

# 'Battered Wife' Acquitted In Slaying

*Crime - Shoot - 10c.*

A Richland County General Sessions Court jury Wednesday acquitted a 39-year-old Columbia woman of killing her husband last year during an argument.

After an hour and 15 minutes deliberation, the jury found that Shirley Stewart, 39, acted in self defense and in defense of her children when she shot and killed her husband of 13 years, Henry Stewart.

Mrs. Stewart's defense attorney Jack Swerling, said his client was an abused and battered wife who wound up in the hospital several times because of the beatings.

After an argument in February of 1981, Mrs Stewart threw scalding water on her husband who then left her and filed for divorce.

Swerling said the shooting took place five months later at Latimer Manor where Mrs Stewart and her seven children were visiting her mother for a family reunion.

Stewart came to the residence saying he wanted custody of the youngest child.

During an argument that followed, Swerling said Stewart "without provocation slammed her head into a wall."

As family members fled, Mrs. Stewart

and some of her older children pushed Stewart out of the house but could not get the door locked before he came back inside.

Mrs. Stewart then ran upstairs where someone handed her a pistol, Swerling said. Mrs. Stewart ran out of the residence toward her husband's car and told the child to return to the house.

At that point, Stewart got out of the car and came towards her, Swerling said.

She shot the gun five times but did not inflict the fatal wound probably until the fourth shot, Swerling said.