

ist, you say that he denounced Lincoln as a damned old thief, and the whole Union army as a damned set of thieves and robbers. Are you sure that he used the word damned?

Witness answers. I am certain of it, he used it on both occasions.

By Dr. Maclin. Ques. Did that denunciation immediately follow his declaration that he was no secessionist, if not, what intervened.

Witness answers. It did not. He went on to show to me the cause that led to the whipping of the enrolling officer. He denounced the manner of carrying on the war. Grew warm in his denunciations, denounced the carrying on of the war, and raised his clenched hand excitedly and used those words with reference to Lincoln and the Union army.

By Dr. Maclin. Ques. Was anybody present at this last conversation?

Witness answers. I don't know that any person was present taking part in or listening to the conversation, many persons were in the court room at the time.

WM. HOLLIFIELD.

## DEPOSITION NO. 2.

Samuel B. Espey being duly sworn deposed and said as follows, to wit:

By Mr. Holton. Question. What is your name, age, residence and business?

Witness answers. Samuel B. Espey, thirty-five years, second election district of Howard county, farmer.

By Mr. Holton. Ques. State whether you are acquainted with Dr. Maclin, if so, how long have you known him and what opportunities have you had during the last four years of knowing his sentiments towards the Government?

Witness answers. Yes, I have known him for the past eight years. I have seen him a great many times during the last four years and have often heard him talk, at divers places.

By Mr. Holton. Ques. State whether you ever heard Dr. Maclin speak of the United States Government, of the rebellion, the Rebel Government or its leaders, and if so, what you have heard him say?

By Dr. Maclin. This question excepted to.