

**"A CIRCUMSTANTIAL ACCOUNT OF THE EVIDENCE PRODUCED ON THE TRIAL OF LEWIS LEWIS THE YOUNGER"**

Thomas Lewis brother to the prisoner, and an accomplice being Sworn said That he knew Thomas Price by sight that he was a near neighbour that some time before the deceased disappeared the witness had conversation with the prisoner viz:- in the May before and that the deceased disappeared in October following. That the prisoner came to the witness and told him their Father offered a Bank of Sheep for killing Thomas Price, viz. (as many Sheep as grazed upon Bryn-Melis) and prisoner told witness that he would not do it himself after which prisoner went away and no other answer was made by witness than "That is it." Afterwards in two or three days time the prisoner came again and told the witness that their Father said if he could procure another to assist in killing Thomas Price he would give two banks of Sheep and whoever went with the prisoner WAS TO HAVE ONE immediately and asked the witness if he would go with him for his father would give Bryn Melis to the prisoner and Bryn-Melis to the other. Then the witness asked how that was to be done and "they save themselves" when prisoner answered "if you will not come, I have one that will." The witness then said on hearing his Father would give such a reward and that another would join, that he would go. Here the discourse for that time ended. Before the end of that week, witness went to his Father's house but did not then see the prisoner, but the following week he saw him, when prisoner asked witness if his Father had told him the same as he had, to which prisoner answered:"Yes" When the prisoner asked him if he was resolved to come and witness again asked how it was to be done and they "save themselves" to which prisoner answered he had one who would do it if witness would not, when the latter asked who that person was but prisoner said he would no tell him, the witness then said "on account of the Bank of Sheep he would come"

No further discourse happened till three weeks before the murder of Thomas Price when the witness met the prisoner on a Monday at Builth the market day and went with him to a public house, where the prisoner again asked the witness if he was resolved to come with him to kill Thomas Price to which the witness answered "that he was already poor but he would be poorer still before he would assist him." The prisoner then said if he would not come he had one who would, when witness who he was, but the prisoner would not tell. That the witness had no further discourses about it till the morrow when he met Evan Davies, that the witness did not see prisoner again till the Sunday night before the death of Thomas Price when the prisoner came to the house of the witness and they went to bed together, where the prisoner asked the witness if he was resolved to come and assist in killing Thomas Price, on which witness asked where the prisoner intended putting him, to which he answered "in one of the two pools of dead water'. They are called the Variens.

Peggy, their aunt then came into the room when the discourse was dropped till the next morning when the prisoner asked if the witness would come or not, who replied he did not know whether he would come or not, on which prisoner said "I don't know if I shall ask you again".

Afterwards prisoner got up, dressed himself and went out about break of day, but the witness remained in bed for a short time after him until about sunrise, when he went out. The first sight he saw was prisoner and Evan Davies. The former ran from Evan Davies and called to the witness to come up quickly. This was upon the bank above the house called Eskyr-Nevill. The prisoner turned back to Evan Davies and they both went together along the bank and the witness

