

A Slave State of Missouri V. Celia: 1855

TRACEY CREECH, BRIAN CURP, JEN REEDER, KIM PHILLIPS

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Missouri v. Celia, A Slave

The Case:

Celia was a slave, probably born around 1836 in Missouri. She was bought by widower Robert Newsom, of Calloway County in Missouri at age 14 to help his daughters do chores. It is known that Mr. Newsom took sexual liberties with Celia from almost the moment of sale. She had two children by Newsom, both of whom became property of Mr. Newsom. Once back at his farm, Newsom put Celia in a cabin approximately 150 feet from his own home. While there, Celia began a relationship with a slave named George, unknown to the master. When Celia became pregnant, George said he would quit seeing her if she continued with Newsom.

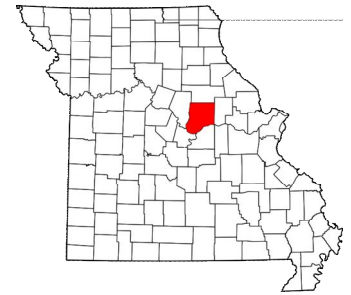
Celia tried having Newsom's daughters help her, saying she was not feeling well due to the pregnancy, however there is no record that would indicate they did. Celia then pleaded with the master, herself, to no avail. On the evening of June 23, 1855, he "visited" Celia. She killed him with blows to the head. She then burned his corpse in her fireplace, ground the smaller bones into pieces with a rock and hid the larger ones under the hearth and under the floor.

Initially, Celia denies involvement, but later confesses which led to her demise. She also delivered her baby stillborn while in custody.

The Decision:

After concluding arguments, Celia's attorney requested many instructions that would have allowed Celia to be acquitted if the jury found from evidence that she had killed Newsom to protect herself from his advances. Missouri Statute of 1845, section 29, made it a crime for a man to "take any woman unlawfully against her will and by force..." The prosecution objected to these instructions and the judge refused to let the jury consider the statute because a negro woman was not a woman.

Celia was sentenced to death by hanging on November 16. She was denied a stay of execution.



Map of Missouri highlighting Calloway County, residence of Celia and her master.



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Court Personnel Bios:

Judge:

Judge William Augustus Hall was born in Portland, Maine in 1815. He moved as a small child to a small northern Virginia town on the Potomac River, and then spent the rest of his boyhood days in Harper's Ferry before going to Yale for college. After college he went with his father's family to Randolph County, Missouri where he studied law and was admitted to the bar in 1841. He opened his practice in Huntsville and then later moved it to Fayette. He became active in politics and rose through the ranks of the Democratic Party eventually becoming a judge in 1847 and then later a Congressman in 1861.

Prosecution:

The chief prosecutor was **Robert Prewitt**. Background information about Robert Prewitt was unavailable other than him being the prosecution and winning the case.

Defense:

The main defense lawyer was **John Jameson**. Jameson arrived in Fulton, Missouri from Montgomery County, Kentucky in 1825. He was in his early twenties and had a common school education. He built a mill and quickly earned the trust and respect of the townspeople because he was so personable. In the summer of 1825 Jameson was part of a committee to plan a grand barbecue to celebrate the 4th of July. This is where he delivered his first public address and performed well enough that soon after he began his political career. He studied law under William Lucas, another Fulton lawyer, and was admitted to the Missouri bar the following year. In 1830 he ventured from law to the Missouri General Assembly on the Democratic ticket, where he was twice reelected, serving twice as Speaker of the House. He then went back and forth between serving in the Assembly and working at his law practice. Many in the General Assembly respected Jameson, saying he was, "a man of judgment and integrity", possibly explaining why Judge Hall chose Jameson to be lead council for Celia.

Nathan Chapman Kouns was another member of the defense team. Kouns was twenty-two and the son of one of Fulton's most prominent citizens. Kouns had moved from Virginia to Missouri with his father, a respected physician, who was very active in the community, being one of the founding members of Fulton's Masonic lodge. His father's respect throughout the community would have appeared to lead to a positive perspective of the younger Kouns as well.

The final member of the defense team was **Isaac M. Boulware**. He was a bit

older and better educated than Kouns, being twenty-six, but like Kouns, Boulware was also a member of one of the oldest and best families in the county. Boulware's father had established the original Baptist church in the area and went on to become very wealthy.

