

human being (of which the court and jury has knowledge) clear even of suspicion. Still it lies on the Commonwealth to satisfy the jury by the evidence that the prisoner is guilty. If that has been done, it is the duty of the jury to pronounce according to the evidence. If, on the whole case, they cannot come to that conclusion, but doubt, rationally doubt—their minds vacillating—it will operate in favor of the prisoner.

#### THE VERDICT AND SENTENCE.

The *Jury*, after a short delay, returned a verdict of *guilty*.

JUDGE BURNSIDE. Robert McConaghy, you have been tried by a jury of your countrymen for the "wilful, deliberate, and premeditated killing," of Rosanna Brown, John Brown, Elizabeth Brown, George Brown, Jacob Brown, and David Brown.

The jury were of your own choosing. Able counsel were assigned you. Compulsory process, at the expense of the county, for any witness you might name, was awarded by the court. Your case was carefully and patiently heard. Your jury did not hesitate: they pronounced you guilty of the highest crime known to our laws. The finding of the jury fixes your guilt, and establishes the facts put in issue.

Your case is without parallel in criminal jurisprudence. John, your brother-in-law, of twenty-one years,—a young man in the vigor of manhood,—you by falsehood and cunning brought to his father's dwelling, and the moment he reached it, from your covert, you sent a rifle ball through his breast. Elizabeth and Jacob, you early on that fatal day, seduced from their mother's side; through the brains of the latter you sent a rifle ball, and the skull of the former you beat with stones. George and David you entrapped in a different direction: the former, you treacherously disabled by a stroke from your gun, and then you probably shot him and cut his throat! The child David fled: you sent the rifle ball after him, most probably from the gun of George; it missed its deadly aim—but you were not to be disappointed in your work of death!