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FOUND GUILTY.

At Last the Genuine Article of Justice Is Meted Out to Guiteau.

After an Absence of But Ten Minutes the Jury Return a Verdict of Guilty.

A Nation's Honor and a Nation's Integrity Saved by This Just Decision.

The Prompt Action of the Jury Brings Forth Congratulations From Every Quarter.

The Judge's Able Charge—Grim Gallows Awaiting the Final Reception of the Guilty.

Murder in the First Degree.

Special Dispatch to the Daily Tribune.

WASHINGTON, Jan. 25.—The jury in the Guiteau case brought in a verdict of murder in the first degree, being out only ten minutes. At 5:35 the court was called to order, and at 5:38 the jury came in and rendered a verdict of "guilty as indicted."

Scenes of the Day.

Special Dispatch to the Daily Tribune.

WASHINGTON, Jan. 25.—Guiteau was unusually abusive to-day, calling Porter a liar, scoundrel, miserable whelp, and other vile names. Porter finished speaking at 3 o'clock, and the judge's charge to the jury occupied but two hours. A short discussion ensued between Scoville and Porter and much confusion occurred, during which the prisoner made himself heard from the dock, shouting, "It is an outrage for that man to be allowed to speak. He ought to be under arrest for his insolence. It has been nothing but one stream of abuse from him all the morning. It's enough to provoke a saint from heaven and it's a disgrace upon a court of justice." The bailiffs undertook to quiet the prisoner and succeeded in drawing his attention from the dispute of the counsel and the attraction of his abuse to themselves. It seemed for a moment more than possible that his vicious demonstrations might provoke some of the officers beyond the power of endurance and perhaps to the point of assuming the functions of the court in administering wholesome and much needed discipline. Judge Cox called for a reading from the stenographers notes of passages which had caused the dispute and promptly decided against Scoville's demand that the counsel be stopped.

The Charge.

WASHINGTON, Jan. 25.—Judge Cox at 3:15 p. m. proceeded to deliver his charge to the jury. He commenced by saying that the constitution provides that in all criminal prosecutions the accused shall enjoy the right of speedy and public trial by an impartial jury in the state or district where the crime shall have been committed; that he shall be informed of the cause and nature of the accusation against him; that he shall be confronted with the witnesses against him; that he shall have compulsory process to obtain witnesses in his favor; and that he shall have the assistance of counsel in his defense. These provisions were intended for the protection of the innocent from injustice and oppression and it was only by their faithful observance that guilt or innocence could be fairly ascertained. Every accused person was presumed to be innocent until the accusation was proved. With what difficulty and trouble had been administered in the present case, the jurors had been daily witnesses. It was, however, a consolation to think that not one of these sacred guarantees of the constitution had been violated in the person of the accused. At last the

LONG CHAPTER OF PROOF

was ended. "The task of the advocate was done," and it now rested with the jury to determine the issue between the public justice and the prisoner at the bar. No one could feel more keenly than himself, the great responsibility of his duties and he felt he could only discharge them by a close adherence to the law laid down by the highest authorities. Before he proceeded further he wished to notice an incident which had taken place during the recent argument. The prisoner had frequently taken occasion to proclaim that public opinion was evidently changing; that the press and correspondents were in his favor. These declarations could not be prevented except by process of gagging the prisoner, and the suggestion that the jury could be influenced by such lawless chattering of the prisoner would have seemed to him absurd, and he should have felt he was insulting the intelligence of the

jury if he had warned them not to regard it. The counsel for the prosecution had felt it necessary, however, in the final argument to interpose a contradiction to such statements, and exceptions had been taken on the part of the accused. For the purpose of purging the record of any objectionable matter, he should simply say that anything which had been said on either side in reference to public excitement as to newspaper opinion was not to be regarded by the jury. The indictment charged the defendant with having