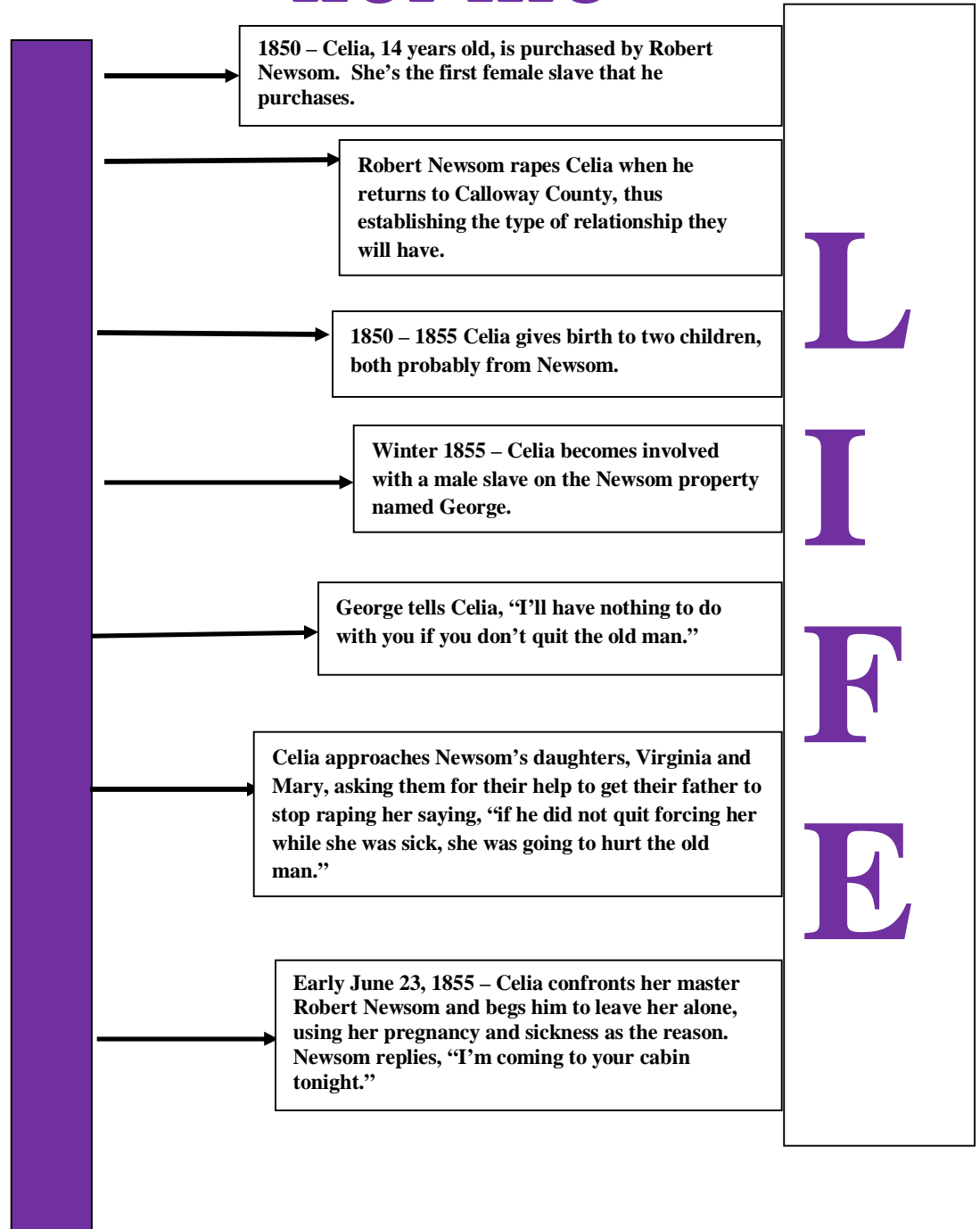
Based on the education of Kouns and Boulware, it seems that Judge Hall selected these two bright young men to aid in the detailed legal research that Jameson dreaded. Also all three of the defense team or their families owned slaves , so Judge Hall might have selected them so that none of the slavery critics could label the trial a sham, but none of the proslavery faction would have their emotions aroused since the defense team had not participated significantly in the slavery debates.



