

Witherspoon

C. B. Norvell

CHEROKEE SCOUT.

OLD SERIES, VOL. II, No. 37.

MURPHY, N. C., TUESDAY, OCTOBER 21, 1890.

NEW SERIES, VOL. I, No. 10.

BUSINESS CARDS.

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 I am now prepared to do all kinds of Tin work—repairing and manufacturing. Special attention given to guttering and roofing. Shop over the Hardware Store.

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NOT GUILTY!

So Say the Jury in the Gould Tragedy.

TWO DAYS CONSUMED IN ITS TRIAL.

MRS. GOULD A FREE WOMAN—NO NEW EVIDENCE INTRODUCED BY EITHER SIDE.

The Proceedings in Full—The Verdict of the Jury—Public Sentiment—Incidents of the Trial of This Famous and Noted Case.

The State vs. Lilly M. Gould!
 This celebrated case, in which all America and England, are equally interested, on account of its peculiarities, was begun here last Wednesday.

The testimony in this case, as well as a history and numerous interviews, have already been published, and the public are perhaps cognizant of the facts. But, in order to make the proceedings of the trial more interesting to those who have not read this history and interviews heretofore, we will give, in substance, the testimony as elicited at the trial.

The Gould murder case has attracted as much attention in England as did the celebrated Maybrick case in the United States.

The proceedings in the Gould case were begun promptly at 10 o'clock Wednesday morning. The acting Solicitor, Hon. Kopp Elias, of Franklin, was ably assisted in the prosecution by Messrs. G. S. Ferguson, of Waynesville, and J. H. Dillard, of this place.

The defendant's attorneys were Messrs. Ben Posey, F. P. Axley and E. B. Norvell, of this place, and W. W. Jones, of Asheville.

At this stage of the game, the prisoner, Mrs. Lilly M. Gould, was brought in court. She was neatly attired in a black suit, with lace collar and cuffs, and seemed to be entirely self-possessed. Her manner was that of one who seemed to realize that her life hung on a very slender thread, which might be snapped in twain any moment by the arm of law. Her confinement in jail had the effect of enhancing her beauty, and she seemed to be in better health than at any time since her residence here.

The State announced itself ready for trial, and the defendant, after calling witnesses, also announced their readiness.

The special venire of 100 talismen was exhausted, beside the regular jury, in the selection of twelve competent jurors, during which time Mrs. Gould evinced much interest in studying the physiognomy of each juror as he was called up. The following is

THE JURY.

1. C. G. Price.
2. S. W. Bates.
3. Ancil Rogers.
4. W. M. Pierce.
5. R. P. Hall.
6. B. S. Chastain.
7. W. P. Martin.
8. R. A. Harper.
9. T. A. Bell.
10. C. A. Davis.
11. Jno. M. Rogers.
12. J. M. Roper.

The jury having been completed, the customary oath was administered by Clerk Deeweese, after which the witnesses for both sides were called and took the oath.

The first witness for the State was

DR. W. O. PATTON,
 who testified as follows: "Did you know Charles N. Gould? Yes, sir; I've seen him. When did you last see him? I saw him in June at his house, about 8 a. m. Bob Ramsey came after me to go and see Gould. In response to this request I went up to his house and found him bed, suf-

fering from a severe wound in his right side, near the abdomen. He was suffering so intensely that he would not permit father and myself to probe the wound, which was produced by a knife, and we only made an external examination in order to learn the nature of the wound. I asked to see the instrument that it was done with. Mrs. Gould was present when I made the inquiry, and said she would show me the knife. I told her she need not trouble herself. She stopped. Shortly afterwards I asked Bob Ramsey to show me the knife, which he did."

"Is this the knife?" and the attorney for the State handed the witness a wicked and dangerous looking dagger, about a foot long, the blade of which was an inch wide and fully six inches long.

"It is," responded the witness. This produced a great sensation in court.

Continuing the witness said "that Mrs. Gould told him during the day that she thought it would be so romantic to prick him with the knife, as it was a present from his brother, who was the English consul to Sian. Mrs. Gould told me that she was driven to desperation and stabbed Gould in self-defense."

The cross examination brought out nothing new, and Dr. Patton vacated the witness box.

