

# 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 commenced in circuit court Monday a week. Marquis D. Reed, Isaac Boehm, Marshall Norman, John Carson, Hezekiah Norman, Eli Sowers, James H. Rogdale, Frank Norman, Isaac Sipes, Jr., and William Stackleather 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 house, I was awakened by a terrific 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 the 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 here 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 soon found and they brought her where I was. Two held me while the others began whipping me with limbs. They beat me with limbs 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 set, but they refused, and said they would kill me if I looked. When they left me I was almost dead."

Wife and children helped

her. 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 witness 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 house, 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 went 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 awhile 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 led Norman and his wife to the house, and left them there. I noticed Norman's 16-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 home 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 up, 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 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 Bouham, one of the members, 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 interest 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. Stackleather, 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, 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 Perryville, and it was full half an hour that blood did not circulate in my wooden leg. Then you sent me to Littlefield up doctor at Oak Ridge, who put my split wooden leg and intended to brace up my split wooden leg. After you sent me before odd doctor and cranks doctors and none of them could tell the difference between measles and whooping cough."

He stood eight for defendants and four for plaintiff.

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, Jas. R. East, M. F. Dunn and R. W. Miers 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. Miers' 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 "treated" 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 cut 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 men were R. W. Farmer, Thomas Kilpatrick, A. J. Robinson, Joe Lindsey, Wm. Lee, J. L. Dowden, Wm. Nunn, Perry O. Butcher, T. J. Bates, Thomas Brown, L. Milt. 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 MICK.

General Black, commissioner of pensions at Washington, D. C., received the following letter from a man named Chatworth, who lives in Rosedale, Ill., and who says he is a one-legged soldier:

"Sir:—Black, Commissioner—Dear Sir: I just got another one of them postal cards telling me to go before the doctors and tell them I've been getting those cards about every now and then since I applied for an increase of my pension, more than two years ago, and I've been examined in the ribs, punched on the chest and had bone protruding. I've been punched in the ribs, thumped on the chest and had some kind of darned 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 and skip around the room, performing all sorts of monkey unities, until I feel like I ought to have a salary for performing. I have had no agent to go ahead and apply for those cards.

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

First you sent me to a couple of doctors to see if they could find out what was wrong with my leg. Then you sent me to Littlefield up doctor at Oak Ridge, who put my split wooden leg and intended to brace up my split wooden leg. After you sent me before odd doctor and cranks doctors and none of them could tell the difference between measles and whooping cough."

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