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Chronology of Celia

"Her life"





Celia, a Slave: Records from Callaway County Circuit Court

Celia File No. 4496

[Records of Callaway Circuit Court from the proceedings in the matter of Missouri vs. Celia, a Slave.](#)

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- Warrant for Inquest: Constable of Fulton Township ordered to assemble 6 persons to inquire into the death of Robert Newsom (25 June 1855)
- Affidavit of service of Warrant for Inquest (25 June 1855)
- Inquest Verdict of Jury (25 June 1855)(Newsom was struck twice in the head by a stick or a club “by his own negro woman named Celia”).
- Certification of Inquest Verdict of Jury (25 June 1855)
- Affidavit of testimony of David Newsom (25 June 1855)(has cause to suspect and believe that Celia, a slave of Robert Newsome, “feloniously and willfully” struck him with a club or some other weapon and mortally wounded him).
- Warrant: Constable of Fulton County ordered to bring Celia before the Justices of the Peace to answer the complaint against her (25 June 1855).
- Affidavit of service and execution of warrant (25 June 1855).
- Summons to testify before the Justices of the Peace in State of Missouri vs. Celia, a Slave (25 June 1855).
- Sworn statements of testimony before the Justices of the Peace (25 June 1855)
- William F. Powell (neighbor)
- James C. Wainscott (victim’s grandson, unwittingly helped conceal evidence) Celia
- Writ of Mandamus: Constables to remove Celia to the jail until “she shall be discharged in due course of law,” probable cause having been found that she committed the crime (25 June 1855).
- David Newsom, agreement to testify at trial (25 June 1855).
- William Powell, agreement to testify at trial (__ June 1855).
- Statement of expenses incurred in connection with the inquest (25 June 1855).
- Duplicate Writ of Mandamus with notes as to associated costs (25 June 1855).
- True Bill (August 1855).
- Subpoenas ordering various witnesses to appear in Callaway Circuit Court on 2
- October 1855 to testify in the matter of State of Missouri v. Celia, a Slave (August – October 1855).
- Jury instructions proposed by the defense. Per notations on the side, most were refused (9 October 1855).
- Jury instructions proposed by the prosecution (9 October 1855).
- Verdict: defendant is guilty of murder in the first degree (undated).
- Motion to Set Aside Verdict and Grant New Trial (11 October 1855).
- Trial testimony of Jefferson Jones, Harry Newsom, Virginia Wainscott, Coffee Wainscott, William Powell, Doctor Smith, Doctor Young (for the prosecution); Dr. Martin, Thomas Shoatman (defense) (filed 13 October 1855).
- Reimbursement sought for meals furnished to jury (15 October 1855).
- Supreme Court Order denying Celia’s petition for a stay of execution pending appeal (14 December 1855).
- A bill of jurors’ fees (15 October 1855).
- Bill of Costs (15 April 1856).

As found on <http://www.law.missouri.edu/faculty/projects/traile/celiatrialrecord.html>

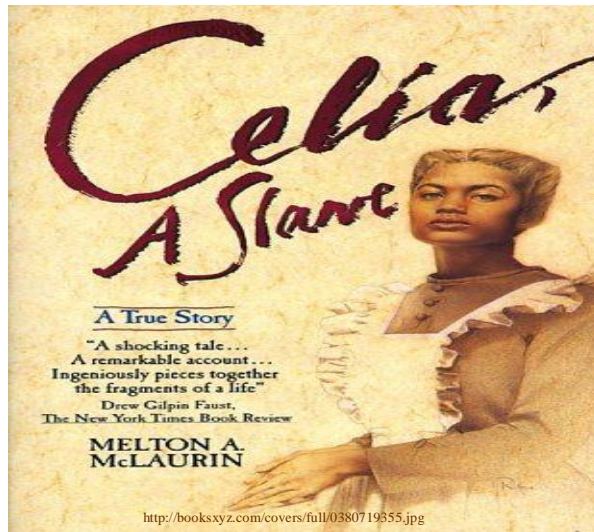


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Go to <http://www.law.umkc.edu/faculty/projects/ftrials/celialinks.html> or control click below to be taken to the handwritten original text of the proceedings.

[Records of Callaway Circuit Court from the proceedings in the matter of Missouri vs. Celia, a Slave.](#)





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Vocabulary

Murder: the crime of unlawfully killing a person, especially with malice aforethought.

Slavery: a person held in servitude as property.

Affidavit: a sworn statement in writing

Probable Cause: reasonable grounds for supposing that a charge is well founded

Conspiracy: an agreement among conspirators

Conspirator: one who plots

Kansas-Nebraska Act: Act introduced by Senator Stephen Douglas that would split Nebraska into two territories: Nebraska in the north and Kansas in the south. This bill repealed the Missouri Compromise and established popular sovereignty for both territories. Became law in 1854.

Popular Sovereignty: a system in which the residents vote to decide an issue

Dred Scott v. Sandford-1857: Case that involved Dred Scott, as slave suing for his freedom after being taken as a slave into a free state and territory, claiming that his residence in free lands had made him a free man.

Deadly force: strength or energy exerted that could cause death

Motion: an application made to a court or judge for a ruling

Verdict: a finding or decision of a jury on a matter submitted to it in a trial

Stay of Execution: stopping or suspension of execution by judicial order.