Here the State rested its case, and the defendants introduced the following witnesses:

Robert Ramsey was the next witness called, and testified as follows: "I was employed by Gould to do some chores around the house, and while helping Bill Cannon unload some wool, my attention was directed towards the house by Cannon exclaiming, 'Look there!' I turned my head and saw Gould coming down stairs, stick in hand, after Mrs. Gould, who was before him. She ran behind me, and then I told Gould if I was him I would not strike her. He then turned around and went back to the house, going up stairs. Mrs. Gould then went into the kitchen, on the first floor, and lay down on a lounge. She was crying. J. M. Barnett came up on the hill and asked me what was the matter. Gould was then up stairs, and told me tell anybody that nothing was the matter, should they ask. I told Barnett, in lieu of anything better, that she had the colic. In a short while Gould came down stairs into the kitchen, where Mrs. Gould was laying on the lounge, caught her by the arm and jerked her off of the lounge to the floor; then taking up a bucket of water from the table, he dashed its contents over her, and raised his foot as if to stamp her in the face. Mrs. Gould was crying all the time he was abusing her. I caught his foot and he desisted. What took place after that? Gould went back up stairs. Mrs. Gould was in the middle of the room, trying to adjust her clothes, which had been partially torn off of her when Gould jerked her from the lounge. Gould had been gone some 20 or 30 minutes when Mrs. Gould, having re-arranged her dress, also went up stairs. In a short while I heard loud talking up stairs, and thinking they were about to have another fracas, I went up to see about it. Gould had a walking stick in his hand, with which he hit her, knocking her against the wall, which saved her from falling. When she had partially recovered from the blow, he then took both hands, drawing the stick back as if to strike her again. Mrs. Gould then sprang at him and plucked the dagger in his side. I never saw any weapon until at that moment. Gould was abusing her all the time, using language that was profane and dirty."

"Is this the stick with which he struck her?" said the attorney, presenting the witness with an English walking cane. The witness acknowledged that it was, and said he was with Gould until he died.

On being cross examined the witness said "the blow given Mrs. Gould with the stick was on the right side of her face and shoulder—a glance lick."

Bill Cannon was next called, and

his testimony was about the same as before. He testified that he saw Mrs. Gould stab her brother-in-law, Mary Woods testified that she lives on Valley river, and that she saw the stabbing of Gould's house. Dr. Patton asked her to hear anything of what was going on at Gould's? I saw Cannon carrying a load of wool, with Gould on top. Gould came down stairs, and drawing his knife, he went up to Mrs. Gould with it. He went in the house, followed by me and Mrs. Gould in the rear. She was crying."

Dr. J. F. Abernethy was called next, and testified as follows: "Did you know Mrs. Gould? Yes, sir; I live about 300 yards from the house, and state the time and day when you were at the house. It was the night before the shooting took place, about 9 o'clock. I was at their house. While Mrs. Gould was in the room, I saw her go out. She was carrying a bundle. I saw her enter the room again. She was crying. I saw her enter the room again. She was crying. I saw her enter the room again. She was crying."

Defendant's counsel called the witness, and he testified as follows: "I was in the room when the shooting took place. I saw Mrs. Gould enter the room. She was carrying a bundle. I saw her enter the room again. She was crying. I saw her enter the room again. She was crying."

The State called Dr. Patton, and he testified as follows: "I was in the room when the shooting took place. I saw Mrs. Gould enter the room. She was carrying a bundle. I saw her enter the room again. She was crying. I saw her enter the room again. She was crying."

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tion again arises, why did she do it? She killed him, and, as she did not explain it, it is, therefore, your duty, as honest men, to render a verdict of guilty. She has only spoken of it once, and says she killed him, but that she was driven to it. Wasn't it romantic to stab him with the knife his brother gave him. Human life has, judging from this case, got to be worthless. Hear the Judge's charge, and make up your minds accordingly. Any romance in this? Had she stopped at romance, C. N. Gould would have been a live man today and the defendant would be a free woman. Did she anticipate another quarrel? Where did she get the knife? She must have had it on her person. She didn't have it when in the basement, so far as we know, but she had it when she went up stairs. How was it that the bruise was upon Gould, and not scratch upon her person? Yet she says it was in self-defense! I don't believe Bob Ramsey's evidence, because there was nothing to sustain his testimony. Gould was desperately wounded, and would rather die than expose his wife. I don't believe Bob Ramsey saw the difficulty—his testimony convinces me of this fact. He didn't know where she got the knife, or where she put it. Why was it she entered the quarrel the second time? Apply justice and truth to this case as the law demands, and you will do your duty."

