



# MISTRIAL TODAY

After Being Out 45 Hours  
Marshal Williams Jury  
Reports Disagree-  
ment

JURY COUNT STOOD  
11-1 FOR SANITY

Lawyers Say Both Sides  
May Consent to Trial  
for Murder in Sec-  
ond Degree

After considering and arguing the case for 45 hours, the jury on the J. Marshall Williams' insanity issue announced at 10 o'clock today to Clerk of the Court W. M. Walker that they could not agree, whereupon the clerk withdrew a juror and declared a mistrial. It is said that from the beginning the jury stood 11 for sanity and 1 for insanity, and no amount of argument or persuasion could convert the one man over to the side of the eleven.

Whether this failure of the jury to agree will result in another trial on the insanity issue, legal authorities are not prepared to state, as it is possible that both sides may consent to a trial for murder in the second degree.

The one-week term of Cumberland Superior Court, which convened here Monday, the 10th inst., came to a close Saturday afternoon. The trial of issue of the sanity or insanity of J. Marshall Williams in connection with the killing of Deputy Sheriff A. J. Tate last July occupied practically the entire week, it coming on to be heard at 1 o'clock Tuesday afternoon. The evidence and arguments of counsel were completed at 1 o'clock Saturday afternoon when the case went to the jury. The jury, being unable to agree, was held together, and a stubborn jury it proved to be. At 10 o'clock this morning, after having had 45 hours to study the case, these jurors still were unable to agree, and Clerk of the Court W. M. Walker declared it a mistrial.

Judge John H. Kerr, who presided over the court, left here Saturday afternoon for his home, leaving the case in the hands of the Clerk of the Court. Judge Kerr asked the jurors, before leaving, if they wished any instruction or information on points of law, and they replied that they did not.

The judge passed through Fayetteville this morning on the way to Elizabethtown to hold Bladen court, and instructed the clerk to dismiss the jury whenever he saw it, if he was satisfied that they could not agree.