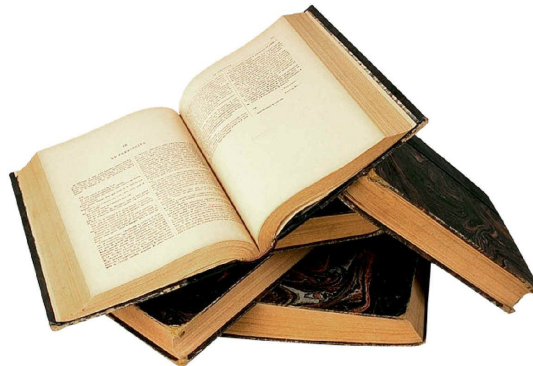


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This case really illustrates the realities of slave life in the South and the personal choices the institution of slavery forced on those enslaved. The direction and eventual outcome of this trial were influenced by individuals and a court system that was trying to accommodate the personal consequences of slavery with existing morality, politics, and economics at a point in United States history when struggles over these issues were becoming more debated and often involved violence. [www. answers.com/topic/celia-a-slave](http://www.answers.com/topic/celia-a-slave)

This case also depicts how enslaved women had no rights legally available to them, even when raped by their masters, who were often several years their elders. The Missouri statutes at the time gave women legal recourse for being forcibly violated, yet the judge in this case would not instruct the jury to consider it because Celia was a black slave woman. She was therefore left without justification or a defense.





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Yellin, J. F. (1985). The text and Contexts of Harriet Jacobs' *Incidents in the Life of a Slave Girl: Written by herself*. (Charles T. Davis and Henry I. Gates, Ed.), eds. 262-82. Oxford, Oxford University Press.

McLaurin, M. A.. (1991). *Celia, A Slave*. Georgia: University of Georgia Press.

In *A Slave State of Missouri v. Celia: 1855*. from www.law.jrank.org

In *State of Missouri vs. Celia, A Slave: Index to the Record of Proceedings*. from <http://www.law.umkc.edu/faculty/projects/trials/c>