Hon. Ben Posey, one of the attorneys for the defense, then addressed the court and jury as follows: "This case, gentlemen of the jury, is a matter of importance to all. You have before you a woman charged with murder, and I say for you to try the case according to the evidence presented for your consideration; I don't want to influence you, nor would I have you swerve from your sworn duty, but we insist that you find a verdict of not guilty. That the State should be re-presented. I do not question, but they have failed, even by their witnesses, to make a case. I will try to satisfy the court and you, gentlemen of the jury, why she stabbed Gould. I appeal to you to resist all the arguments introduced by Mr. Ferguson, as they contained no points which should claim your attention. Will he explain to this jury why they only introduced one witness? They unsuccessfully tried to break down the testimony of Robt. Ramsey. Cannon corroborated his evidence, Mary Woods, so far as the scene in the yard is concerned, also sustained him. Did Ramsey tell the truth? If not, then he and Mary Woods and Cannon all lied. He was there waiting on this man when he was stabbed, and did not leave until death ensued. Here is the bill of indictment; where are the other witnesses, and why were they not introduced? The prosecution say they only want to fairly investigate and throw light upon this case. Dr. J. W. Patton was the only witness before the grand jury, and he has not come upon that witness stand! When they can obtain the conviction of this woman by fair means, I will acquiesce. Is that convicting her by fair means, to use ignoble ends? You've got a desperate man on the one hand to deal with, and a frail, delicate woman on the other. When you see him on the streets he is a gentleman, and at home, where he should be kind and loving, he is beating and abusing the woman whom he has sworn to love and cherish—his wife. He follows her up; throws a bucket of water on her, jerks her off the couch and raises his foot to stamp her. How did she get the knife? She had a right to arm herself and defend her personal liberty. The only time she stabbed him was when deceased attempted to strike her down the second time. The counsel on the other side wants you to convict this woman of manslaughter or of assault and battery. It is indeed a rare occurrence that a woman is indicted for murder. Ordinarily they have some one to protect her: father, son, brother or other loved ones. But this fragile woman, away from home, in a strange land and among strangers, no one to plead and take her part,

not attempt anything like eloquence, but talk with you as though we were your friends. Before going to let me say that from now on and forever I shall maintain the defense of Lilly M. Gould, in self-defense. In this case you must, as in all cases, judge yourselves in the situation of the defendant on the day of the occurrence of this unfortunate affair. You have a right to take into consideration the relative size and strength of the deceased and the defendant. We come to the culmination of this affair. You know the circumstances sufficiently well. From the description of the room, given by Ramsey, for the defendant to have attempted to pass out of the door by which she entered, she would have placed herself in greater danger, for she would have had to pass by the deceased, who was at that moment assailing her with a stick; and I submit that she would have been justified in killing him then and there. Here the attorneys for the State are crying for this woman's blood. How are they trying to get it? Who are the eye witnesses to this affair? Mary Woods, Wm. Cannon and Robt. Ramsey. They are the witnesses who should have been put before this jury by the State. Never before have I known the State to go so far as this in trying to get the blood of a defendant. I had always conceived the duty of the State to do justice to all parties, and if the evidence of the eye witnesses would acquit, why then let it do so, and the State would be satisfied. They kept an important witness from the stand, and they hoped to break down the testimony of our witnesses simply because they were negroes. Let me say that should you find the defendant guilty, and there remains in your minds any doubt, you will be forever haunted by the thought of possibly having done the defendant a lasting injustice. As my associate, Mr. Axley, will follow me, I will, without saying more, leave the fate of my client with you, for I feel that you will do her justice by returning a verdict of not guilty."

Col. F. P. Axley next spoke in the following language: "There is one view of the case that all can be congratulated upon. All differences of opinion and complications are reconciled. It has narrowed down to the home of C. N. Gould. The facts are concise. This evidence, short as it is, has narrowed to that little compass. The doctrine of self-defense is that you shall not take one step where you place your life in jeopardy. The State has made its case on Dr. Patton's evidence. There is no use to rehearse this testimony. Bob Ramsey is the only witness that knows anything about this case. He is the only living witness in the transaction. No man, white or black, can concoct the kind of a story he tells and not be caught up with. He tells the same story all the time, even under the cross-examination of the learned prosecution. He alone knew of the transaction. Truth will prevail anywhere. He would have broken down had he not been an eye witness. His testimony was intelligent and convincing. Mrs. Gould could not have yielded a step without endangering her life. She had a right to strike, no matter where she got the dagger, under the brutal assault of her husband. A similarity of positions with you would have no doubt resulted the same. She had been driven down stairs, and where should she go but to her room. She had a right to look for other treatment from her husband, whose duty it was to protect and sustain her in the trials of life. She had as much right in the room as Gould, she had a right to strike if she had any regard for her life, no matter what with and where she got it. Suppose Ramsey is a bad character. Can't he give a simple and truthful statement of an occurrence as he saw it? This he has done—Cannon substantiated what he said. Can there be any possible motive to induce these men to tell the same story? A man never

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