

## THE SENTINE FRIDAY, JULY 7, 1876. THE SWEPSON TRIAL. Complete Record of the Case.

WEDNESDAY MO The court opened Wednesday morn-ing at 9 o'clock. The cross-ciamination of Gol. T. M. Holt was resumed.

The cross-examination of Gol, T. M. Holt was resumed. Question by the State; State if you had a conversation with Sam. Oliver on the night after the fragedy 2 Answer: I did, about 11 p. m. on the night after the shooting. I called him into my office and sold him to tell me how it occurred. The defense objected to the admission of the conversation on the ground that Sam, himself had denied that he had told about it to any one, except to McCulloch Whiteell. The State ought not to be allowed to contra-dict its own without. The objection overraled and the avidence allowed, Sam told me that as they were going on by Swepson's Swepson came out and asked Moore if he was ready. Moore answered "yes;" but Moore said, "I will not fight or shoot with you in your own yard, but if you will come out into the open big road I will either fight or shoot with you." He wild Swepson stepped back into the house and fired, and Moore repeated that he would not fight or shoot with him in his own yard, but would do either if he would come out into the open big road. He said Swepson shoot again and Moore fell. Moore then told him to come on down to the factory and tell Tom, Holt. I asked him if Moore attempted to shoot. "He taxwered "top." He mid Moore was looking lowards the factory when he re-coried the factory when he re-coried the factory when he reasked him if Moore attempted to shoot. "It supersed "so," He said Moore was looking lowards the factory whas he re-ceived the fatal abo. Sam. add Swep-son came out on the cast porch to ask Moore if he was tendy. I am certain he said it was the sait porch. Sam. said be-present during the conversation. The said state present during the conversation is shoot. "Cross-examined-Captain Graham was present during the conversation. The said forth. He told me Swepson and from the cast door. I don't any positively that he said door. I don't any positively that he said door. I don't any positively that he said door. I don't say positively that he said the whole conversation. He teld me Wood Smith ran off up the road. I don't know Wood, and don't know that he is taller. I know Wm. Scott. I was at thow whole on the firm off the sarger and heavier built. I don't know that he is taller. I know Wm. Scott. I was at thooght the matter over since the ques-thought the matter over since the ques-th

nothing of my own, personal fledge of where he lived during the but heard he was living in Arkan-He was of the first order in point sas. H of physique; exceedingly stout and ac-tive. I suppose he would weigh 200 pounds. He was in fine health. The prisoners age is between 50 and 60, about 57 I think. I was at Ala-60, about 57 I think. I was at Ala-mance court shortly after a postal card was sent out in the mails. The card purported to be from one Mary Bivens. I don't recollect exactly the date, and can only say I think it was at August court of 1874. On Tuesday of court, as I was going from the court-house to my room at the hotel, Moore met me and alice the usual salutations, he told me he wanted to see me on some vary impertant business. I asked him to my room. We went into the room.

impertant business. I asked him to my room, We went into the room. Moore closed and locked the door. He asked me if I had seen the card that had been issued through the mails, at tacking his character. I told him I had and that I thought it was a great out-rage. He said he knew who was the author of the card; that it was George W Swanson; that he knew where W. Swepson; that he knew where we pson was at that the knew where Swepson was at that time; that he, Moore, had a detective travelling with Swepson; that Swepson had been ex-pected home on the day before, or on that day, but that he would not be home until next day; that he had writ-en testimony connecting Swepson with ten testimony connecting Swepson with the card; that Swepson was at the bot-tom of it without a doubt. He then then pulled off his coat and showed me two pistols, I took them to be Colt's navy pistols, in the rear pockets of his pants. He said that he had armed himself to kill Swepson and was going to do it; called Swepson a "damned thief, coward and scoundret.". He said he wanted me to tell Swepson what he had told me; that he, Moore, was a brave man and he did not want to kill