from www.answers.com/topic/celia-a-slave

from <http://booksxyz.com/covers/full/0380719355.jpg>

from <http://docsouth.unc.edu/fpn/jacobs/jacobs.html#jac>

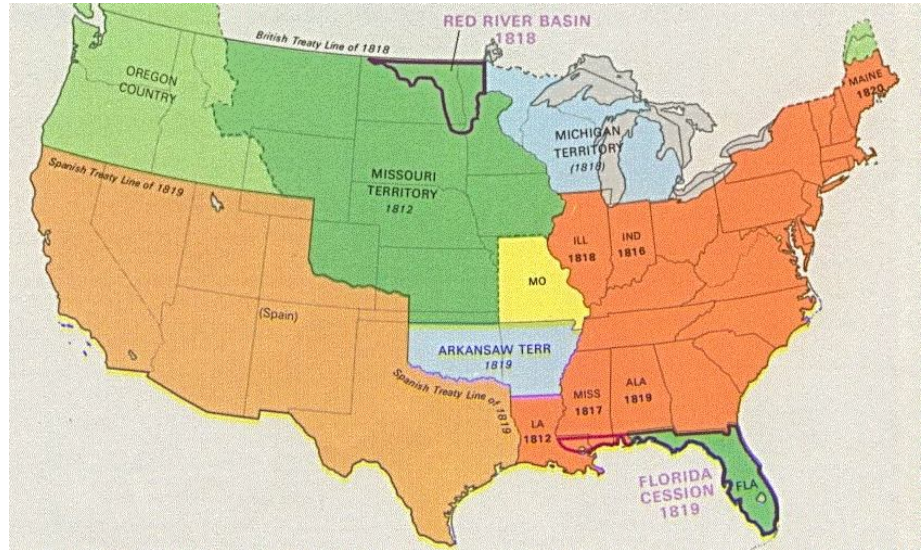
from <http://www.ourdocuments.gov>

from <http://www.pbs.org/wgbh/aia/part4/4h3436.html>

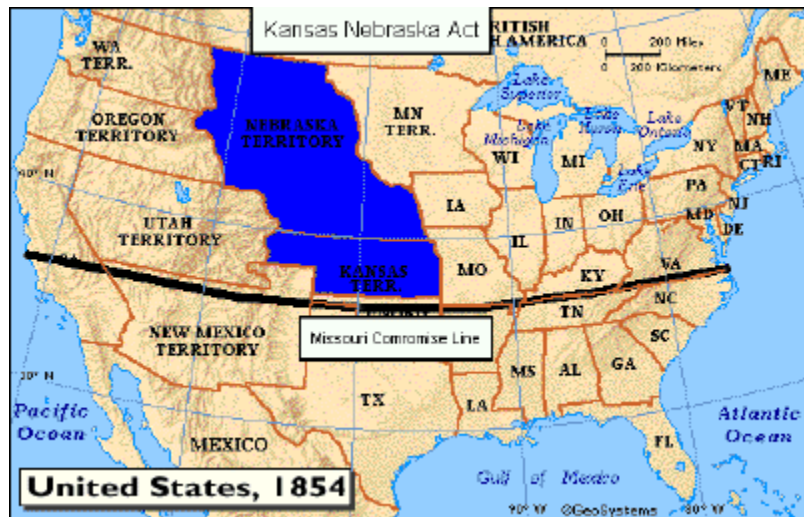


Maps

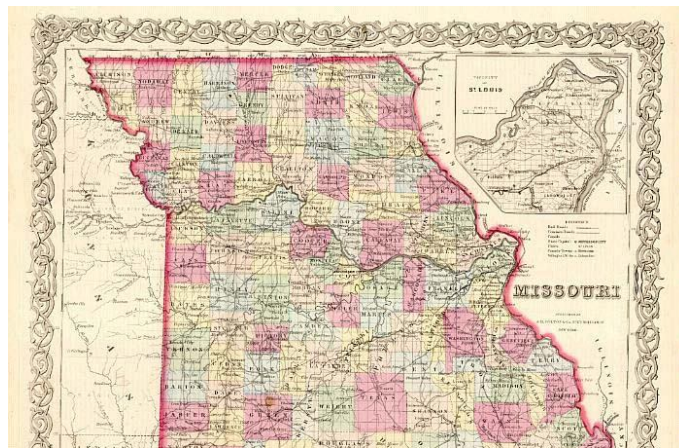
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Missouri Compromise 1820

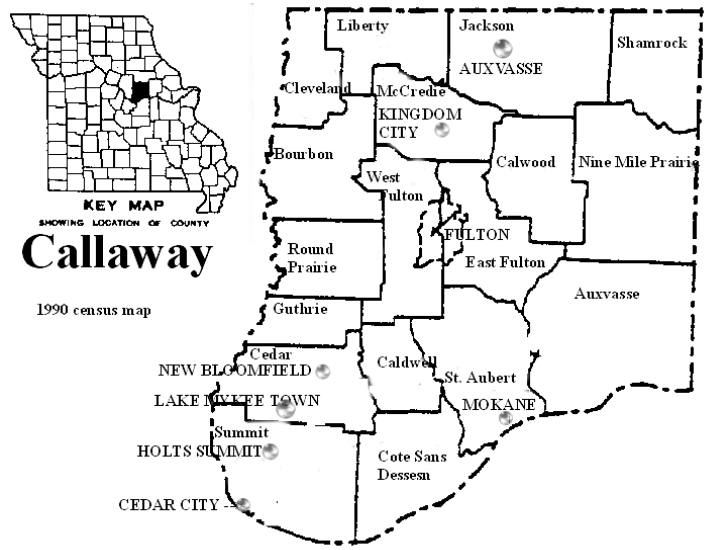


Kansas Nebraska Act 1854





State of Missouri circa 1855



Calloway County, Missouri



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Additional resources on women in slavery

For additional insight on the life of slave women and their relationships with their masters, one great resource is the book, [Incidents in the Life of a Slave Girl](#) by Harriet Jacobs. Harriet was a slave that escaped to the North in 1842. Because she had learned to read and write while enslaved, upon her freedom, she told her story. Although the topic of sexual abuse during slavery was unmentionable in the mid-19th century, Harriet felt that she needed to tell the horrors of her story so that the world would know the atrocities of the institution of slavery. The following link gives access to the electronic version of Harriet's story.

The chapters titled, "The Trials of Childhood", "The Jealous Mistress" and "The Lover" give detailed descriptions of Harriet's sexual abuse and her inner conflict with how to deal with her life. This quote describes Harriet's situation: "My master met me at every turn, reminding me that I belonged to him, and swearing by heaven and earth that he would compel me to submit to him. If I went out for a breath of fresh air, after a day of unwearied toil, his footsteps dogged me. If I knelt by my mother's grave, his dark shadow fell on me even there. The light heart which nature had given me became heavy with sad forebodings. The other slaves in my master's house noticed the change. Many of them pitied me; but none dared to ask the cause. They had no need to inquire. They knew too well the guilty practices under that roof; and they were aware that to speak of them was an offence that never went unpunished."