MURDERED JAMES A. GARFIELD

and it was the duty of the court to explain the nature of the crime. The charge of murder was where a person of sound memory and discretion unlawfully killed a reasonable being in the peace of the United States with malice aforethought. It had to be proved first that the deed was caused by the act of the accused; and further, it was caused with malice aforethought; that did not mean, however, that Guiteau had to prove any ill will or hatred on the part of the accused toward the deceased. Whoever homicide was committed without lawful authority and with deliberate intent, it was sufficient to prove it to have been done with malice and forethought, and malice was not disappointed by showing that the accused had no personal ill will toward the deceased and that he killed him from other motives, as, for instance, mistaking him for another, or (as claimed in this case) to produce public benefit. If it could be shown the killing occurred in the heat of passion, or under provocation, then it would appear there was no premeditated attempt and therefore no malice aforethought and that would reduce the crime to manslaughter. It was hardly necessary, however, to say there was nothing of that in the present case. The jury would have to say the defendant was

GUILTY OF MURDER.

or he was innocent. In order to constitute the crime of murder, the assassin must have a reasonably sound mind; in technical terms he must be "of sound mind, memory and discretion." Any irresponsibly insane man could not commit murder. If he was laboring under a disease of the mental faculties to an extent that he did not know what he was doing or knew it was wrong, then he was wanting in that sound mind, memory and discretion; that was a part of the definition of murder. In the next place, every defendant was presumed innocent until the accusation against him was established by proof; in the next place, notwithstanding this presumption of innocence it was equally true the defendant was presumed to be sane and to have been so at the time the crime was committed; that is to say, the government was not bound to show affirmatively as a part of its proofs that defendant was sane, as insanity was the exception and as a majority of men are sane the law presumed the latter condition of every man until some reason was shown to believe the contrary. The burden was therefore on the defendant who set up insanity as an excuse from crime to produce proof in the first instance to show that the presumption was mistaken, so far as it related to the prisoner. The crime, therefore, involved these elements, viz.: the killing, malice and responsibility of the mind of the murderer. After all the evidence was before the jury, if the jury, while bearing in mind both the presumptions, that is, that the

DEFENDANT IS INNOCENT

fill he is proven guilty, and that he is sane till the contrary appears, (still entertained what is called unreasonable doubt on any ground, or is to any of the essential elements of crime) then the defendant was entitled to the benefit of that doubt and to acquittal.

The judge then explained to the jury what constituted a reasonable doubt, and in illustration of this point Judge Cox quoted the charge of Chief Justice Shaw, of Massachusetts, in the case of The Commonwealth vs. Webster. With reference to evidence in this case, except upon one question, the others being hardly worthy of dispute. That the defendant fired the shot and the shot wounded the president was abundantly proven, and that that wound was fatal has been testified to by surgeons who were competent to speak, and they were uncontradicted.

The judge then spoke of the abuses of the insanity plea and wound up the charge as follows: "The jury will bear in mind that a man does not become irresponsible by the mere fact of his being partially insane as the law assumed every one at the outset be

SANE AND RESPONSIBLE.

The question was, what was there in the case to show to the contrary? As to the defendant the jury was warned not to infer the man was insane from the mere fact of his committing the crime or from the enormity of the crime, because the law presumes there is a bad motive and that a crime is prompted by malice if nothing else appears. He had dwelt upon the question of insanity simply because the evidence relating to that was evidence touching the defendant's power or want of power (from mental disease) to distinguish between right and wrong. As to the action by him this was a broad question for the jury to determine and was what was relied upon by the defense. The only safe rule was for the jury to direct its attention to the one text of criminal responsibility, viz.: Whether the prisoner possessed mental capacity at the time the act was committed to know that it was wrong, or whether he was deprived of that capacity by mental disease. There was one important distinction which the jury must not lose sight of and they must decide how far it was applicable to this case; that was distinction between mental and moral obliquity, between mental incapacity to distinguish between right and wrong and moral insensibility and that distinction.

