

I asked her whether she had ~~taken~~ any one that she intended to kill the old man. She said that she never had. I told her that George had run off, and that she might as well tell it if he had had anything to do with killing the old man. She said that George need not have run off, for that he knew nothing about it. I asked her if George had advised her to kill the old man - said he never had. Said that George had told her that he would have nothing more to do with her if she did not quit the old man. Said that George had been staying with her. She said that after she killed him, the body lay a long time - she thought an hour. She did not know what to do with it. Said she thought she would try to burn it. She put the body on the fire-place and kindled the fire over & around it with some staves that were made for hog-heads, and were in the yard. She burned the body up, and put some of the bones under the hearth, and under the floor between a sleeper & the fire-place. She said she took out the ashes before day I don't recollect where she said she put the ashes. It was late when he came down late bed-time. She doubled him up when she put him on the fire-place.

Cross Examined by the Defense

She said the old man had had sexual intercourse with her. Her second child was his. She deceased bought her in Anderson County. Can't say positively whether Celia said that deceased had forced her, on the way home from Anderson County. I have heard that he did, but do not know with certainty whether she told me so. Said she was about nineteen years old at the time we were conversing. The stick with which she struck was about as large as the top part of the back of a Windsor chair, but not so long. She turned round in her chair to show me the size of the stick. Not so long as the part above the seat of the chair. ~~She said that she said~~ ^{Said} ~~in at the back window.~~ She struck with the right hand on the right side of his head. I asked her if she did not know that she could ^{not} have struck him as she said, and if George had not struck the old man from behind. She said he did not - that he knew nothing about it, & was not there at the time. ~~She said if she did not know she could not kill him with the stick in one hand. Said she did know it and not intend to kill - but only to hurt him.~~

Harvey Newson being sworn, stated as follows.

I am the son of Robert Newson. My father was missing on the morning of Sunday, the 24th of June. I heard of it, and went down to his house. Other persons were there when I got there. I examined the cabin in and about, & in the yard. Some bones were found a short distance from the cabin along ~~in some~~ ^{in some} ~~ashes~~ paths. The path led to the stable. No buttons were found there. Portions of the bones were found. The company picked ^{out of the ashes} bones, about a handful, and placed them in my hands. I carried them home. I wrapped them in paper & put them into a box. ^{found by Mrs Winscott} Other bones were put into the same box (Box produced) This is the box I left them with Mr Bentley, the Circuit Court clerk. Since August, the county clerk has had them. My sister put the bones she found into the same box. These are some of the pieces I put into the box. The bones that I picked up, I put into the box. I saw no bones picked up in the cabin - saw nothing picked up there. I saw nothing picked out of the ashes but bones. The path led to the stable.

Virginia Winscott being sworn, stated as follows.

I am a daughter of Robert Newson. I was living at his house. I saw him the last time on the evening of the 23rd of June, at bed time. I hunted in all the paths & walks & every place for him - ^{next day} looked in caves & along the creeks. This was on Sunday. I found no trace of him. That evening I learned where the bones were put. I found the bones under the hearth in the cabin turned the large stone over to find them. I found a gallows-buckle in the ashes. I have these bones in a box which I have kept myself. Found the bones in the house where Celia lived. Found them under the hearth and put them on a barean until the next day. I gave them to my brother after the inquest. He took the bones home. I picked them up from under the hearth-rock. These are the bones, and these are the buttons my sister sewed on my father's

breaches, a few days before his death. Found them out ^{pieces} ~~before~~
^{or in} ^{with the hands} the ~~door~~ in the ashes. Sister Mary sewed metal buttons on his pants
George found the knife. I did not see it. (second box produced)
This is the box I kept. This is father's knife. The handle is burned
black, but this is the knife. The ashes were caked up in the fire-place
I broke the lump open, and they had a strange smell. Looked
as if something had been burned in them. I saw no flesh - nothing
like flesh. The ashes were caked up in the fire-place. Celia
(dependant) had been sick, and had not taken out the ashes for
a long time.

Cross examined by defence.

The cabin is about 50 steps from the house. I saw my father
in the evening about twilight, reading at a window. We all
went to bed leaving him in the room. He slept in the room
he was reading in. My son slept with the old man. My
son was there in the morning. I did not notice anything father
was wearing. I did not notice the bed. Sister made the bed up. We
went to bed early. Celia had been sick. Look sick in February
had been sick ever since. Had not been able to work since Feb-
-ruary. The cook-house joins the dwelling house.

Coffee Wanscott being sworn, stated as follows.

X. I. I am eleven years old. Was living in grandpa's house when he
died. I was up in the cherry tree ^{early in the morning grandpa was sitting} Celia said she would give me
two dozen walnuts if I would carry the ashes out. I said go to
hell. I put them out along side of the path. I do not know whether
there was any path there or not - only beat down like. I did not
show where I put the ashes. ^(out of the ashes I carried out) I saw people picking up bones. I
got the ashes out of the house she lived in.

Cross examined by the defence.

I slept with mother. Billy slept with grandpa. I didn't go
to bed in the same room with grandfather. Billy is my
brother. Billy is four years old.

William Powell being sworn, states as follows.

I was at Newson's house the day the bones were found. I found the bones ~~about 75 paces~~ ^{not far} from the cabin ~~door~~. I did not see any bones found anywhere else. The bones were found in the ashes. I think these are the bones found. I saw three or four persons picking up bones. I did not see any bones got from out of the cabin. I was there on the fourth Sunday in June. Celia was at the house. Robert Newson lived in this country.

