

support the charge, and had also sent a copy of the testimony, which is in substance this :—

The prisoner, John Anderson, in and before the year 1844, and from that time till 1853, was living with one Moses Burton, whose slave he was, in the County of Howard, in the State of Missouri, one of the United States of America.

In 1853, before September, Burton transferred, that is, as I infer from the evidence, sold, Anderson to one McDonald, who lived in Saline County, in the State of Missouri, about thirty-two miles distant from the residence of Burton.

Anderson had a wife, who lived with one Samuel Brown, in Howard County, about two miles from Burton's.

In September 1853, Anderson had been seen by several parties in the neighbourhood of Brown's, and Brown's farm and McDonald's being on opposite sides of the river and so distant from each other, it was suspected, and was rumoured in the vicinity, that Anderson had run away from his master McDonald, and he had in September 1853, a day or two before his meeting with the deceased, Seneca T. P. Diggs, been seen on Brown's farm by two persons, who pursued him in order to take him up and deliver him to McDonald, from whom it was supposed he had escaped. He ran away from them, and had been about three weeks from his master McDonald, when, about the 28th day of September, the deceased, Diggs, who lived about six miles from Brown's, having been at work in his barn with some of his negroes, was going from thence across his field to his dwelling-house, about noon, to get dinner. He had four of his negroes with him, and on their way to the house they met Anderson, who asked him if he could tell him where one Charles Givens lived. This Charles Givens lived on the next farm to the deceased, Diggs, and in answer to Diggs' inquiry of Anderson where he was going, and to whom he belonged, Anderson told him that he was going to Givens to get him to buy him. He belonged, he said, to a man on the other side of the river named McDonald, and he added that he did not want to live on the other side of the river, because his wife was living at Brown's, on the same side as Diggs lived, and about six miles from his farm and Givens'.

Diggs then asked him if he had a pass. He said he had not. Diggs remarked that that looked suspicious, as he was so far from McDonald's, and that he must be a runaway. He told Anderson also that he could not allow him to go without a pass, for that he would be himself responsible; and he told Anderson to go with him to his house and get his dinner, and that he would then go with him to Givens and see about the matter. They were at that time going towards the house; Anderson was going quietly along the road, and as they came near to Diggs' house he suddenly started off and ran away. Diggs called to his four negroes to run after him, telling them that if they could catch him they should have the reward.

Diggs had a son of his with him, a child about eight years of age, and did not keep up with the negroes while they were pursuing Anderson, but followed them. Anderson, while he was running from the negroes, took out a knife and called out that he would kill them if they came near him. The negroes had continued chasing him round for some time in a kind of circle, when Diggs, having gone across the circle, saw Anderson not far from him on the other side of a fence, and with his little boy got over the fence and continued the pursuit, having a small stick in his hand. Anderson, when Diggs had got about six yards from the fence, turned upon him, having an open knife in his hand, and ran at him. Diggs struck at him with the stick, which caught in some bushes and broke; and then Anderson stabbed Diggs with his knife (a long dirk knife) in the breast. Diggs turned to run from him, and caught his foot in a vine, and fell, when Anderson went up to him and stabbed him in the back and ran off. Diggs got up and walked fifteen or twenty yards, and then fell, being unable to get further. At this time one of Diggs' negroes was about twenty yards from them, and the others were at a distance, and, for all that appeared, may not have been in sight. The negroes continued to pursue Anderson, but he escaped from them and found his way to Upper Canada, where he was recognized, and apprehended in the spring of this year, 1860.

The place where Diggs was stabbed was about a mile distant from his house. His little boy remained with him an hour or more, till one of the