THE JUDGE IN CONCLUSION

said: "And now, gentlemen, to sum up all I have said to you. If you find from the evidence that at the time of the commission of the homicide the prisoner was laboring under such defects of his reason, that he was incapable of understanding what he was doing, or of seeing it was a wrong thing to do; as for example, if he were under the insane delusion that the Almighty had commanded him to

do the act, then he was not in a responsible condition of mind, but was the object of compassion and should be now acquitted. If on the other hand you find he was under no insane delusion but had the power to know his act was wrong and if of his own free will he deliberately conceived the idea and executed homicide, then he is guilty of murder and you should so find.

Motion for New Trial.

WASHINGTON, Jan. 25.—Scoville said tonight the next move in the Guiteau case would be a motion for a new trial, which he expected to file Saturday. The main points on which it would be based are, the jury erred in rendering a verdict contrary to law and the error in rendering a verdict contrary to the evidence.

At Chicago.

CHICAGO, Jan. 25.—About the streets tonight the only comment upon the result of the Guiteau trial is an expression of gratification that the verdict was so sharp and prompt. There was very little surprise and no indication of sympathy for the assassin. The morning papers without exception take the ground that the liberal construction of the rights of Guiteau in the court room, and the latitude allowed his counsel have precluded the possibility of granting a new trial. The editorials also agree in applauding the verdict as just and in accordance with the evidence.

At Cincinnati.

CINCINNATI, Jan. 25.—The news of Guiteau's conviction calls out general expressions of gratification wherever it has been heard. Thanks to the Deity, was the expression of one business man when he heard the news. One strong element of satisfaction was found in the promptness of the jury and as one man afterwards said, this jury acquitted themselves nobly.

Guiteau to the People.

WASHINGTON, Jan. 25.—Guiteau sent to the press to-day the following: "To the American people: Twelve men say that I wickedly murdered James A. Garfield. They did it on the false notion that I am a disappointed office seeker. My speech, they say, made no impression on them. I am not surprised at that verdict, considering their class. They don't pretend to be christian men and therefore did not appreciate the idea of inspiration. They are men of the world and of moderate intelligence, and therefore not capable of appreciating the character of my defense. According to one of them "we all had grog at the last meal and cigars afterwards," which showed their style and habits. Men of this kind cannot represent a great christian gentleman. Their verdict should have been not guilty. The act of shooting would have been sane whatever the motive. If I had been a disappointed office seeker, which is absolutely false, as I proved by my papers and Mr. Brooks' testimony on July 2 and 3. The outward shooting would have been the same as if I had been directed by Deity to do it or believed myself directed to do it, which is the literal truth as I proved by my papers and talk on the subject. This jury had not sufficient intelligence to see that point and entirely ignored the political and patriotic necessity for the act which all christian and intelligent American people see. For this reason I am

ENTITLED TO A NEW TRIAL

if for no other, and we have a prodigious amount of exceptions. I want to employ two or three first-class lawyers to take charge of my case. The principal point will be to show the non-jurisdiction of this court to try this indictment because the president died in New Jersey. The authorities on this point are conflicting but some of the best lawyers in America say that a predominance of the authorities are against the jurisdiction of this court. I desire the court in banc to pass upon this question and have no doubt but the high-toned Christian men representing the Washington court in banc will give their most careful attention to the end that Deity intended to protect me from legal liability herein by allowing the president to depart gracefully and peacefully in New Jersey.

I have received some checks, but many of them have proved worthless, which shows the low characters of the men that sent them. I need money to employ counsel. There are many people in America who believe in God and my inspiration, and that I am a patriot.

To you, men and women of America, I appeal. I ask you in the name of Justice to

COME SPEEDILY TO MY RELIEF;

come in person or by letter. If you send money, send a postal order or check to my order. With competent legal help I can get out of this, and with the Lord's help I am sure of it; but good lawyers do not work for nothing. If I had had competent counsel I should not have talked so much in the court, but I disagree with the theory of Mr. Scoville and Mr. Reed. Judge Porter says I am right, and I agree with him, although I know he has abused and vilified me outrageously when I had no alternative save to answer back, which I did in my usual plain way.

