

FRIDAY, NOVEMBER 4, 1887

Entered at the post office at Rensselaer, Ind., as second-class matter.

**'A RIGHTEOUS VERDICT.'**

Is what the Crawfordsville, Ind., Argus-News pronounces the verdict handed in by the gentlemen composing the jury in the cause of the State vs Mrs. Rutherford. For intelligence and honesty of purpose no better body of men could have been selected. This was conceded and declared by counsel for the State and for the defense. Wherein, then, lies the cause for dissatisfaction? To the law-abiding there can be no cause for complaint. The jury simply established the precedent in Jasper county that man's home is as sacred as his life; that he may resist the assaults of the vicious to the very death, and that the constitution and laws of his country will not punish him in the exercise of that right. How stands the case?

It was clearly proven that Steele trespassed upon the premises of a poor, weak, industrious woman; he refused to leave, and persisted in his efforts to secure a gratification which he had no grounds to expect; he predicated his claim upon RUMOR, scattered abroad by the "THY SAY SO'S" with whom every community has its share. In his lack of the principles of true manhood he struck her, leaving the mark of his stroke on her arm; he breathed into her ear profane and obscene declarations which, with indignant energy she pronounced a "lie," pushed him from her door, and fired the fatal shot. A cheap, insignificant weapon did the work. Judge Hammond, in his argument for the defense, most beautifully pictured the part played by an overruling Providence in such affairs. She was defending her home, defending her person against the effect of rumor. The jury, composed of intelligent and independent citizens, after a patient hearing of the evidence, unbiased and unprejudiced by influence from any quarter said she did right!

But those who express dissatisfaction, say she was "bad." Did they prove it? An agreement was entered into that five witnesses should be selected by the State and five by the defense, to determine that point. Messrs. J. W. Duval, John Vanatta, Chas. B. Stewart, and Earl Reynolds for the State, pronounced "bad"—based their judgement on "hearsay," not acceptable evidence in court—Mr. Allen Catt, their fifth witness knew nothing against def't. The State should have substituted Bro. Marshall for Mr. Catt, as he has certainly been most emphatic and frequent in his declarations. We will add that these witnesses had not at any time lived in immediate neighborhood of defendant.

Those selected by defense, were Mr. and Mrs. George Dexter, Mrs. Shead, Mr. and Mrs. Jas. W. McEwen, neighbors of def't for from one to two years. Unhesitatingly pronounced her reputation "good." Based their judgement as neighbors from def't's general conduct—took no stock in rumors. Was the "bad" reputation sustained? Who can say it was? The failure to establish that was followed by the failure to sustain the 'rumor' of defendant having lived in Monon, the 'rumor' from which sprang all her annoyances here.

But we have neither space nor time to continue the subject further to-day. Let more anon.

**NOT GUILTY.**

[From page 1—Continued.]

house, near window met Steele. He caught hold of her and she saw knife in his hand. He said, "By God you've got the (—); I've something in my hand I can fix you up with." She also said Steele struck her on the shoulder. She went into the house; Steele followed; she stood inside, in door; Steele partly in door, to her right; Mr. R. oades outside close by, leaning against water barrel. Steele said he had — before, and could prove it; she said he couldn't, took hold of him, shoved him out and shot. Said she shot to protect herself, and didn't intend to shoot him. Austin said he had been at house in day time since shooting; was a step at back door, below, and front of this a flat rock; back of house is near river and ground descends toward it. Defendant said she knew Steele meant to do her harm.

Re-direct—Talked with her in jail about 15 minutes; had several interviews since; didn't remember seeing def't on steps of Hammond & Austin's office 7 or 8 days prior to shooting, and hearing her say "I've got a revolver now and will fix the next one."

M. D. Rhoades—Knew Steele a year or so; saw him last alive, evening of Sept 14, 1887, at back door of def't's house; saw him same day at C. R. Benjamin's funeral; also about 7 or 8 o'clock in Carew's saloon; did not go in with him, he was already in; play 3 games pool with him, then drank some beer; left saloon with him, and walked to Liberal Corner; Steele said "Let's go to Coal Oil Well"; went to well; he said "let's cross and go down on other side"; crossed on rocks below well in rear of Shead's house; Steele proposed to go into def't's house, witness said no use to go, but they went; Steele did not say what he wanted to go to house for; went through or over wire fence, approached house from rear; S. went to back door, it was open, could see no light in house; a little shed is back of house; Steele went to door, heard talking, said "some one in there"; we went around corner; defendant came running after us, told Steele to go away and stay away; she said "I know who you are and want you to go and stay away"; don't think she called S by name; they started towards back door, S talking to her; she spoke sharply; def't called Harding to the door; witness walked up and talked with him, at left of door; don't know what he talked with Harding about; S and def't were talking, she in the house, he inside, he inside or one foot in and other on step; S and def't seemed angry he said he had had relations with her and could bring man next night to prove it; next time noticed S he was 2 steps from door, then revolver was fired and I looked at the woman; Harding ran out, lifted up head of deceased in his lap and said "My God, you've shot him"; she said "If I have I am sorry for it and will give myself up."

