

till about 1 1/2 hours in the night of the same day that
 he went into the house and lay down on the bed and his
 wife went into the kitchen and after some time returned
 and this witness asked her if the Snygers were at home
 she said they were and that she was much surprised that
 Sim was not gone to see his wife, and this witness went
 to bed and after some time his negro woman and Edy came
 and waked him up and he enquired of this what was the matter
 and she said that Sim was dead and this witness immediately
 got up and asked this negro if any accident had happened
 to him and this negro said there had not, that she knew
 of and this witness sent for some of the neighbors who
 when the neighbors had come this witness with the rest
 of them went into the kitchen and found Sim there and
 lying dead in the bench and this witness with others went
 the side and found on the body and head of the deceased
 evident signs of his having died by the hands of violence
 that there were several contusions on his back and other
 parts of his body especially one on his back where the bone
 appeared much broken and on the head and that there
 was cut thro and when raised up he bled a good deal
 the ear and that he had a bruise on each shoulder
 and Nancy Gardner of full age being sworn says that on
 Saturday night the 24th of July last the night in which
 Sim the deceased was killed she returned home with
 her husband about 1 1/2 hours in the night and that she
 immediately went into the kitchen where she saw
 the deceased lying in the bench and called to him and
 made her no answer pretending to be asleep but this
 did not satisfy her as sleep and this witness immediately
 went into the house and told Mr. Gardner that she
 supposed that Sim was not gone to see his wife
 And Edy a negro woman slave the property of
 Gardner of this County being charged says that she