

dwelling. That he traveled in company with Fisher, and saw and spoke to several persons on the road, and that he reached his own dwelling about 5 o'clock in the evening. So far his testimony is supported, and stands uncontradicted. He swears, "I stepped up and took hold of the handle of the door; found the handle not there; looked towards Robert McConaghy's, and looked round, passed the barn at the rye-fields; straightened myself up; there was a shot; I saw the blaze out of the mow of the barn; I looked to see him; I could see no person; then came another shot. I stooped, and saw him; and, says I, you d—d infernal rascal, what are you doing there? I saw him from his breast to the top of his head; he was looking at me; I ran towards the barn; he ran, stooped in the mow, and jumped down; I found the handle of the door on the log of the mow; found my rifles on the mow." He then detailed how he went into the house, and how he found John. He tells you how he went to make the alarm, etc. He adds: "I saw him from this [breast] to the top of his head; he had darkish clothes on; a clean shirt; black head; had no hat; from all appearances it was Robert McConaghy; his face was plain; I saw it plain; I knowed him at that time." Taylor returned to the house with him, and he swears that he asked Brown if he had any suspicion who shot at him. He said it was Robert McConaghy, and no other man. He saw him as plain as he could see me then. William Atherton swears he told me he was a smallish man; described his clothing; and that he stated several times that it was Robert McConaghy that shot at him. Bare heard the same thing that evening. To Hezekiah Ricketts he described McConaghy, too.

Then when Wilson and others were detained to go to old Mrs. McConaghy's, on the mountain, but they were not to communicate to Robert McConaghy that he was suspected.

By 10 o'clock, a great number had gathered. Brown was arrested—tied—insulted—and charged as the murderer; and so continued until the next afternoon. Almost every man was inquiring at him. His face and neck were bloody, and