything."

In the course of his evidence Norman named several of the defendants and was sure he recognized them by their voices as well as the clothing they wore.

The wife of Norman was next to testify, in which she strongly corroborated her husband. She said: "When they entered the room I jumped out of bed, but two men caught me and took me to the side of my husband while they beat him black and blue. I begged them to have mercy, but it did no good. They said if we tried to identify them they would kill us."

The son and daughter, also substantiated the main points. The girl said she was almost frightened to death, and hid in a brush-pile and could hear the men beating and cursing her father.

On Tuesday a separation of witnesses was asked by Mr. Norman's attorneys, and it was not until 10 o'clock that the taking of evidence began.

The first one examined was Wm. Murphy, who lived in the vicinity of the outrage. His evidence was remarkably strong. He said:

"I live on the farm of Wm. Norman, near his home, and on the night of May 1, about 1 o'clock, I heard some one calling. It proved to be Norman's boy, in his night clothes. He said a mob had taken possession of his house and was killing his father. I ran over to the place as fast as I could. I was within ten feet of where they were, hiding behind a fence. All the men were masked, but I soon recognized the voices of three of them and knew their clothing by the light of the moon, which was shining. After they had beat Norman while they told him if he ever went near the court house again they would hang him, when one of the men proposed that they do it then, but in a few minutes they let Norman and his wife to the house, and left them there. I noticed Norman's 18-year-old daughter coming toward the house and as she saw me she started to crawl under the house. When I spoke to her she recognized my voice, and running to me begged for protection. I told her not to be alarmed, and took her to my house. She was almost scared to death."

Wm. Oliver stated that when he was on the road about 9 o'clock that night he noticed four persons riding together, who he thought were defendants. The next morning he tracked horses to Norman's house, and in the direction of the house of the accused.

The sister and brother of Mr. Norman testified that they were at home, at their mother's house, when, about 10 o'clock, unknown men came on, on horseback and, after waking them up, said they had just been to Bill Norman's and given him a good whipping, and that if she did not quit her meanness she would be given a dose of the same medicine, when they rode in the direction where the accused now live.

Other circumstantial evidence was introduced to show that the men were out of the night of the outrage and stayed together, and that fresh horse tracks led from Norman's to their houses.

In the afternoon the defense began their testimony, the effort being, not to show that Norman was not whipped, but that he and his wife bore a bad character and to establish an alibi for the accused. Strong evidence was introduced to show that Squire Bonham, one of the number, stayed all night with a neighbor and could not possibly have been so far away from home. Several witnesses stated that the character of both Norman and his wife was bad for truth and veracity.

Wednesday the usual routine was manifested, and from 9 o'clock in the morning until 9 at night an eager crowd filled the court room. While nothing sensational developed, the evidence was important in that it showed the effort to convict these men was to be met by an alibi that seemed hard to overthrow. More than a dozen reliable witnesses were introduced to show the bad character of Wm. Norman, the plaintiff.

The great interest was centered in the evidence of Marquis Reed, charged with being the Captain of the White Caps. He was on the stand for over an hour, and succeeded in making a strong alibi.

"On the night of May 1, when this outrage occurred," he stated, "I was at my home at Heltonville. I came home about dark, ate supper and went down to the office of W. C. Butler, where we squared our accounts. About 10 o'clock I went home and went to bed with my wife and did not get up until after daylight the next morning. I did not see any of these defendants, knew nothing of the whipping of Wm. Norman, and had not been at his house for years. I did not tell any one I was Captain of the White Caps, as has been stated on this stand."

In this statement Reed was strongly corroborated by Mr. Butler, who stated that an entry on his books showed that he was at his office the night of May 1. The evidence of his wife also supported Reed's statements.

Three other defendants, Marshall Norman, John Norman and Wm. Steadholder, with the assistance of their wives and two visitors, also clearly established that they were at the home of Marshall Norman, went to bed at 10 o'clock and did not get up or leave their homes during the night. All told their stories straight, were similar in all particulars, and searching cross-examinations failed to break them in the least.

The first witness Thursday morning was John Carson, one of the defendants. He is known throughout the county. Three of Wm. Norman's family had recognized him as assisting in the whipping. Though cross-examined with unusual care his story was not broken or even shaken. Mr. Carson said:

"I was not at Mr. Norman's house the night of the whipping, nor out of my home after 10 o'clock. Up to dark I worked in the field, came home and found Dr. Morris Judah there, who, upon invitation, slept all night. The doctor slept in the same room with me, and we did not go to bed until between 11 and 12 o'clock."

