

LOVE AND DEATH IN JACKSON COUNTY, TN
By Michael E. Birdwell.

The happy couple, Marson Ray and Nannie Upchurch, wed in a simple ceremony on Tuesday evening, Sept. 19, 1905, in the Big Bottom community of Jackson County. Nannie, who feared love had passed her by, married Marson at the antique age of 36. Both embraced married life, but had neither the time nor the resources to take off on a honeymoon. Shortly after their ceremony, it was back to work on the farm.

A scant two days after their union, tragedy struck. Nannie lost her balance and fell eight feet from the loft of the house, landing headfirst, striking a churn on the way down. The blow fractured her skull, and she bled profusely.

Marson's mother Eliza said that she heard a commotion and ran into the house to find Nannie unconscious, sprawled and bleeding on the floor.

She alerted Marson, who was away from home at work, about the accident. He summoned Drs. S. B. Fowler and C. E. Reeves who soon left Gainesboro for Big Bottom.

The two doctors labored over the bride, performing surgery to remove bits of bone fragment from her head and sew up other wounds sustained in the fall. Nannie regained consciousness, saying that she had no recollection of being in the loft or of falling out of it.

The doctors left, convinced that Nannie would soon recover. She spent most of the remainder of the month slowly returning to normal, with Marson faithfully attending to her needs.

The proverbial lightning bolt struck twice, when on October 10, Nannie fell again. Her mother-in-law said that while Nannie was getting dressed that morning, she stumbled and fell, with the fractured part of her skull slamming into a trunk at the end of the bed. Nannie died instantly.

Marson was overcome with grief, and his mother had to tend to Nannie's funeral arrangements. Bro. Marion Harris of the Christian Church performed the ceremony, and her remains were interred into the Baliey Cemetery on the following day.

The quick succession of events that led to the untimely death of Nannie Upchurch Ray led many people in the community to suspect foul play. Some neighbors claimed they heard Eliza Ray yelling at her new family member. Others claimed that Eliza feared that since Marson married Nannie that she would convince him to leave home and leave her all alone. As the rumor mill ground on, Eliza's conduct demanded greater scrutiny. In order to put such matters to rest, the sheriff arrested Eliza on October 19, charging her with aiding and abetting in the death of her daughter-in-law, Nannie Upchurch Ray.

Eliza Ray waited in a cell uncomfortably on October 25 as 50 witnesses testified against her before the grand jury. She later stood before Judge N. B. Young, who arraigned Eliza for the murder of Nannie. Released on \$5,000 bond until trial, Eliza returned to the farm in Big Bottom in a storm of controversy.

After empanelling a jury, Eliza Ray's trial for the murder of her daughter-in-law began on Monday, March 5, 1906, before Judge T. L. Denny and conclude late into the evening two days later. During the trial a number of witnesses stated that Nannie never went into the loft of the Ray house. One witness, who talked with Nannie on the Sunday before her death, said that the last thing Nannie remembered was standing in the kitchen holding a box. Another witness testified that on the day Nannie fell, she saw Eliza in the yard and heard someone crying loudly inside the house.

When she asked who it was, Eliza said that it was Nannie, and she had fallen down a staircase but was essentially unhurt.

Several witnesses claimed that for Nannie to fall from the loft and strike her head on the churn (which was unscathed) was not possible.

Dr. Fowler, in his expert opinion, did not believe that Nannie fell. Rather, he stated confidently that she was attacked. The wounds on her head were consistent with a blunt instrument, perhaps a club. Not only that, but Nannie's skull had been struck more than once.

Prior to the trial, Eliza said that Nannie fell from the loft while removing a box from the loft. When the said box was entered in as evidence, the prosecution pointed out that the box was filled with unbroken spiderwebs inside and there was no indication that the decedent had ever handled it, nor had anyone else for sometime.

The prosecutor, A. M. Flynn, noted that both time Nannie purportedly fell, the only people home were Nannie and Eliza. Both events occurred at roughly the same time in the morning. Witnesses who saw Nannie on the day of her death testified that her dress was covered in blood and that her brains oozed out onto the bodice of her apron.

They also stated that they saw traces of her blood spattered on the windows of her room a good distance away. Witness statements corroborated Flynn's assertion that Eliza did not approve of Nannie nor did she want her son to marry.

The defense pled emotional instability and refused to put Eliza on the stand. They tried to characterize her as a frail woman who could not possible have committed such a heinous act.

The defense also made it clear that if they lost the case they would immediately appeal on the grounds that a fair trial was impossible. Prosecutor A. M. Flynn wanted a vendetta against Eliza Because he was married to Nannie's sister.

Judge Denny took several hours to deliberate. When court reconvened after supper on Wednesday evening he pronounced his verdict, Eliza Ray was guilty of murder in the second degree because there was not enough evidence to support murder in the first degree. He sentenced her to 10 years in the penitentiary.

When Eliza Ray's appeal went to trial in March of 1907, the second degree murder charge was overturned. Her charge was reduced to voluntary manslaughter and her sentence shortened to five years in the state prison for women.

The case alarmed the citizens of Jackson County and the surrounding region. It destroyed two families. The trial became a celebrated event, attended by hundreds of curious spectators.

When examining the trial today, it illustrates the leniency of the court when women, rather than men, behaved violently.

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Cumberland Tales is a service of the Cookeville Museum. The editors, Calvin Dickinson and Michael Birdwell, invite anyone to submit a story of 800 words concerning the history/forklore of the Upper Cumberland region. Send stories to the editors at History Department, Box 5064 TTU, Cookeville, TN 38505. E-mail addresses are cdickinson@tntech.edu and birdie@tntech.edu.

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