I have been convicted but the verdict cannot be enforced until July in any event and

probably not until September. I give myself no anxiety on account of the verdict; I hardly expected acquittal; the most I expected was a disagreement and they proposed to test the question of jurisdiction in the court of banc. I make a special appeal

TO THE LADIES OF AMERICA

to come to my rescue. Some of them have written me delightful letters.

I return my sincere thanks for their letters and sympathy. You, ladies, believe in God and in my inspiration and that I have really saved the nation great troubles and great expense, to-wit: Of another war. Last spring Gen. Garfield had the republican party in a frightful condition and it was getting worse every day. To-day everybody of sense is satisfied with Gen. Arthur's administration, and the country is happy and prosperous. The only good has come from Gen. Garfield's removal, which is conclusive evidence that the inspiration came from Deity. He has repeatedly confirmed my act since July 2, therefore let all persons acquiesce in the expressed will of Deity. I am God's man in this matter just as truly as the despised Galilean was God's man. He will get even with the American people. If a

HAIR OF MY HEAD IS HARMED

God will vindicate me even if the nation rolls in blood. My physical death is nothing to me. Under the law I cannot be executed in any event until July. I may die a dozen times before then; so I shall have no trouble about that. I shall not go before my time. I had rather be hanged, so far as physical death is concerned, than to die from painful illness or meet with railroad or steamboat accident. I hardly think I am sentenced to be hung and therefore give myself no thought on that, but I am anxious to have my character and inspiration vindicated. To that end I need help as herein mentioned. My friends need not be ashamed of me. Some people think I am the greatest man of this age and that my name will go into history as a patriot by the side of Washington and Grant.

(Signed.) CHAS. J. GUILTEAU,

UNITED STATES JAIL, WASHINGTON, D. C., Jan. 25, 1882.

Mrs. Scoville Prostrated.

Special Dispatch to the Daily Tribune.

CHICAGO, Jan. 26.—Mrs. Scoville is completely prostrated by the verdict against Guiteau. All along she has been the only one who had any sympathy for the assassin and her sympathy has led her to indulge in the delusive hope of his acquittal, and she still entertains the idea that a new trial, or some other legal technicality may change the result, and has not entirely given up the hope of saving her miserable brother's life.

No Interest in the Trial.

Special Dispatch to the Daily Tribune.

CLEVELAND, Jan. 26.—Inquiry was made to-day of Mr. Rudolph, brother of Mrs. Lucretia R. Garfield as to how the late president's widow received the news of Guiteau's conviction. He answered that he has been at Mrs. Garfield's house almost every day during the trial and he never heard the subject mentioned. Mrs. Garfield has taken no interest in the trial from the first.

What Scoville Thinks.

WASHINGTON, Jan. 26.—Scoville says that Judge Cox in his charge did not base it upon all the evidence, and the jury during the trial read newspapers and had conversation with outside people. Should the motion for a new trial be denied an appeal will be taken to the court in banc in April.

Referring to the verdict, Scoville said that after hearing Judge Cox's charge, he was not surprised the jury rendered a verdict of guilty. He refrained, however, from passing a criticism upon Judge Cox's charge further than to say he had not been accustomed to hear a judge address the jury as Judge Cox did, but simply submit the written instructions, and this, too, upon the law bearing upon the case, and not upon the evidence.

Judge Cox, Mr. Scoville thought, did not review the entire evidence given in the case, but only a portion of it. Guiteau is said by some to have appeared the coolest person in the room at the time the verdict was given, but Scoville believes when the excitement attending the trial is over—the excitement which Scoville thinks has sustained Guiteau all the way throughout—he will become a raving maniac. Scoville does not talk tonight like a man who thinks his labor in that matter is at an end. There are good grounds, he says, for a new trial, and he proposes to show this from the record of the trial when the popular feeling against Guiteau has died away.