went along the side under it. He then saw Thomas Price coming across the hill, they all three met by the side of Eskyr-Nevill, viz:- prisoner, Evan Davies and Thomas Price, the witness following about 50 yds distance, on coming up to them he heard the prisoner ask Thomas Price "Why he gave him a summons on which Thomas Price asked the prisoner "why he worried his cattle upon the hill" upon which the prisoner lifted up his stick and struck Thomas Price on the side of the head, when he fell,. And as he lay down said, "Don't, don't now." Then the prisoner threw himself upon Thomas Price's head, Evan Davies upon his breast and the witness on his feet that Evan Davies took a cord out of his pocket and with the help of the prisoner placed it about Thomas Price's neck. The prisoner then took hold of the cord. Evan Davies asked Thomas Price (jeeringly) "If he would come again for small horses and cattle of his or his aunt's." Afterwards Evan Davies with his fist hit Thomas Price on his stomach. In the mean time the prisoner drew the cord towards him, and held it tight. That Thomas Price stretched his legs a little upon receiving Evan Davies' blow and then expired. That the witness saw blood come from Thomas Price mouth and nostrils after he had received the blow from Evan Davies. That the prisoner desired the witness to hold the cord in his stead, which he did, and the prisoner riffled Thomas Price's pockets, took his purse out and put it in his own. The prisoner said he must throw him into a small pool near but not seeing the witness go on quick enough the prisoner laid hold of the cord, Evan Davies then laid hold of one leg and the witness of the other, the prisoner having hold of the cord about the deceased's neck and he was thrown into a pool about 15 yards distance. That the prisoner (after the body was thrown into the pool) took off the cord and led away a spaniel that was with Thomas Price and told Evan Davies and the witness to go home which they did. That the prisoner never told the witness what he did with the dog. That the witness went that day to Builth and on the morrow saw the prisoner at his father's house, that he then asked what was in Thomas Price purse. He replied "six shilling's and that the witness should have two shillings, Evan Davies as much, and himself would keep the remaining two. That in the afternoon the prisoner and his father asked the witness if he would go with them that night in order to put Thomas Price into some other place, when the witness refused and then they two went away, but whither the witness did not know. On the morrow (Wednesday) got up and leaving his father and brother in bed went to his work, some time after the prisoner got up and came to the witness in the field who asked where he had put Thomas Price to which the prisoner replied "he was not to trust the witness with secrets, as he had no been as good as his word." The witness frequently repeated the same question and always received the same answer "That he should not be told" and about Christmas particularly he again asked "Where in the name of God he had put Thomas Price's body?" and was answered he would not tell anybody, but asked the witness if he had been searching the large pool, who answered "Yes" and that there were people along with him searching it viz:- David GvAilim, Thomas Davies and others, to the number of one hundred and upwards. The prisoner then asked if the witness had searched the smaller Pool when being told no, the prisoner said "Has He." That the witness had not further discourse upon the subject till May following, when the witness went to the hill by himself and walked around the small Pool; that when he had walked halfway round on his return he saw the corpse of Thomas Price, he turned it on one side till hid face was towards him, and his feet were within a foot or a foot and a half of the surface: then he went home to his father and afterwards he and his father met his brother about half a mile from the Pool on the day after he had first seen the body and at night they three went to the Pool, when the witness showed the prisoner where he had seen the body the day before. The prisoner then put his stick in the water and felt the body and when it came to the surface of the water, the prisoner leaned upon the bank of the Pool and took

hold of Thomas Price's feet. They then got him up and the prisoner with his knife cut a cord which fastened a stone to his body. The witness had never before seen this stone and it was rolled back into the Pool by his father. The body was afterwards put into a sack and the cord along with it and the mouth of the sack tied, and afterwards put upon a hearse and carried to the prisoner's house; when they came home no one was there though the prisoner kept a maid servant it was about two hours after night. The house is solitary though some houses are in sight. They then made a fire of wood and turf in the middle of the house and after placing a bench over the fire they took Thomas Price's body out of the sack and placed it upon the bench; and two of them attended the fire while the third went out occasionally to see if any people were coming that way. That the night being too short to burn the whole they at break of day got a pail of water and put all the bones that were unburnt into it, the rest they trod and stamped under their feet in the hearth afterwards, part of the fire was drawn on one side and the rest quenched with water and the ashes were put into a basket from the health and strewed in the garden though the witness does not know but some bones might have remained in the ashes but he did not see them, as the night was very dark. He knows the skull was thrown out with the ashes and that it was stamped upon and crushed. The witness says all the bones they thought were unburnt were gathered and put by his father into a sack which the prisoner held, and afterwards the sack was carried home by his father on horse-back before him to his fathers house. That the prisoner and witness went along with their father to his house and put the sack into a sawpit for that day. The prisoner then went away but returned the beginning of the next night when all three went to the sawpit for the bones and after having made a fire they put the bones upon it. The mother was at that time ill. After the bones were burnt part of the fire was put on one side and the remainder quenched. The ashes were gathered and put into a basket and thrown into the garden but the witness cannot say whether anything but ashes was thrown out as there was not sufficient light to distinguish whether there was bones in the ashes or not.