In corroboration of this, Dr. Judah's testimony agreed in every particular. It was also proven by the blacksmith that Carson's mule, that is alleged to have been ridden the night of the whipping, was not shot, as the evidence showed the one to have been ridden and tracked by the plaintiff's witnesses.

Henrich Norman, one of the accused, is also the father of three of the defendants, and is a half-brother of the victim of the White Caps. They (Hen and Bill) had become enemies over a lawsuit and did not speak. He testified that he went to bed at his home about 9 o'clock and was not out of the house later that night. In this he was corroborated by his wife, who said she shared the same bed with him, and he could not possibly have left the room without her knowledge.

Eli Sanders, the last of the defendants to testify, closed the case. He was at home the night of May 1, retired at 9 o'clock and did not get up until 5 the next morning. The defense having closed, the plaintiff came in with his rebuttal, which was chiefly character evidence, and whatever question might have been raised as to Wm. Norman's good name he was ready to disprove by about forty neighbors and friends, all anxious to testify in his behalf. The Judge listened to half a dozen, and satisfied that the matter of reputation was settled, ordered that the case be closed.

The defense had made a good case of alibi, and the prosecution had done as well, seemingly to sustain their side of the case.

On Friday morning arguments of counsel were begun. W. P. Rogers, Jno. R. East, M. F. Dunn and R. W. Myers occupied the time of the entire day in discussing the evidence, and the charge to the jury was made after supper, by Judge Pearson.

In R. W. Myers' speech to the jury he charged that one of the jurors had been tampered with—that he had been seen with one of the defendants the night previous, and that the couple had gone into a saloon where they had imbibed, and the juror had been "intoxicated" by the defendant. He called no names, but the assertion was very plain and pointed. After supper the jury took their places and Judge Pearson began to read his charge, in the course of which he referred to the fact that it was charged that one of the jurors had been tampered with, but that this would count no figure in the consideration of the case. At this point Perry Butcher, one of the jurors, arose in his place, and said "I want to explain." But Judge Pearson stopped him and said this charge would be investigated hereafter.

At about 3 o'clock Saturday afternoon the jury came down, and crowds ran from all points of the compass, soon filling the court room to overflowing. The jury foreman said "they were hung on a question of fact, and could not agree." The Judge told them to retire again to their room and wrestle with facts; and they did so, passing a long, gloomy Sunday in the court house.

At 11:30, Monday forenoon, the jury was again brought into court, and in response to the usual inquiry said they had been unable to agree upon a verdict. Judge Pearson then gave them a fatherly little talk, and ordered them to return to their room and endeavor to decide the case. The jury of twelve members were R. W. Farmer, Thomas Kilpatrick, A. J. Robinson, Jos. Lindsey, Wm. Lee, J. L. Dowden, Wm. Nunn, Perry O. Butler, T. J. Bates, Thomas Brown, I. Mill. Rogers, Joseph Myers.

At half past two o'clock p. m. the jury was again called into the court room, and as they still insisted that they could not agree, they were discharged.

They stood eight for defendants and four for plaintiff.

**AN OLD VETERAN'S KICK.**  
Black, Commissioner of Penitentiaries at Washington, D. C., received the following letter from a man named Carson, who lives in Redwood, Ill., and who says he is a one-legged soldier.

"Black, Commissioner—Dear Sir: I just got another one of those postal cards telling me to go before the doctors and be examined. I've been getting these cards about every new moon, ever since I applied for an increase of my pension, more than two years ago, and I've been punched in the ribs, thumped on the chest and had some kind of deranged instruments held to various parts of my body. My lungs have been tested, I have been made to bend over the back of a chair and to hop and jump all sorts of monkey shins, until I feel that I ought to have a salary for performing, and to have an agent to go ahead and stick up show bills for me.

I have laid on a table and allowed the doctors to turn me over and over and over and punch and pull me about till I was sick and sore.

First you sent me to a couple of doctors up to Perryville, and it was full half an hour that blood did not circulate in my legs. Then you sent me to a little fellow named Dr. Oak Ridge, who put my truss on with the wrong side inside, and said the pad was intended to brace up my spinal column. Confound him. Afterward you sent me before odds and ends of other doctors, and none of them could tell the difference between measles and whooping cough.

This examination business of the doctors may be fun for them, but I'll be damned if I don't make me tired, and now that you have ordered me back to Perryville, and believing that I will have to go clear around the whole circle again, I stop to assert my right to kick, and I do kick like a mule, and don't forget it.

