

the child there was no danger of his killing her that if she would go with her, and she went with her and as they were going thro the cotton patch towards the place, Dick pointed his finger and told this deponent there it was by the side of a log that the log appeared wet as if it had been washed, but there appeared but few drops of blood on the log, and this deponent asked the child if she fell off the log, and she said no that he (meaning Dick the prisoner) laid her on the log and held her mouth with his hands and that it was he that had hurt her, that he first tore her with his fingers and said Mamma want tell him he will kill me and this deponent asked the child if what she has said was not a story and the child said no Mamma what I have told you is the truth and has knows it to be the truth and if she (this dep't) would go with her down on the side of the branch she would show her where he (meaning Dick the prisoner) washed her & that there was a heap of blood there where she stood when he went to get water, and when this dep't got to the place the child told her to kick up the sand with her foot & she would see blood, that there appeared a good deal of blood covered by the sand, that there stood a good cloth with bloody water in it, & this dep't ask'd the Child how came he (Dick) to cover up the blood & she said because he ^{did} not want any body to see it, that the child threw her arms around her this deponent's neck, Oh! Mamma you don't know how I was hurt, that Dick choke her & said I've a great mind to kill you & pick'd up a chunk and run it in her face saying I wish she was dead, & I have a great mind to kill you but I had to do any thing and after some time he pick'd her up in his arms & she said

she told him about her down & so let her walk let her come to her mamma and tell her of it and he said he would not that he would carry her & tell her of it himself that he would carry her to this house —

Question On the part of the prosecution — of what age is your infant child — Answer she will be 5 years old next July —

Q 2nd from the marks of violence upon the child Sally did you believe she had been entered or penetrated — Answer I do fully believe it —

Q 3rd Has the child got well —

Answer she has not for ever now drops of blood run down her legs & thighs — and further said not Dany a negro boy about 16 or 17 years of age of prompt understanding being charged deposed that about the first of picking up ^{the} Dick the prisoner made very fond of the child his Miss Sally — that about the time of picking out cotton this deponent heard Dick say that he meant bringing up Miss Sally to his own hand that after doing of it to her once or twice that he could do it to her at any time he pleased afterwards that she would be big one — and this dep't said she would be two young but Dick I^d he'd be damned if she would she was big one and he could do it that On Monday ^{early} in the morning this dep't being in the cotton patch