

filled on that day a prescription of Dr. Williams'; it was: "For Gen. Ketchum, 16 drops of creosote 4 oz. lime water—a table spoonful every 2 hours, P. C. W." I filled it about 5 P. M.; Dr. Williams brought it himself. The witness was not cross-examined by the defence.

Mr. N. H. Hutton was next called, and testified—I reside in Baltimore, and am a civil engineer and architect; I know Mrs. Wharton, and have known her several years; I first saw General Ketchum on the stairs of Mrs. Wharton's residence, on the 24th of last June, between 6 and 7 P. M.; I first went to his room on Monday, at the request of Mrs. Wharton; she told me that General K. was sick, and a comparative stranger to most of the persons in the house, and asked me to go and see him, and keep him company; she said something about a physician, but I can't remember whether she said she had sent or was going to send for a physician; I went up and found the General sitting on a lounge; it was about 4 P. M., Monday; I explained the object of my visit to him; there was nothing very evident in his condition; he complained of nausea and sick stomach; a few moments after Dr. Williams arrived; shortly after his arrival I got General K. the slop jar which he used; after a time the medicine Dr. Williams had prescribed came and I gave him one or two doses, I don't remember which; the medicine smelled of creosote; after giving him one or two doses I had to leave him; they had a beneficial effect upon him; I returned to his room between 6 and 7 P. M.; I had left the bottle that smelled of creosote on the mantel; I remained with him until 9 o'clock, reading the newspaper to him and administering his medicine; as I came back to the house, between 6 and 7 P. M., some one asked to go up into his room, and told me that he wanted me; Mrs. Wharton informed me, in explanation of his call, that his bottle had been broken, and he was anxious for another dose of his medicine; it was to the general effect that I must explain to the General, and keep him pacified; she told me she had broken the bottle; I found the General lying on the bed, apparently better than when I had seen him at 4 o'clock; I gave him a dose of medicine from a new bottle which arrived soon after I searched his room; I don't know who went after that medicine; I remained with him until nearly 9 o'clock and then left him; my wife came about that time and called me out; I do not remember any one else calling me; I next saw General K. about 2 A. M. the next day; Tuesday, the same night on which I left him, I had occasion to use the same bottle of medicine he was using for another person, and I found his door wide open; I went in and saw him sitting up, with his back toward me, on the edge of the bed, and endeavoring to ascertain the time by his watch; he was apparently quite well; I got the medicine and left him; I next saw him on Tuesday night, at Mrs. Wharton's request; she told me the General was quite sick, and asked me to look at him and see if I thought he needed a physician; that was, I think, between half-past 7 and half-past 8; I found him lying on the lounge

on his back; after looking at him a second or two I left the room and went to Dr. Williams' office; the General was sleeping heavily and breathing heavily; I returned to General K.'s room and looked at him again; he had turned on his side, and was breathing easily; I then left him; no one was with him; the following morning, between half-past 9 and 10, I either met or was called out by Mrs. Wharton to the front porch; she told me she had something very important and very disagreeable to communicate; that she had sent for Dr. Williams, and before he came she wished to communicate certain facts to me, in order that I might communicate them to him, and enjoined that I should not say anything to any one else about the matter; she produced from her pocket a vial which she said contained laudanum, and that it had been found about General Ketchum's bed by Susan, the colored cook, on the previous day; I think she said in the afternoon; I expressed my profound regret that she had not informed me on the previous day of the finding of the bottle, and she told me she could not make up her mind to mention the matter, as the inferences were disagreeable to her and to General Ketchum's family; she gave me to understand that General K. had used the laudanum himself, and was at that time in a very dangerous condition from the effects of it; about that time Dr. Williams arrived, and I went with him to General K.'s room; we found him lying on the lounge; I assisted Dr. Williams in raising him from the lounge and moving him to the bed; he appeared to be almost insensible, replying in an articulate manner; his legs were certainly stiff; while Dr. Williams supported him under the shoulders, I moved his legs, first one and then the other; the knees bent very slightly as we moved him; after getting him on the bed I took off his pantaloons; I left the room about 12 o'clock; I returned again about half-past 1, and found several persons were in the room; Dr. Williams, Mr. Snowden, my wife and a colored man were in the room, and General K. was then in a convulsion; the convulsions he had were very violent in their character and seemed to affect his back; I saw him frequently raise his body from his shoulders to his waist, and at the same time he made motions with his hands as if he wished to seize himself; we restrained him by holding his hands, and in opposition to us he uttered cries; they were inarticulate cries; towards the latter part of his attack I was left with the colored man; we continued to hold his hands until he died; he died in a convulsion; it was near 3 o'clock when he died; Dr. Williams came back into the room.

Cross-examined by Mr. Steele—It was about 10 o'clock on Wednesday when I went up with Dr. Williams. At the request of Mr. Steele the witness drew a sketch of the room in which General Ketchum died, and handed it to the counsel for the defence. Continuing—I should think the depth of the room was between 17 and 18 feet; the bed stood with its head to the wall next to the hall; the bed was short; the General complained that it was short; the foot of