Last summer I got my wooden leg ruined by an accident, and I applied to the surgeon general for a new one, but was told that I had only had it three years and I would have to wait two years more, as a wooden leg was expected to last a man five years. He said, though, that if I had been my real leg that got ruined, he thought he could have furnished me with another wooden leg at once, which thought was little consolation. I have been hopping around now for ten months on one foot, trying my best to prove my example that one of Uncle Sam's old veterans is not as old as the mountains, and other 4—nigh it, is better than a corpse by several per cent. Meanwhile the leg I was lucky enough to bring back with me from the battle of the Wilderness has buck the rheumatic and hurt me so bad that sometimes I almost wish I had lost it, too. About the only use it is to me now is to act as a rudder when I slide down stairs.

Mr. Commissioner, you pay me as you please about increasing my pension. If you and the doctors, before whom I have been eating up my monkey shins for the last two years, think that losing my leg in the battle of the Wilderness blotted out the record of my getting a bullet through my arm at Antietam in 1862, and that the pension I am drawing is full pay for an old veteran, who has to keep his nose and back to the wall, suffering with rheumatism in his leg and splinters in his body, and who has a set of inches that hasn't been in good running order for twenty-five years and never will be again until I reach the New Jerusalem, why all right.

If the government thinks I am getting value received for what I lost, and I suffer on my account, and intends to pay me a decent pension, why I guess, my God, I can stand it.

But I'm going to tell you, just between us, that when that damned bullet went through me at Antietam it gave the doctors a good lesson in the importance of my innards, and played it for 'for keeps.' I simply know that it tore something out of my throat and that your pet doctors don't know any more about it than I do, and maybe not so much. The plain fact is, and that is what I'm driving at, I'm physically broke up and shattered from my single lead to chin wipers, and it is the doctors and the pension business that is the trouble. The \$1 Electric Jar will eradicate Catarrh and prevent its evils. A fortune for agents. For catalogue of all kinds of Goods, ad. Fletcher & Fletcher, Cleveland, Ohio.

**Catarrh Cured by Electricity.**  
Catarrh can be easily, quickly, pleasantly and lastingly cured by the Electric Jar. It clears the head, sweetens the breath, cures Catarrh in all its stages. The Jar will cure the most obstinate Headache in from one to three minutes. No waiting for results; this novel and sure curative shows its wonderful power instantly, and gives universal satisfaction, as it cures by Nature's remedy and is permanent. Catarrh, a common and dangerous malady, when chronic, is liable to consume the frontal bone of the skull, destroy the cartilages of the nose, and undermine and blight every function and faculty of its victim. The breath is offensive, the memory, the reasoning powers, sight, hearing, and the senses of taste and smell are impaired. The digestive and assimilative functions become disordered, and Consumption ensues. The \$1 Electric Jar will eradicate Catarrh and prevent its evils. A fortune for agents. For catalogue of all kinds of Goods, ad. Fletcher & Fletcher, Cleveland, Ohio.

**College Callings.**  
T. J. LOUDEN, EDITOR.  
Professor Clark was too ill to meet his classes during a day or two last week. Among the visitors at the University on Wednesday last was Rev. Lyons. Dr. Jordan was in Indianapolis in the interest of the University last week. Dr. Kingsley entertained Professor Morse during his stay in the city. Charley Elphig will be in college next term. Quite a number of the students attended the "White Cap" trial. Mr. Chas. Cunningham of Greensburg spent Sunday with his brother. Miss Blanchard of Shelbyville visited college several days this week. Mr. Spangler, left on Friday for Manila. He returned on Tuesday. Dr. Jordan will deliver a lecture before the students of Miami college on March 1st. Professor Atwater talked to the Delta Tau chapter of the Phi Kappa Psi at night last. This scheme is original with the Delta Tau. Mr. Phillips, who was called home by a telegram announcing the illness of his mother, did not arrive till she had died. He will return to college. Prof. J. E. Wylie of Prep. Department, will deliver the lecture next Sunday afternoon on the subject of "Ecclesiastical Literature." The class in Geology were treated to an excursion to the river view in this department by Dr. Jordan on Monday night. Many of the other students availed themselves of the opportunity.

—The bill of fare Friday night, at the supper in the Presbyterian church, includes turkey, cold ham, sliced tongue, coffee, etc., all good enough for anybody. Supper begins at 5 o'clock and will close at 7. 25c. each or 5 tickets for a dollar, is the price. Low enough, is it not? Proceeds to be applied on the church debt.

