



# FATE OF MARSHAL WILLIAMS IS NOW IN JURY'S HANDS

Noted Case Here Goes to Jury at 12:45 O'clock This Afternoon After Hearing Judge Kerr's Instructions—Arguments Started Late Yesterday

The fate of Marshal Williams, who has been the defendant to the past week in the hearing to determine whether he is insane or not, whether he knows right from wrong and whether he is mentally capable of defending himself from the charge of taking the life of Deputy Sheriff Al J. Pate the night that officer accompanied the sheriff and other officers in raiding Williams' still near the little town of Godwin, now rests with the jury, having been placed in their hands at 12:45 this afternoon after a most able and comprehensive charge by his honor, Judge John H. Kerr.

The introduction of evidence came to a close late yesterday afternoon with the exception of some rebuttal testimony by the state which occupied just a few minutes of the night session.

Attorney D. M. Stringfield for the defense opened the argument to the jury and delivered an able speech appealing to the jury in the name of mercy and right to let Marshal Williams go to the State Hospital for the Insane for life because he is unable to know right from wrong and is dangerously insane.

### Strong Address

Solicitor S. B. McLean, in one of the strongest addresses he has ever delivered to a Cumberland jury, plead with the twelve men not to let this defendant use this plea of insanity as a "getting out place," but find him sane and let him go on trial for the death of a brave deputy who died at his post of duty. He asked of the defense by Columbus McClellan, who was with Williams the night of the murder and early morning after, was not placed on the stand. He delivered a severe arraignment of the prisoner, detailing the raid and shooting.

Attorney John C. Clifford of Dunn, of the defense counsel, delivered a remarkably able address "You are called upon to render a verdict on one issue and one issue alone," he said, "that of whether Marshal Williams is or is not a sane man and whether he knows right from wrong." He charged the solicitor with distorting the evidence of Dr. J. Allison Hodges when he said the doctor presumed Williams insane before examining him, and proceeded to read the typewritten copy of the evidence of Dr. Hodges.

### Stirring Plea

"It is not a getting out place, gentlemen of the jury, not an after thought as the solicitor charged and it is unfair for him to talk with you on what a juror stated about that."

"We could have come into court and forced the burden on the state to prove him guilty, where the defendant with its large list of challenges could almost have named the jury to try him, but we knew our client was insane and was unable of giving his counsel any assistance in making out his case. We then traced the hereditary insanity from the time his uncle shot himself to death with a shotgun, the mother who spent a time in the asylum down to this very boy who had shown all the symptoms of the dangerous type of insanity."

"Was it a getting out place?" asked Mr. Clifford. "Then read the letter from the minister brother written back in 1919 from Louville to a brother in Goldsboro in which he said the boy is insane, yes, dangerously insane."

### Recalls Talks

He recalled conversations with A. R. McQueen, tried to have with him, Rev. A. S. Anderson and many others before the boy possibly took the life of his fellow-man. "The solicitor said his family did everything they could to spirit him away that night, gave him spirit of turpentine, etc. Then the poor boy did not take advantage of his opportunities because he was seen on the streets of Godwin at sunrise the next morning. He closed with a fine appeal to find the boy insane and send him where he will not be a menace to his community, but will be carefully guarded as long as his mind is in its present state."

Attorney W. C. Downing for the state made the greatest speech he has yet made before a jury here. "The best way to test a man's insanity is to follow his acts through life," he said, and proceeded to enumerate his unwillingness to work when a youth; his marriage and providing for his wife; work on the railroad; county roads and elsewhere; made his own trades; did his own business; went off to school at a military school where he violated the rules and was dismissed, then placed on the train to come home by himself; went to school with other boys and kept up with them in the work; secured a whiskey still and placed it in the very best place near the town of Godwin to carry on his nefarious traffic.

### Great Speech

"If his good father had determined like Mrs. Charlie Spell to conquer him in his youth and make him recognize authority, he would not this morning be sitting here."

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charged with the murder of Al J. Fate, but would be back in Godwin attending to his lawful business. Insanity? It will be only a matter of time when they will have the expert from Virginia to say he has recovered, then when Driver and Dawson have passed out of the jurisdiction of this court, they will ask twelve true men to say whether he took the life of Al Fate.

A short time ago I saw the two mangled bodies of true soldiers killed overseas, men who died that other men may live, laid to rest in Cedar Creek. Then later on I followed a coffin to the little graveyard back of the widows home and

there the remains of Al Fate were lowered into the grave. And I tell you today Al Fate died that we might live, he died a hero just as much as those who died on the battlefields of Europe. Al Fate may soon be forgotten but the principles he stood for will live on forever, the principles of law and order."

Attorneys Q. K. Nimocks for the defense, N. A. Sinclair for the state and J. G. Shaw for the defense spoke in their order, followed by the charge of Judge Kern.

The letter written by Rev. J. Mack Williams in 1919, referred to is as follows:

Oct. 29, 1919.

Dear John: I thought of writing you last Sunday, but did not. I have been studying up at odd times about Marshal. He has, what is called, paranoia. I have talked to several men who are in a position to know. People with the above disease almost invariably get worse. I read a number of books on it while I was in the psychological division of the army and since

being here. He will get worse the older he gets.

Now anyone with paranoia almost always attack the one closest to him. He seemed to have a particular grudge against his wife and against his father and the history of such cases are that the first person they kill, they go mad and try to kill everybody. He had certain paralysis of the nevers of the hand while I was down there and was very much worse Sunday than he was two or three days later.

He has an insane delusion of being a bandit and killing someone, and if he is not restrained in some way the result in the next two or three years can almost be predicted.

I would not go down there and live with him a month for any amount of money. I have gone over in my mind since leaving there every element in the case. The minute I spoke to him I knew what was the matter and everything I have seen since then has only confirmed what I first thought. I write this not because I want to, but because it is my belief and I give it to you for what it is worth.

Your brother,

MACK.

109 East Broadway,  
Louisville, Ky.