man to whom I had sold some land. We were out hunting some need wheat. I told Moore that Oreswell, the English-man, was much pleased with Swepson's house on the hill. Moore said that if it was not for such damned rascals as Swepson we would have a great many such men as Greswell smong us, and that he was going to kill him, Swepson, and all such damned rascals. I told this to my brother, C. Mebane, not long after-wards. *Cross-crassingd*—This was four years

wards. *Cross-examined*—This was four years ago. I didn't say at Graham that Moore said he was going to kill out all such damned rascals as Swepson. I said Moore said he intended to kill Swepson and all such damned rescals. Cornelius Mebane called and examin

ed: I am D. A. Mebane's brother. M M brother communicated the threats he bad heard Moore make against Swepson in the latter part of 1874. He told me that he and an Englishman, named Creswell, were together at Haw River and that Moore was asking him who Creswell was, and that when he told him that Creswell was and that when he told him that Creswell and that when he told him that Creswell was much pleased with Swepson's place up on the hill, at Haw River, Moore said that if it were not for such damned ras-cals as Swepson we would have a great many men as Creswell among us, and that he intended to kill all such damned rascals. I was at Swepson's Haw River place the day after the shooting. The ground was soft. I examined the tracks around Swepson's house. The tracks were those of a grown man and two boys. I could see where they got over the fence and I followed them round. I saw where they got over the second fence ; where they got over the mird fence, T was present when Mr. McDuffie made his present when Mr. alcounte made his survey and went with him. The line marked A. B. C. D. E. F. on McDuffie's map represents the route Moore took around Swepson's house. I am super-intending the building of a factory for Swepson down the river some six or seven miles from Haw River station. I have been ten years in Swepson's em-ployment. I went up to Swepson's the evening of the shooting. I got there about 7 p. m. I went from the factory to Mebaneville and from Mebaneville to Haw River. My brother Dave and Squire White went with me.

Gross-examined-The factory I am su-perintending is of the same class as Holt & Moore's. Before taking charge of the factory, I was in Swepson's employment in Western North Carolina; had charge of some lands of his there; reuting the or some innes of his there; reating them and collecting the rents. It was wet enough for a man to leave a track. I will not say that it was muddy. The ground was soft enough for a man to leave dirt on the fence. I saw where they got over the fence; there was every indication that men got over there; the dirt was on the rails and the tracks led dirt was on the rails and the tracks led away from the fence on the other side.

was at Holt & Moore's store at Haw River in November, 1872, and in a con-versation with Moore he said he intend-ed to kill Swepson and all such damned rascals. I went there with an English-man to whom I had sold some land. We had not cursed me to my face that year. I had heard of his cursing me, but he afterwards apologized to me. We were friendly after that. I don't know what room Moore had referred to—the room at the hotel I suppose. I saw Swepson in the room afterwards. I don't know whether that was the room he stayed in or not.

W. S. Ramsay was called and exam-ined.—I live in Baltimore ; am a sales-man for a grocery house. I was at Haw River on the day of the shooting. I went down on the train from Graham ut 12 m. I went from the train into Holt & Moore's store. I asked the derk for A. G. Moore. He said he was ome, over at the office, he supposed. I left my baggage in the store and went over to the office. I found an old gentleman there. He said Moore had gone tleman there. He said Moore had gone hunting. I stayed there about an hour and a-half, as well as I can remember. I then went to the depot, thinking it was about train time, and was standing near the water-tank, when I heard loud cursing in the direction of Swepson's. I stood there five or ten minutes. I saw Moore coming down the road with two dogs. I recognized him when he got within about one hundred yards of me. He asked me what in the hell was I doing there. I told him just was I doing there. I told him just bruising round, trying to sell some goods. He said he had just been up there trying to kill a damned rascal. I asked him whom he referred to. He answered "George Swepson." I reasoned with him and told him he had better for the matter drop c. that if he killed Swepson it would give him great

trouble; that he would never get over it. He said he had dared him to show himself from behind the brick walls, When I first saw him he was about half way between the depot and Swepson's. I heard the noise before I saw him. He was cursing loudly. I could not tell what words he used, but it was cursing. He said he had dared him to put his head out from behind his brick walls, and when I expostulated with him, he told me I did not know what he knew. This was all the talk we