<http://docsouth.unc.edu/fpn/jacobs/jacobs.html#jac44>

Another resource for the plight of women in slavery can be seen in the letters included in the following website:

<http://www.pbs.org/wgbh/aia/part4/4h3436.html>

What is helpful about this website is that it includes not only the actual letters but also a introduction that gives detail of the woman's history and current situation.

Additional Slavery Resources

Statistical Resources

1850 *Federal Census for Callaway County, Missouri, Abstract.*

Compiled by Elizabeth P. Ellsberry. Missouri Department of Archives and history, Jefferson City, Mo.

Population Schedules of the Seventh Census of the United States, 1850, Missouri. Buchanan, Butler, Caldwell and Callaway counties.

Washington, D.C.: national Archives, 1963. Microfilm. Roll 393

Population Schedules of the Seventh Census of the United States, 1850, Missouri Slave Schedules. Adair county through Franklin Country.

Washington, D.C.: national Archives, 1963. Microfilm. Roll 422

Seventh Census of the United States, 1850, An appendix.

1853. reprint. New York: Arno Press, 1976.

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Above sources from Bibliography of Celia, A Slave by Melton A McLaurin-see Works Cited page for citation of book

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Celia Becomes A Play

Current Connections with Missouri v. Celia, a slave

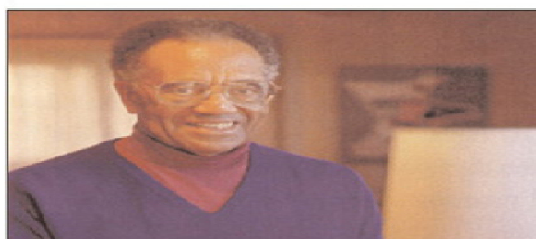
Thomas D. Pawley, III is a former professor at Lincoln University in Jefferson City. Pawley was an actor in the 1930s and took his love for the stage to the next level when he joined the staff at Lincoln University in 1940. While acting in the 1930's, Pawley felt that American theater needed more black involvement. He helped develop this cause by writing more than 10 plays and directing 75 student plays at Lincoln. One of Pawley's plays, "Song of Middle River" describes Celia's life and struggle with her master Robert Newsom. Pawley visited the site of the Newsom plantation and was inspired to write the play. "It shows in a very vivid way the circumstances that many female slaves found themselves in, how they were physically, mentally and socially unable to control their bodies." Pawley

The play is still performed today in through MOHiP- Missouri History in Performance Theater. "We want to make human stories of history come alive out of the archives" Chris Montgomery, MOHiP outreach liason.

<http://archive.columbiatribune.com/2009/feb/20090201Ovat018.asp>



Dr. Thomas D. Pawley, III
Director of Lincoln Stagecrafters







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Pertinent Legislation

Missouri Compromise (1820)-Document 22

With the purchase of the Louisiana Territory and the application of Missouri for statehood, the long-standing balance between the number of slave states and the number of free states would be changed. Controversy arose within Congress over the issue of slavery.

Congress adopted this legislation and admitted Missouri as a slave state and Maine as a non-slave state at the same time, so that the balance between slave and free states in the nation would remain equal. The Missouri compromise also proposed that slavery be prohibited above the 36° 30' latitude line in the remainder of the Louisiana Territory. This provision held for 34 years, until it was repealed by the Kansas-Nebraska Act of 1854.

The document featured here is the conference committee's report on the Missouri Compromise. www.ourdocuments.gov

Compromise of 1850 (1850)-Document 27

By 1850 sectional disagreements centering on slavery were straining the bonds of union between the North and South. These tensions became especially acute when Congress began to consider whether western lands acquired after the Mexican War would permit slavery. In 1849 California requested permission to enter the Union as a free state. Adding more free state senators to Congress would destroy the balance between slave and free states that had existed since the Missouri Compromise of 1820.

Because everyone looked to the Senate to defuse the growing crisis, Senator Henry Clay of Kentucky proposed a series of resolutions designed to "Adjust amicably all existing questions of controversy . . . arising out of the institution of slavery." Clay attempted to frame his compromise so that nationally minded senators would vote for legislation in the interest of the Union.

In one of the most famous congressional debates in American history, the Senate discussed Clay's solution for 7 months. It initially voted down his legislative package, but Senator Stephen A. Douglas of Illinois stepped forward with substitute bills, which passed both Houses. With the Compromise of 1850, Congress had addressed the immediate crisis created by territorial expansion. But one aspect of the compromise—a strengthened fugitive slave act—soon began to tear at sectional peace.