X.1. (I found the bones where Celia said I would find them.)

Cross examined by Defense.

I was at Newson's about 10 o'clock on the morning after he was missing. There were other persons there. I did not examine the room he slept in. Don't recollect of having noticed the bed. ~~I did not~~ ~~at the time I saw that his hat was missing.~~ I had been there sometime. I went into the cook-house where Celia was. I told her she knew where her master was - that George had said enough to make me believe she knew where he was. She denied it. Said she knew nothing about him. I told her that it would be better for her to tell - that her children should not be taken away from her if she would tell, and that I had the rope provided for her if she did not tell - she still refused to make any confession. At last she said he came to the back window of her house and that she struck him, and he fell back on the outside, and that she saw nothing more of him. Refused for sometime to tell anything more; but said at length that if I would send the two men out of the room, she would tell me. They went out. She said he came into her house - thinks she said he came in at the door. ~~she said she struck him twice.~~ ^{was talking to her when} she said she struck him twice. She became alarmed. Said she became afraid she would be hung for it, and thought she would try to burn him. She got a stick of wood and laid it on the fire, and got some staves for hog's heads near the cabin. She said it was bed time, or about 10 o'clock when she came down to her house. She said she had made threats. Said she threatened him that she would hunt him on condition that he would not let her alone. Threatened to hunt him, not to kill him. She said she intended to hunt him, not to kill him. I asked her if she had told any one she would hunt him. Said she

X2

X3

had told the white family. (She said she ~~threatened him~~) that she would hunt

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him if he did not quit forcing her while she was sick, I do not know what her condition was as to health - had heard she was sick, do not know that she was pregnant. Judge from her appearance that she was. She said she did not intend to kill him - struck twice but did not intend to kill.

X/ Doctor Smith being sworn, stated as follows X

These bones ~~appeared to be~~ ^{are} the bones of an adult human - ~~I suppose~~ they are bones of an adult beyond a doubt.

~~X/~~ Doctor Young being sworn, stated as follows ~~X~~

I can speak with certainty & say these are human bones.

(Here the case was closed on the part of the State)

The following witnesses were introduced on the part of the Defendant

X. 7. ~~Dr~~ Doctor ^{M. D.} Jaso. Martin was sworn. X

The following questions were asked by counsel for defense

1. Can the body of a human being be destroyed by burning in a common fire-place from 10 o'clock P.M. until 11 o'clock A.M.?
2. What time would be required to destroy or consume the body of a man by a wood fire in an ordinary fire-place?
3. In your opinion, as an adept or scientific physician, what length of time would be required to destroy or consume the body of a man, in an ordinary fire-place by a wood fire?

To each and all of these questions the state objected, and the Court sustained the objection, To which opinion of the court Defendant ~~accepted~~ ^{accepted} objection & ~~accepted~~ ^{accepted}.

Thomas Shoemaker being sworn, stated as follows.

I was present with Mr Jones at the Jail. Celia said she struck Newson two blows with a stick, after she struck the first time, ^{he fell} he groaned & threw his hands ^{up} ~~at~~ ~~her~~. The reason she gave for striking him the second blow, was that he threw his hands ~~up towards her, that she~~ that she was

afraid he would catch her. She said she did not intend to kill him when she struck him, but only to hurt him, ~~to keep him from coming after her~~
~~course with her.~~ She was rather at, or towards his back - not immediately
 before him. He sunk down on, or towards a stool, ~~he said he did not~~
~~fall down on his back, but after the second strike.~~ After she struck
 the second blow, she examined to see whether he were dead. He was
 dead. waited a long time did not know what to do. She
 thought she would try to burn him, and put him in the fire-
 place & burned him. The stick with which she struck was ~~very~~
 as large as the top-part of the chairpost of a wicker chair, above
 the seat, but was not so long

Here the case was closed on the part of the defence - whereupon
 the State moved the Court to instruct the Jury as follows (here insert
 the instructions) To the giving of each & every of the above instructions
 to the Jury, the defendant objected, & the Court overruled the objection
 & allowed said instructions to be given to the Jury: To which opinion
 of the Court overruling said objection, and allowing said instructions
 to be given to the Jury, defendant objected & excepted

The defendant then moved & prayed the Court to instruct the Jury as
 as follows: (insert the instructions). To the giving of the First, Fourth
 Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, & Twelfth of said instructions
 the State objected, and the Court sustained the objection; but gave
 to the Jury the second, third, seventh & thirteenth of said instruc-
 tions, prayed for by defendant, and refused to give to the Jury the First
 Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, and Twelfth of said
 instructions: To which opinion of the Court sustaining the objection
 of the State, to said refused instructions, defendant objected & excepted.

The cause having then been argued by Counsel for state, & defendant, the
 Jury retired to consider of their verdict, after which they returned with

the following verdict (here insert the verdict) ⁸ Defendant
then moved the Court to set aside said verdict, to grant a new
trial. (here insert motion for a new trial) which motion was over-ruled
by the Court, to which opinion of the Court, in over-ruling, said motion
Defendant objected & accepted.

Wm A Hall

State

vs } Beck & Co

Debris a claim

Filed 13th Oct 1883

Geo Waring clerk