

case; I expect to be paid a proper fee; it is customary in this country and in England to employ proper medical experts; I have fixed upon no sum, and have had no understanding about it; I have heard by common report that there were witnesses for the State are to receive fees; I heard it from Dr. Morris; he told me that a witness for the State had told him he was employed as an expert, and expected to be paid a proper remuneration for his services and time; he said Dr. Williams was the gentleman; I never expressed an opinion on the streets of Baltimore that Gen. Ketchum had died of cerebro spinal meningitis before; the letter of Dr. Williams gave me the suspicion of that disease; I can't remember the symptoms which gave me that suspicion; I can name convulsions, also the fact that the catheter was used; also a semi-conscious state of the patient; the symptoms which showed themselves in General K.'s case late on Tuesday and Wednesday may have been those of the fulminant form of the disease; I do say that a person attacked in the way in which General K. was would have the fulminant form; I should not think he could walk about, talk, and then live with an attack of the fulminant form of the disease.

Mr. Revell now read from Niemyer & Grisole as to the symptoms of tartar emetic poisoning, and the absence of lesions discoverable by post mortem examinations, and Dr. Warren said they were generally correct.

The State's officers here announced that they had closed the cross-examination of the witness.

Dr. Warren here desired to make a personal explanation as to his connection with Mrs. Wharton's case, and the Court consented.

Mr. Steele said he did not think it was necessary, but Dr. Warren insisted, and was proceeding to narrate a conversation with Mr. Thomas, who, he said, had called upon him in the interests of justice and humanity, when Mr. Syester objected, and after some desultory discussion as to the propriety and right to make the desired explanation, the Attorney General said he had not intended to cast an imputation upon the character of Dr. Warren. The explanation was then left unfinished.

Dr. Warren continued, in answer to Mr. Syester (by consent of the defence)—Cerebro spinal meningitis does not in all its forms begin with a chill; the most violent form occurs in the epidemic; I think that was Gen. K.'s case; it had been present for several days, and culminated on Wednesday.

To Mr. Steele—Congestion of the kidneys is one of the complications of cerebro spinal meningitis. Mr. Steele then read from Niemyer on the subject to which he had just referred, and Dr. Warren agreed with the opinion held by that author. Mr. Steele read next from Stille, page 93, and Dr. Warren reiterated his opinion that the symptoms and lesions there described were complications. Mr. Steele again read from Niemyer on the subject of headache and coma in spinal meningitis, and Dr. Warren said the opinions were in agreement with his own.

Dr. Warren continued—The epidemic may recur, and its influence does not necessarily disappear. Mr. Steele then read from several

authorities, as to the microscopic revelations, and Dr. Warren briefly expressed his opinions.

Dr. Warren was then allowed to leave the stand.

Dr. John Morris was next called, and, after affirming, testified—I am a medical man and reside in Baltimore; I have practiced medicine nearly six and twenty years; I have had three unmistakable cases of cerebro spinal meningitis; I have one of the three under treatment now; some of mine were solely fulminant in the manner of invasion and not the termination; the two first cases recovered, to my surprise, and my present patient will, I think, recover, though paralysis has supervened.

Mr. Hagner now read to the witness the following hypothetical case and interrogatory:

A gentleman about fifty-eight years of age, residing on the Heights of Georgetown, D. C., on the morning of the 24th of June, 1871, at 7 o'clock A. M., was in Washington city, more than a mile and a half from his home, having already breakfasted. After other occupations he called about 12 M. at an office more than a mile farther off, and there he was engaged about important business, in completing which he walked about a mile and a half further. The day was excessively warm, and he seemed to be much heated. He took no dinner. He came over to Baltimore in an afternoon train, and after reaching there drove and walked about a mile from the depot to his lodgings, and immediately walked out again and was absent sometime. Between 8 and 9 o'clock P. M. he partook of a hearty meal of meat, biscuits, coffee, etc., of which raspberries were the concluding course, and after smoking and talking with his friends until 11 o'clock P. M. he retires to bed. Some hours afterwards he is taken sick, and leaves his room and walks down stairs into the yard.

Sunday morning, though still complaining of not feeling well, he goes out, visits a friend, and remains for some time. He then returns indisposed. Between 8 and 9 o'clock P. M. he drinks a glass of lemonade, with brandy in it, and after an hour or two retires to bed. During the night he is attacked with symptoms of cholera morbus, and goes to the yard once about 12 o'clock. On the next morning (Monday) he is still unwell, and complains of nausea and giddiness, but eats some breakfast in bed. He vomits at about 10 o'clock A. M., and again about 4 or 5 o'clock P. M.

At 4 or 5 o'clock P. M. of the same day he is visited by a physician, who finds him very much nauseated, pale and prostrated, with a rapid and feeble pulse, sitting up and holding a slop bucket between his knees, into which he vomits frequently. A dose consisting of two drops of creosote and a tablespoonful of lime water, is given him, and ordered to be repeated every second hour, and it relieves him. He is seen again at 2 o'clock P. M. on Tuesday, sitting upon the side of his bed examining his watch, but makes no remark.

He is visited by his physician again on Tuesday morning, about 10 o'clock, and is found asleep; but on being aroused, expresses him-