The Compromise of 1850 is composed of five statutes enacted in September of 1850. The acts called for the admission of California as a "free state," provided for a territorial government for Utah and New Mexico, established a boundary between

ve trade in Washington,

Texas and the United States, called for the abolition of slave trade in Washington, DC, and amended the Fugitive Slave Act.

The document presented here is Henry Clay's handwritten copy of the original Resolutions, which were not passed. The transcription includes Clay's Resolution and the five statutes approved by Congress. www.ourdocuments.gov

Kansas-Nebraska Act (1854)-Document 28

In January 1854, Senator Stephen Douglas introduced a bill that divided the land west of Missouri into two territories, Kansas and Nebraska. He argued for popular sovereignty, which would allow the settlers of the new territories to decide if slavery would be legal there. Antislavery supporters were outraged because, under the terms of the Missouri Compromise of 1820, slavery would have been outlawed in both territories.

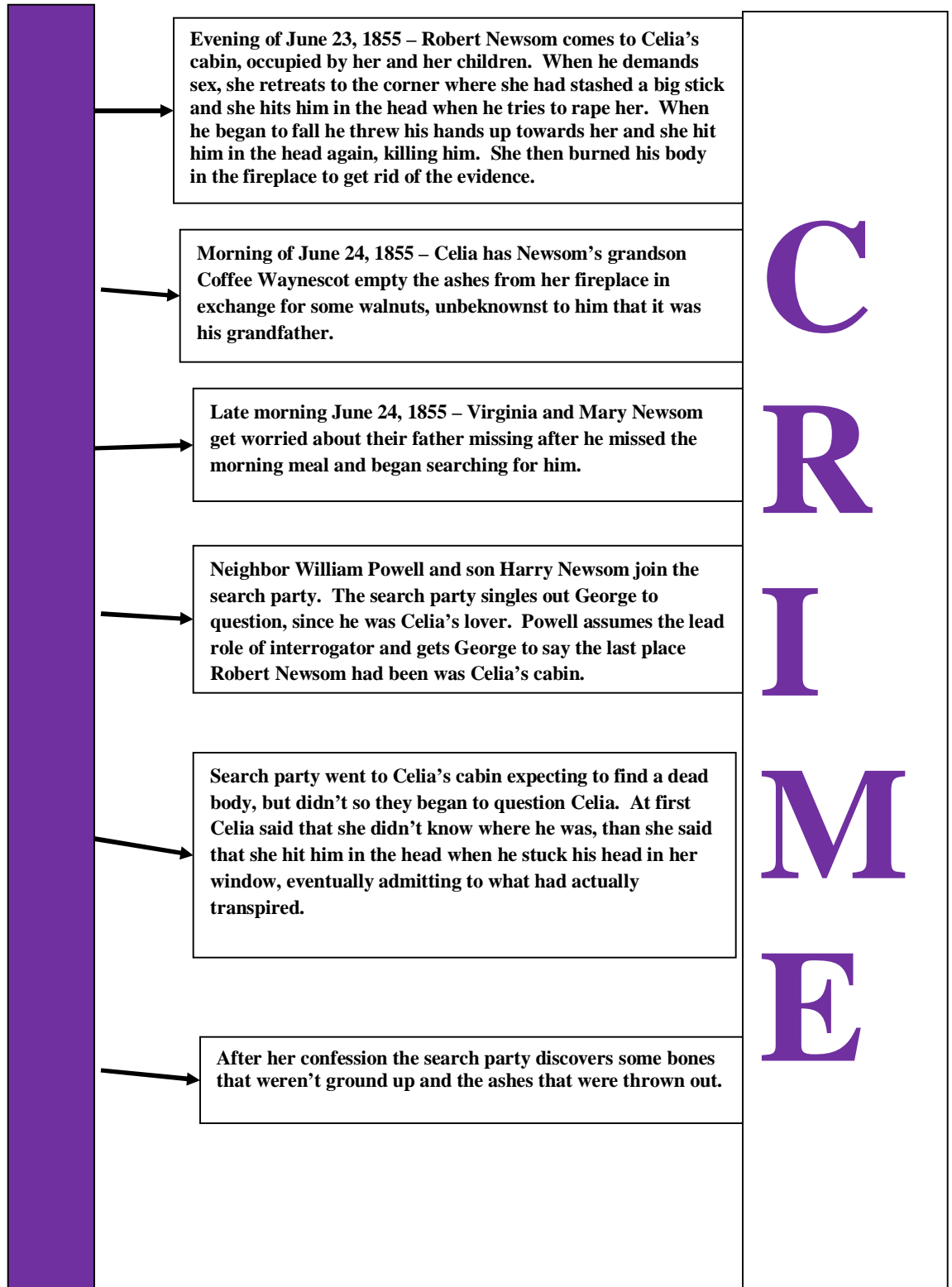
After months of debate, the Kansas-Nebraska Act passed on May 30, 1854. Pro-slavery and anti-slavery settlers rushed to Kansas, each side hoping to determine the results of the first election held after the law went into effect. The conflict turned violent, aggravating the split between North and South until reconciliation was virtually impossible.

