

was in the wagon with me. I did not see them again until at Hickory Grove about two miles from Mrs. Stevenson's. Then there was only two men. One I saw before was leading a horse without a saddle. Saw them at the creek, below Mr. Kenner's. The horses were drinking. The two men I saw the day before and three horses.

*Cross-examined.* Mr. Pace and myself occupied the same wagon. These men passed us beyond Jones' about two and a half or three miles. They then had no conversation with us. It was not then snowing. This was on the evening of the 24th. Had a full view of the gentleman on the porch next morning and believe it to be Worrell. Next I saw the two men about two miles from Mrs. Stevenson's. They were all going the same way. No conversation passed between us. It was snowing very hard. Next I saw three horses hitched at the grocery opposite the church. Can't say what was the color of the horses. Believe the man who spoke on the porch was the man who spoke at the creek, and his manner makes me believe it was Worrell. His remark was, "We had an early start that morning," referring to Pace and me. He wore a large beard, and we made some remarks about its being covered with snow and icicles. Did not observe any mark on his face. Did not see Worrell afterwards, until here, at last September term. The man who spoke to me at the creek had a long beard, longer than mine. I am pretty certain he had a moustache. Did not take so much notice of Bruff. He sat with his back to us.

*Martin McMahon.* Have seen

prisoner, saw him at Christian Way's, at the town of St. Charles. Way keeps a boarding house there. There was another man with him. Don't know his name. I have seen him here and at Warrenton. (Here Bruff was sent for.) Recollect that man. He is the one that was with Worrell. It was 25th January. Noticed their horses. They stayed all night there. They had three horses. Bruff had two horses. Wanted to buy one of them, but did not. He wanted \$80 for him. A negro came across the street at the time, and asked Worrell who was riding the sorrel horse, if he had bought it from Mr. Gordon, and Worrell replied, no, that it belonged to himself, that he had bought it from up the country.

*Cross-examined.* Was a boarder at Way's, who kept that tavern. First saw them about 5 or 6 o'clock P. M., after they came. I was in W's company until they went to bed. W. got his supper there. Saw him next at breakfast next morning. Prisoner was then standing at Bruff's side. They were watering their horses previous to starting. When the negro spoke to W., both of them were sitting on their horses, and Bruff was leading one. No one else was present. This negro belonged to Mr. Wentz, the man connected with the railroad. I work on the road. Don't know what became of W. They went to the ferry landing and crossed the river on the ice. W. did not say where he was going. Worrell said to the negro, they had not bought the horse from Gordon, they had brought him down from the country, and belonged to him. Know his appearance. I was not able to pur-