**NATURAL GAS.**—In view of the ever expanding enterprise of American towns and American manufacturers, and especially in view of American extravagance and wastefulness, it does not appear probable that natural gas will continue to supply for many decades. I will not say, the favored districts that now enjoy it. But even if it proves transient, it still has a most important and beneficent work to do. It is bringing in an industrial and economic revolution of no small proportions, viz.: The replacement of solid by gaseous fuel. It is replacing power by an object lesson as to what constitutes a perfect fuel. The communities that have once enjoyed the luxury and economy of natural gas will be slow to return to the barbarism of raw coal, and heat and power will at no distant day be distributed in all our towns from central stations as light is now supplied. —Louisville Courier-Journal.

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STOCKHOLDERS in the Bloomington Gas Company are hereby notified that an assessment of 10 per cent. is now due on their stock, and the same can be paid to the Secretary at any time up to the 1st of March. Take notice and govern yourselves accordingly. Secretary's office at Charley McPherson and grocery store, corner Kirkwood Ave. and Walnut Street. ROBERT C. GREEVES, Secretary. Feb. 20-1899.

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THERE will be a meeting of Stockholders of Big Creek Stone Co., of Bloomington, on Monday, March 4th, p. m., at Bloomington, Ind., in the office of Miers & Carr, for the election of nine directors, and other important business. Feb. 20-99. E. A. McGEE, Sec.

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THE BOOKS of the Bloomington Gas Company are now open at the Secretary's office, (Charley McPherson's grocery store) for the purpose of taking stock. Said books will be closed when \$700 more is subscribed. Stock \$50 per share. If you want stock in a paying business, now is your time. First come, first served. ROBERT C. GREEVES, Secretary. Feb. 20-99.

**Unlucky Cured by Electricity.**  
Unlucky can be easily, quickly, pleasantly and lastingly cured by the Electric Jar. It clears the head, sweetens the breath, cures Unlucky in all its stages. The Jar will cure the most obstinate Headache in from one to three minutes. No waiting for results; this novel and sure curative shows its wonderful power instantly, and gives universal satisfaction, as it cures by Nature's remedy and is permanent. Unlucky, a common and dangerous malady, when chronic, is liable to consume the frontal bone of the skull, destroy the cartilages of the nose, and undermine and blight every function and faculty of its victim. The breath is offensive, the memory, the reasoning powers, sight, hearing, and the senses of taste and smell are impaired. The digestive and assimilative functions become disordered, and Consumption ensues. The \$1 Electric Jar will eradicate Unlucky and prevent its evils. A fortune for agents. For catalogue of all kinds of Goods, ad. Fletcher & Fletcher, Cleveland, Ohio.

**College Callings.**  
T. J. LOUDEN, EDITOR.  
Professor Clark was too ill to meet his classes during a day or two last week. Among the visitors at the University on Wednesday last was Rev. Lyons. Dr. Jordan was in Indianapolis in the interest of the University last week. Dr. Kingsley entertained Professor Morse during his stay in the city. Charley Elphig will be in college next term. Quite a number of the students attended the "White Cap" trial. Mr. Chas. Cunningham of Greensburg spent Sunday with his brother. Miss Blanchard of Shelbyville visited college several days this week. Mr. Spangler, left on Friday for Manila. He returned on Tuesday. Dr. Jordan will deliver a lecture before the students of Miami college on March 1st. Professor Atwater talked to the Delta Tau chapter of the Phi Kappa Psi at night last. This scheme is original with the Delta Tau. Mr. Phillips, who was called home by a telegram announcing the illness of his mother, did not arrive till she had died. He will return to college. Prof. J. E. Wylie of Prep. Department, will deliver the lecture next Sunday afternoon on the subject of "Ecclesiastical Literature." The class in Geology were treated to an excursion to the river view in this department by Dr. Jordan on Monday night. Many of the other students availed themselves of the opportunity.

—The bill of fare Friday night, at the supper in the Presbyterian church, includes turkey, cold ham, sliced tongue, coffee, etc., all good enough for anybody. Supper begins at 5 o'clock and will close at 7. 25c. each or 5 tickets for a dollar, is the price. Low enough, is it not? Proceeds to be applied on the church debt.

**NATURAL GAS.**—In view of the ever expanding enterprise of American towns and American manufacturers, and especially in view of American extravagance and wastefulness, it does not appear probable that natural gas will continue to supply for many decades. I will not say, the favored districts that now enjoy it. But even if it proves transient, it still has a most important and beneficent work to do. It is bringing in an industrial and economic revolution of no small proportions, viz.: The replacement of solid by gaseous fuel. It is replacing power by an object lesson as to what constitutes a perfect fuel. The communities that have once enjoyed the luxury and economy of natural gas will be slow to return to the barbarism of raw coal, and heat and power will at no distant day be distributed in all our towns from central stations as light is now supplied. —Louisville Courier-Journal.

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