Opponents of the Kansas-Nebraska Act helped found the Republican Party, which opposed the spread of slavery into the territories. As a result of the Kansas-Nebraska Act, the United States moved closer to Civil War. www.ourdocuments.gov



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Chronology of Celia "The Crime"

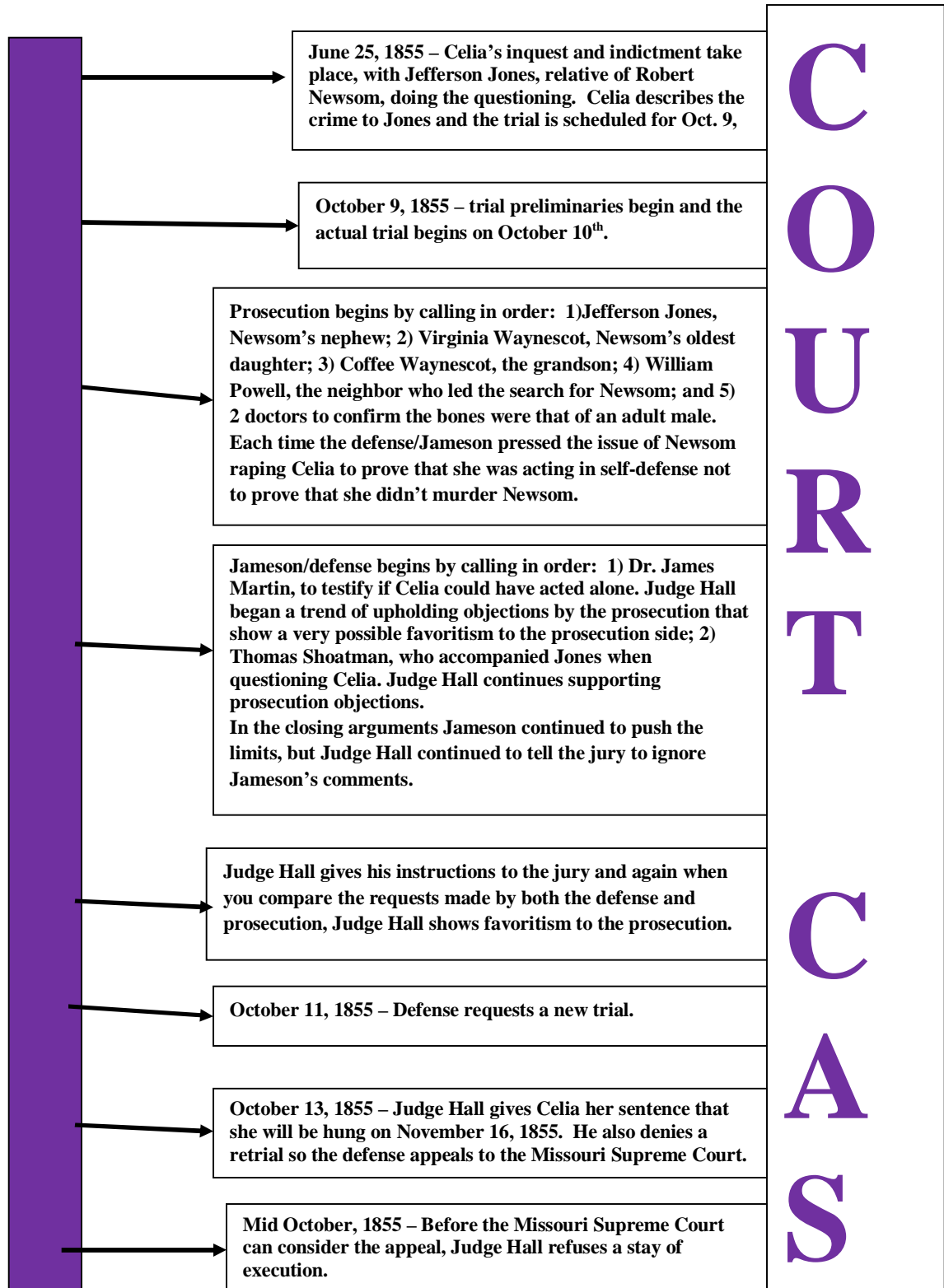






Chronology of Celia "The trial"

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