had, as near as I can recollect. He invited me then over to his office. I told him I did not have time, but he insisted and told me he had some Jerry Holt whisky and wanted me to go over and take a drink with him. I went over, and Moore, Jerry Holt and I all took a drink together. I then went back to the depot and took the train and went to High Point. I stayed with Jarrell there. I told Jarrell about what I had heard Moore say before I heard of the shooting. I told him about what I have told here, as near as I can recoiled. I don't remember the words I used, but I told it about as I have told it here. then came back to Greensboro, and from Greensboro to Reidsville. I am a native of Chatham county ; was born in Pittaboro ; my father's name was Joseph Ramsay. This was the only family of Ramsays in that region that I know of. *Cross-examined.*—I said Moore told me he had dared Swepson to show him-self from behind the brick walls. He told me nothing more than I have told here to-day. I did not eat dinner with Moore. I did not stay in his office more

MISCELLANEOUS.

SECOND EDITION OF THE ONLY LAST WILL AND TESTAMENT lo

GEN, GEORGE WASHINGTON, Embracing a Schedule of his Real Estate, with Elaboratic Notes thereto by the Testator, to which has been added interesting His-torical, Biogrophical and explanatory notes by the Publisher, containing Genealogy of the Washingtons, History of Mi, Vernon, History of Mi, Vernon Ladles' Association of the Union, History of Fairfax County, Va., wherein Mt, Vernon is situated. History of Washington and Lee University, at Lexing-ton, V. History of Alexandria Academy (andowed by Gen. Washington). History of Washington and Lee University, at Lexing-ton, V. History of Alexandria Academy (andowed by Gen. Washington). History of Washington and Lee University, at Lexing-ton, V. History of Alexandria Academy (andowed by Gen. Washington), and after, the iste Civil War. Biographical sketches of Gen. Washington and notice of his death and burial. Biographical sketches of Mrs. Martha Washington and the Curitis family. Biographical sketches of Lev. Lord Bryan Fairfax and the Fairfaxes. Biographical sketches of Dr. Craik, Washington's intimate friend and family physician. Biographical sketches of General de LaFayette. Amerida sketches of General de LaFayette. Ameridat sketches of Marths Washington), and of LaFayette-together with full and com-plete explanatory notes of different deviase, donations and other matters of interest com-mected with the Will, Also extract from Will of Dr. Benjamin Franklin, devising GEN. GEORGE WASHINGTON

of LaFayette-together with fail and com-plete explanatory notes of different devises, donations and other matters of interest con-nected with the Will. Also extract from Will of Dr. Benjamin Franklin, devising cane to Gen. Washington, and fac. simile of the Washington Cost of Arms. This publication has been commended by the following distinguished men: Chvillier M. Cerrutti (late Italian Minis-ter), Baron Yon Gerolt (late Prussian Minis-ter), Senor Komero (late Mexican Minister), the late Hoa, Reverdy Johnson, the late Gen. Robert E. Lee, Hons. T. F Bayard, Schuyler Collax, W. Pinkney Whyte, F. E. Spinner (late U. S. Treasurer), George S. Boutwell (late Secretary of the Treasury), William Sprague, Geo. Vickers, D. J. Mor-rill, E. D. Townsend, John Sherman, Horace Maymari, Benjamin, F. Buller, T. T. Sceling-Ruyan, Thos. A. Insudricks, Binon Cameron, Roscoe Conkling, and many others.

