

speaking of so "eloquent" an opening statement, he would say "the bark was worse than the bile." He would say nothing further at present, but the defence was confident that it would be the duty, as well as the pleasure of the jury, after hearing all the testimony, to render a verdict of acquittal.

Mrs. Eliza C. W. Chubb, of Washington, was first called and testified—I reside in Washington city, and have lived there over thirty years; I am engaged in the Treasury Department. [Here the witness was stopped until the fire had been fixed, that operation causing considerable noise. [After some delay she continued—I knew Gen. Ketchum very well, and had known him for seven years; I have known the accused for twenty-two years; on the 24th of June last I went from Washington to Baltimore.

The witness was now asked if Gen. Ketchum accompanied her, and Mr. Steele objected, but after some slight discussion, she was allowed to continue:

General Ketchum accompanied me, and appeared to me to be very well; I had seen him nearly every day before we went together to Baltimore, and he appeared very well; I was in the habit of seeing him daily; I never heard that he had been sick the week before; we left Washington on the 10:40 A. M. train, and went directly to Mrs. Wharton's residence after reaching Baltimore; Mrs. Wharton met us at the door; she told us Mr. Van Ness was lying ill in her house; soon after arriving the General left his bag and went down town to purchase some tobacco. At the tea table both General Ketchum and I ate very heartily, remarking that we felt very hungry; Mrs. Wharton presided only a few minutes, when she was called away; she did nothing at the table except to give each of us a cup of tea; I don't recollect whether or not that was repeated; when supper was over General Ketchum and I went to the third story, as Mrs. Wharton's house was crowded by Mr. Van Ness' relatives and friends; we sat together in his room and talked until nearly 11 o'clock, when I bade him good night; while we were there Mrs. Wharton came and asked if we were comfortable and if we wanted anything; in the night General Ketchum was taken sick; I cannot tell the hour; I did not see him, and cannot say how he was taken sick; the only circumstance was that he came down stairs once or twice; some one remarked that the General was sick; there was a number around and don't know who said it; I cannot say how long he was down stairs; the next day (Sunday) he came down and partook of breakfast; he remarked that he had not been well the previous night; he assigned no cause and did not say how he was affected, except to say that he had been sick at the stomach; he complained, however, of giddiness; Sunday morning, after breakfast, he went out of the house and was gone nearly an hour; I left the house and did not return until after tea that evening; he told me that morning that he was not well enough to go church with me, and that I would have to go without him; I returned between 8 and 9 o'clock that evening; the General seemed brighter and better, and was sitting in the dining room, talking; several were in the room, but I don't think I can recall the name of any one; we sat and talked, and retired about 11 o'clock; some lemonade was offered by Mrs. Wharton to us, and he and I partook of it; I think she asked if we would like to have some;

the General remarked that he was afraid of the acid, but that if "a stick was put in it," he would drink; some brandy was offered.

Mr. Steele—I suppose a "stick" meant brandy.

Mr. Revell—We have examined no experts about a "stick" in lemonade; we know nothing of "a stick" of our own knowledge. This caused some laughter, which the court promptly checked.

The witness continuing—A gentleman came in to speak with Mrs. Wharton, and I am under the impression that it was a Mr. Moale; the lemonade was prepared by Mrs. Wharton, in the dining room, almost at my elbow, and we were talking to her while she was making it; Gen. Ketchum sat half facing Mrs. Wharton, and talking to her; she was making it on a sort of buffet, or sideboard; in my turning to speak to her I could see the vessels in which she was preparing it; Mrs. Wharton handed it to us on a small waiter or a plate, I don't remember which; both glasses were together and I suppose I took the one nearest me; I don't remember who took a glass from the waiter first; brandy was suggested, but I don't remember who brought in the brandy or who went after it; the General poured brandy into his glass, but none was poured into mine; that was, I think, about 10 o'clock, and we did not retire until about 11 o'clock; I heard that General Ketchum had been taken sick during that night, but I had no conversation with him, nor did I see him after I bade him good night; I heard him coming down stairs; it was in the night, but I have no idea of the hour; I next saw him on Monday morning, just before breakfast, and he complained of being unwell; he again complained of a sick stomach and giddiness; he complained of nothing else; I heard him once or twice sick at the stomach, as if he was throwing up; I don't remember the number of times I was in his room that day; he continued unwell all day long, and in the afternoon consented to have a physician, and I went for Dr. Williams, and brought him over; I had suggested once or twice that he should have a physician; Mrs. Wharton had also urged upon him the necessity of having a physician, and asked me if I would go for one; on Tuesday morning I left the house twenty minutes of 7; on my return to Washington I first went to General Ketchum's room and talked with him through the keyhole; he told me he was better and would come over on the 11 o'clock train and take dinner with me; Dr. Williams prescribed a bottle of medicine for Gen. Ketchum; late in the evening Mrs. Wharton came down and said that going into the General's room and not seeing the bottle she had knocked it off a chair and broken it; I suppose that was an hour or two after the medicine had been prescribed; Mrs. Wharton said she was going to the druggist's to have it renewed, and I offered to go for her; she said the broken vial had been picked up and thrown into the slop-jar; I don't remember whether she said she or a servant had thrown it in the slop-jar; she said she wanted the medicine replaced before the time came for General Ketchum to take it according to Dr. Williams' directions; Mrs. Wharton asked me to get for her a little tartar emetic for her breast; I then went to Gosman's drug store; I told the clerk that I wished medicine for a gentleman at Mrs. Wharton's who had been prescribed for just an hour before by Dr. Williams; I got the medicine for General Ketchum and paid for it; I also asked