Ladies Christian Union.

All the ladies of the union are urgently requested to come to the reading-room Thursday afternoon to sew. Several new families are in very needy circumstances and require prompt relief. Contributions in clothing or money earnestly solicited.

DIVISION BOOM.

The President Receives the North Dakota Delegation Which is Accompanied by Delegate Pettigrew.

The Outlook for Division Extremely Bright—The House Sub-Committee Reports Favorably.

California Visited by a Genuine Earthquake—A Heavy Shower Precedes the Shock.

The Employes, Officers and Managers of the Hudson River Road Guilty of Criminal Carelessness.

A La Crosse Woman Gets Near the Fire, Falls Asleep and is Burned Nearly to Death.

More "Sugar" Necessary.

Special Dispatch to the Daily Tribune.

WASHINGTON, Jan. 23.—The delegation arrived Thursday night and met the house sub-committee Saturday. They agreed unanimously after hearing the delegation to report favorably to the committee. The delegation called on Senator Windom and McMillen to-day. Walsh, Lounsbury, Mead and McConnell were appointed a committee to meet the house committee to-morrow. Friday next is the day appointed for meeting with the senate committee. The delegation met tonight and assessed the several counties in North Dakota for the purpose of paying the expenses of the legislation. Fargo was assessed \$1,000, Grand Forks \$600, Bismarck \$400, Jamestown \$300 and Mandan \$200. This fund is absolutely necessary. The delegates have telegraphed as above.

ADDRESS TO THE HOUSE COMMITTEE.

WASHINGTON, Jan. 22.—The Dakota delegation were received by the sub-committee of the committee on territories yesterday at 12 o'clock. Frank J. Mead, W. F. Ball and C. A. Lounsbury were chosen by the delegation to present the facts and arguments favoring division. The committee gave them a two hours' hearing, and seemed favorably impressed. After the hearing closed the sub-committee had a brief session, and unanimously agreed to report the bill favorably to the full committee.

The Programme.

Special Dispatch to the Daily Tribune.

WASHINGTON, Jan. 24.—The delegation met the house committee on territories again today, and the outlook is very encouraging. Delegate Pettigrew will join the delegation to-morrow to wait on the president. The senate committee will be interviewed Friday, and the house committee on Saturday. The delegation is in good spirits, and very sanguine of success.

The Divisionists.

Special Dispatch to the Daily Tribune.

WASHINGTON, Jan. 25.—The president received the Dakota delegation to-day. Delegate Pettigrew accompanied the body, and a warm reception was given. The bill has been reported to the committee favorably, and everything looks booming for North Dakota. All the talk in Washington now is North Dakota. The senate committee will be met Friday and Saturday. The strictest harmony prevails.

Too Much Clothing.

Special Dispatch to the Daily Tribune.

LA CROSSE, Jan. 26.—Mrs. Wm. McConnell, after preparing breakfast for her family, sat down in an easy chair near the fire. It is supposed she fell asleep, and getting too near the blaze her clothing caught fire. Her screams brought her daughter to her assistance, who vainly endeavored to tear the unfortunate woman's clothing off. Nothing could be done, however, to prevent her being so terribly burned that her death is expected hourly.

Criminally Responsible.

Special Dispatch to the Daily Tribune.

NEW YORK, Jan. 25.—The coroner's jury finds a verdict that the employes of the colliding trains at Spuyten Duyville, and the officers and managers of the Hudson River railroad are criminally responsible.

Earthquake.

SAN FRANCISCO, Jan. 26.—An unusually severe earthquake was experienced at Centerville this evening, causing a great excitement among the resident. A very heavy shower preceded the shock.

The Scandinavians who arrived Tuesday night entered land about fifteen miles north of Bismarck, in the Beautiful Painted Woods district.