Witness went into house after light, took it back, he and Harding carried def'd towards town 150 ft or so; he then ran to G. M. Robinson's house, called for him, Town Marshal Wood came, and the two went back to Steele; Wood started for physician; witness went to Shead's house and got a light; def't was in Shead's house, also deputy sheriff Yeoman; got back to Steele people were there with light and stretcher; was near when Steele and def't were talking; thinks he heard all was said; did not see him have weapon, saw knife after he was shot; Harding called attention to it; didn't hear def't say anything about S showing knife; was 3 or 4 feet away, def't stood in door or a foot or so back; witness stood by door jamb; Steele 3 or 4 feet from def't going away when shot was fired; fell not more than 3 steps from door; did not speak nor groan after the shot; thinks this was about 8 o'clock; about dark but could see pretty well; first knew Harding was in house when def't called him out; Steele was about medium size; after he said he had had relations with the woman it was only a few seconds before he was shot.

Cross-examination—Elicited little more than that Steele didn't start away when ordered; witness nor Harding did not protest against language used by Steele; didn't remember all was said, was badly scared; knife was open; witness shut it; thought knife shown in court was same; Harding said "There's his knife."

The testimony of father, brother and widow of deceased, and Sheriff Yeoman was unimportant. Prosecution rested.

**DEFENSE.**

Dr. W. A. Sarber, Physician, Indianapolis—Known def't since 1883; called to see her, when sick, in Indianapolis; she left there about two years ago; knew her husband, Andrew Rutherford; she has always been deaf; her health always delicate; catarrh, nervousness and heart trouble; occupation washing; considered her industrious; general reputation for peace and quietness good; did not think her strong enough to do washing, etc.; understood she left husband on account of failure to support; came to his house for food; witness' wife knew def't, latter often called at his house.

Benton Lefever, carpenter, Indianapolis, knew def't from '83 to '85; sewed for witness' children; families acquainted; occupation, sewing and washing; reputation for peace and quietness good.

A. M. Pierson, carpenter, Indianapolis, knew def't 1½ years; reputation for peace and quietness good. Cross examined—Husband abused her. Neighbors said she was peaceable; is deaf; never heard of her having a quarrel.

Mrs. Pierson, wife of last named witness, gave corroborative testimony.

Mrs. W. C. Shead, Rensselaer—Live 275 feet from def't's house; no obstruction between houses; def't borrowed her tub that day; did big washing and saw her carrying water from river, a long time, towards sunnyside; saw def't about 5 minutes after hearing shot; tho't shot was from oil well; def't arrested in witness' house; present when arrest was made; little girl came with def't; did not try to conceal herself; walked from room to room throwing up hands.

W. C. Shead, husband of last witness—Know of the shooting; saw def't borrow tub and carry water; dog barked and went to see what at; saw 2 men go across vacant lot, crawl'd through wire fence and went to side window of def't's house and looked in; men went around corner to back door; came back soon and a third person was with them; thought it was a woman; heard a woman's voice say, "I tell you to go away from my house; don't seem more than 3 minutes after shot before defendant came; heard little girl say "let my ma alone."

Willis Prewett—Live 30 or 35 steps from def't's house; was in corner of front yard when occurrence of Sept 14 took place; def't came round back shed, heard her say: "What was you doing at my back door?"; spoke angry; a man walked down the river; whistled twice; heard one say, "let's have some fun any how"; after man said "let's have fun" it was not more than 2 or 3 minutes till shot; witness described dresses worn by def't; heard Harding's voice, etc.

The late hour at which we could secure any of the proceedings in the case, not being permitted to be present, we must of necessity continue in next week's issue the remaining portions of the testimony.

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**The Verdict Unanimous.**

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**NOTICE TO STOCKHOLDERS.**

Notice is hereby given that there will be a meeting of the Stockholders of the Jasper County Agricultural Society, at the Court House in Rensselaer, on Saturday, November 19th, 1887, at 2 o'clock p. m., to consider the advisability of assessing the stock of said Society ten dollars per share, to pay the indebtedness of said Society now due. EZRA C. NOWELS, Pres't. C. W. COEN, Secretary.

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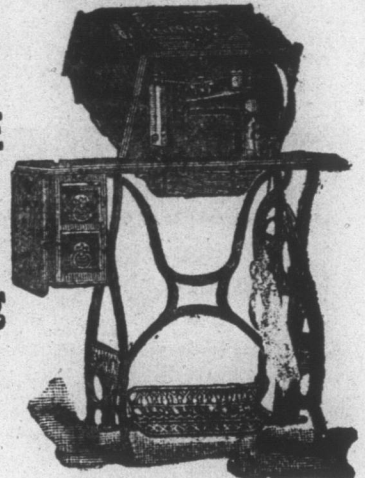
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