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make repeated threats against Swepson's life during the last three years ? The State objected to the question.<sup>4</sup> Here the question of admissibility of uncommunicated threats to show the state of feeling of the deceased toward the prisoner, and the admissibility of evidence of the character of the deceased for violence, were discussed. The Court ruled that evidence of the violence of the character of the deceased was prop-erly admissible under the circumstances of this case, but preferred that the deerly admissible under the circumstances of this case, but preferred that the de-fence lay a foundation for the introduc-tion of uncommunicated threats, by giving in evidence the communicated threats. The defence then withdrew their question for the present, with leave to open the case upon this point afterwards

wards. The State here rested its case, and the defence, after an opening of their case by Judge Ruffin, who stated briefly and succinetly the line proposed by the de-fence, called their first witness David McDuffey, tastified as fol-lows: I am a civil engineer; have been in the business 29 years. I made a sur-vey of Swepsen's premises at the request of Col. Fuller, whom I have known for some years. I live in Cumberland some years. I live in Comberland county. I made an actual survey ; took county. I made an actual survey ; took the elevations as well as the courses and distances. I used a compass, chain and level. I took the actual measurement of the house and rooms. The survey is as accurate as I can make it. [Here two plats were shown ; one of them showing Swepson's house and grounds, the other showing the same, with the addition of the fields included between the milroad and the public road, from the river to near Baker's ; and the various points and the public road, from the river to near Baker's; and the various points and lines on them described and ex-plained by the witness.] I took the Haw River bridge as the base of my level in getting the elevations. I made the line representing Moore's route according to Mr. C. Mebane's direction.

The remainder of this witness' evi-dence, referring as it does to points on his maps, would be unintelligible withont the maps. Here the Coart adjourned until 3:30

o'clock.

WEDNESDAY AFTERNOON.

RucY. McAden a witness for the osecution, was called and examined-I live in Charlotte, I lived formerly in Alamance county. I was raised in Caswell county. Swepson married my aunt. I have known A. G. Moore from boyhood. We were raised in the same county. I knew Moore's general character. He was a high-tempered, violent, dangerous and desperate man, and when under the influence of passion, or whiskey he was more like a crazy I should say Moore was about 35 years old. I don't know his age; between 30 and 40 though I should say. He lived in Rockingham before the war. I live at Mebaneville, N. C.; have heard

Question: Have you not heard Moore make repeated threats against Swepson's life during the last three years? The State objected to the question. Here the question of admissibility of uncommunicated threats to show the state of feeling of the deceased toward the prisoner, and the admissibility of evidence of the character of the deceased for violence were dimensed. The Court of the the public prints. I expostulated with him, and told him that if he were to kill Swepson he would be hung for it. He said "no," that when in Greensboro a few days before, as peaceable a man as old man Jesse Lindsay, had remarked that no jury would hang a man for killing the author of that card. This is the parameter of the conversition as a I substance of the conversation so far as l can recollect. I don't say that it was the exact words, but as near as I can recollect. I communicated this to Sweprecollect. I communicated this to Swep-son; told it to him more particularly, if anything than I have told it here, because it was fresh in my memory then. I told it to Swepson in a very short time. As soon as Court adjourned I went down to Swepson's and spent a day and then it was that I told him. I don't recollect having any further comparation with iaving any further conversation with Moore about this matter. I told Swep-son that Moore had requested me to tell him he was going to kill him. Cross-examined—I don't think I ever

and any further conversation with Moore, Question: Didn't you say in Graham, before the magistrates, that you talked with Moore the next slay about this same thing?

Answer : Since you remind me, I do remember that Moore sought me next day and went over very nearly the same conversation, only that he was much more quiet. He was not near so violent as he had been on the day before. When I said I never had any further talk with Moore about this matter, I meant I never talked with him after that Court in Alamanee about this matter. One of the postal cards was here shown the wit-ness and he was asked if this was not of the same kind as he himself had received. The question was objected to by the defence, Swopson not having been shown to have been connected with the card. The card shown here is of the same na-ture with the one I received. I can't Answer : Since you remind me, I do ture with the one I received. I can't say that this is a copy. I don't think the contents of the set the contents of the card were mentioned during the conversation. The threats I have mentioned in immediate connection with the averment he was then making, with the averment he was then making, that Swepson was the author of the card. I don't recollect that Mary Bivens was named. I think Moora's character was that of a bully. He had the character, when not under excitement, of being a free-handed, open-hearted gentleman. He was a man of desperate courage. He made no threats against any one at that time but Swepson. I denounced the card because of its character. I thought it was an ontrage. I cannot recollect all it was an outrage, I cannot recollect all the names Moore called Swepson. He called him a thief, scoundrel, and a

Redirect-I never had any conversa tion with Moore concerning this matter after I had detailed his threats to Swepor whiskey he was more like a crazy man than anything else. He was what is usually denominated a bully. Moore's character has been as I have described it ever since the war. I knew nothing against him of this character as a boy. I should say Moore was about 35 years is should say Moore was about 35 years

coward.