The witness says that Thomas Price had on when murdered a jacket (not a coat) something of a drab colour and breeches of the same. That the witness disclosed this business of his own accord to a magistrate about a fortnight after he was put in gaol where he has lain about eleven weeks or something more.

On his examination the witness said:-

That he was taken up at the time Thomas Price was missing on suspicion of knowing something of this offence but that he made no discourse then. That after he came to gaol he sent for a Magistrate who came and asked him what he had to say. He declared no one had told him he should have any assurance of favour. Nobody held out hopes to him. It was something that pressed upon his heart and conscious that caused him to disclose it. He thought God would forgive him if he did. He had no hopes of favour in this world. That the prisoner applied to him five times in the whole to assist in killing Thomas Price. That he did not himself propose it to the prisoner but that the prisoner always began it first. That he did not intend to assist in the murder when he left the house and that he had refused to do it when the prisoner got out of bed. That the halter that had been about Thomas Price's neck was burnt. That he is certain that it was the prisoner that fell about Thomas Price's head. That there was a chimney in the prisoner's house which carried off the smoke when the body was burnt, that it made a great smoke. That they began an hour and a half after night and continued until daybreak, that he went out often to see if anyone was coming. That he could see smoke but being a dark night he could not see much of it. When the bones were burnt at the prisoners house the night was no so dark as the

first night. That two houses are in sight of it but the people in them could not see the smoke at that distance as it was too dark.

GWENLLIAN PRICE, WIDOW OF THE DECEASED THOMAS PRICE, BEING SWORN SAID:-

That her husband went out of his own house very early on the Monday morning to bring down horses for ploughing from the hill. That the Lewis's and Evan Davies were upon bad terms with her husband. That they had been at law together and that her husband's dog was found dead on the mountain.

John Lloyd being called and sworn said:-

That he saw prisoner on Llanafan Hill on Monday morning the day on which Thomas Price was missed about a mile from the prisoner's father's house and going towards it, he was running and it was about sunrise. On his cross examination said that he spoke to the prisoner and asked him where he had been and received for answer that he had been in pursuit of a mare. That they then were about a mile and a half from Eskyr-Nevill on the road from thence to Argoed and that the horses belonged to the prisoners father, used to graze upon that hill.

Thomas James being called and sworn said:-

That he lives in Llanafan Fawr and saw the prisoner on the Monday at his fathers house before breakfast, that he witnessed his stockings down and drops of blood about his stockings, shoes and buckles - on his cross examination said:- That the prisoner when called by his mother came and immediately, without any reluctance, that the witness took no notice of the blood to the prisoner but mentioned it to his own family at home and told it to one David Davies when he heard Thomas Price was missing, but that he had not heard of Thomas Price being missing when he told it to David Davies, he also mentioned it to several others. He acknowledged to have frequently quarrelled with the prisoners family, but was not then at enmity with him.

Howell Davies being called and sworn said:-

That he knew Thomas Price that he saw the prisoner on the Monday on the Monday on which Thomas Price disappeared, that witness was threshing with the prisoners father in the barn that the prisoner came in to the barn that he saw blood on the prisoner's stockings, shoes and buckles, that he and his father went out one at the foredoor and the other at the back door that they met at the end of the back door that the witness went out to look for one of them to thresh with him that he hear the prisoner tell his father that "Thomas Price had had his limbs stretched and would never come to trouble any one again" that he was sure Thomas Price's name was mentioned, that the father said:- "If it had been done three or four years before it would have been a good deal in his way." That the prisoner brought a large dog with him and said the dog had been in hold of something along with him, that it was a large shag dog as big as a mastiff, observed the dog was dirty, that the father asked where he (by which the witness understood Thomas Price) was that the prisoner said much about that place. That he knows Thomas James, and saw him at the Argoed that morning but that he did not observe the prisoner particularly.

On cross-examination he said

That he never was committed for sheep stealing nor charged. That he has a promise from a Magistrate that he should not be molested if he would come forward and give his evidence. That there was the corner of the wall between him and the prisoner when he heard the words. That he did not see