

68 the accused asked the prisoner now at the bar to go out to work  
with him on the same day that Sim was killed that the prisoner  
replied he might go on and he would follow immediately  
But Sim the accused insisted on the prisoner to go with  
him and the prisoner still refusing Sim appeared angry  
and struck him with a small stick that they then en-  
gaged for a fight, and this rioting turned off and went  
into the house and after a little time Bob and the de-  
fendant fell into the house together and Sim remained on the floor  
and that Bob took Sim up and put him on a bench and that  
this witness took hold of Sim's hand and helped Bob with him  
to the bench that Sim's hands appeared limber and that Bob  
said that this had been so for a long time and that now  
he had got his satisfy and that this witness went after  
some time to get some chips to mend up the fire and  
feeling about in the dark she touched the hand of the de-  
fendant which felt cold and that after she had kindled up the  
fire she saw Sim's hand lying on the floor and she felt of  
his hand and it felt very cold and she thought that he  
was dead and that she called Bob and he not answering  
she went to him and told him that Sim was dead but Bob said  
that Sim was not dead yet and this witness again went and  
looked at Sim and found that he was dead and Bob came  
and looked at him also and said that he was dead and this  
witness said she would go and inform her master and Bob  
said as you may and she went and called up her master  
and told him that Sim was dead.

Abraham a negro man slave the property of Micajah  
Griffin of this county of full age being charged says that on  
Saturday the night on which Sim was killed he went home  
with Mrs. Gardner about 1 1/2 hours in the night and that  
he went into the kitchen and saw Bob lying on the bed  
and that he spoke to him and that Bob the prisoner made  
him no answer and that he sat some time and saw a  
Negro woman come in and he got up and saw Sim lying