I lost sight of him during the war. I Moore make threats against Swepson. I

There may have been bunches of sage in the field there. It was not a broom sage field. It might have been cultiva-ted the year before. I cannot say that the land had not been cultivated the year before. There was not a great deal of grass in the field. I could track them all the way. Sometimes we would lose the track, but after looking round a little we could find it again. I was not asked anything about the tracks on my examination before the magistrates. I think I told Col. Fuller about how the tracks were before my examination. I marked the fence where Moore got over with the letter M. There were some natural points to guide us, besides the places where they got over the fence. I don't know that I told or didn't tell McDuffis that the line cut off two trees next to the house. I showed McDuffie the line and he measured it. Richard Nutt was with me when I followed the tracks around. I made no marks except the notches on the fence. What I have repeated as what D. A. Mebane told me is the substance of what he said; it was something to that amount I told Swepson in the latter part of 1872, or in the carly part of 1873. I told him the first time I saw him. I was some fifty miles away from Swepson when it was told me. I didn't

write to bim. I don't think it was a month till I came down here and told Swepson about the threats, I came down on other business. I told him for the reason that one brother would tell another of a threat he had heard against his life. Swepson is not my brother; he is a very particular friend. *Redirect* —I made the marks and fol-

lowed the tracks at the instance of Col. Fuller on the next day after the shoot-ing. I was enabled to remember the line over which I had followed the tracks by my general knowledge of the ground.

A. Murray was called and examined : I live in Alamanee county ; have known Moore eight or ten years. I was at Greensboro in 1874 at the time of the difficulty Moore had there with the difficulty Moore had there with Green. I talked with Moore about Swepson then. I told Swepson what passed between us. After Moore's dif-ficulty with Green, I approached Moore and told him he ought not to have scared that poor fellow Green so badly. He hughed and said he had only scared the son of a bitch and pulled his ears; that that was all he wanted with him; that he was not the man he was after; that he was not the man he was after; that Swepson was the man he was after; Green was only Swepson's tool, and that if he (Moore) had been let alone he would have fixed him (Swepson) there in that room; that he was bound to keep the peace now, but would not be bound always, and he would get him yet. I told Swepson next time I saw him. I don't know long it was. I know Moore's character for a violent man when he he didn't like a man. He had the repu-

tation of being a very violent man. Cross-examined.—The Greensboro difficulty was in September, 1874, after the card had been published. I was there as a witness in the suits against Green. I told him he had scared Green pretty bad. He said Green was not the man he was after; that Swepson was

than five minutes after he came. Question .- Was that all Moore said; that he had dared Swepson to show himself?

Answer .- He said, as I have stated, that he had dared him to show himself from behind the brick walls. There was no one with Moore when he came to the tank where I was, except the two dogs. I think I mentioned the matter to Wm. McAdoo, in Greensboro, the next day. I was not examined before the magi-trates in Graham. Never communicated these threats to Swepson. When first notified to attend as a witness here I was on the railroad between Ducham and this point. I do not recollect telling any one but Jarrell and McAdoo. I told it to McAdoo after I heard of the shooting.

Redirect—Col. Fuller approached me on the train coming down here and told me he had understood I knew something about this case and wanted me to tell what I know. The day I went to Haw River I went down on the down train to sell to Holt & Moore some goods, I stayed till the up train came and went off on that train.

Court adjourned till Thursday morning 9 o'clocd,

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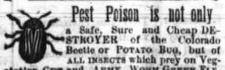
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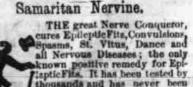
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