

calm, but she seems to appreciate that the time draws near when a jury of her countrymen will decide the momentous question of her guilt or innocence.

Dr. Josiah Simpson was first called to-day, and in answer to Mr. Thomas, testified—I am a surgeon in the United States army, and was commissioned on the 11th of July, 1837; I am now in charge of the medical post of Fort McHenry; I have known Mrs Wharton for twenty-nine years; I first met her at Fort Gibson, in the winter of 1843; her husband was then stationed there; I was there off and on for two or three years; I have met Mrs Wharton frequently since, and knew her in Baltimore; I was on intimate personal and professional relations with her and her family; I have been stationed in Baltimore since December, '61, except for a year in Louisville, Kentucky; I have never known anything of Mrs. Wharton but what was perfectly correct and proper; no lady stood higher in my acquaintance; I never heard her reputation for amiability and humanity impeached; I read last evening the hypothetical statement of the defence; I may add that no lady enjoyed a higher reputation, and among the better class of officers; I see in examining this statement carefully no indication of death from unnatural causes; my conclusion is that his death was from natural causes, and I see nothing in the symptoms or post mortem examination to justify me in any other conclusion; I have seen in children the effect of an overdose of tartar emetic, and I have experienced the effects myself; I was laboring with acute bronchitis, and took it as medicine; I commenced with a sixth of a grain, and increased to a fourth, and then to a half; it completely prostrated me, and I could not raise my head to vomit; that occurred at Fort Hamilton, but I don't remember the year.

Cross-examined by Mr. Revell—I entered the army from New Jersey; I could not say from this hypothetical statement what particular disease the patient had; I never saw a case of cerebro spinal meningitis; I have never read the books attentively on the subject; I have read of it, however, in medical journals, and I have read of it in Reynolds' Practice of Medicine; I never read Aitkin on the subject; I have read a portion of the article in Dr. Wood's work; I had been slightly nauseated from tartar emetic before taking the last dose; I vomited after increasing it from a sixth to a half of a grain; I became prostrated after taking the last doses, which aggregated three or four grains; I took a-half of a grain every two hours; I had retching before I had the vomiting; after the retching ceased, my helplessness continued, and I suppose for eighteen or twenty hours; the complete prostration lasted for more than twenty-four hours, and I could not have gotten from my bed if I had tried.

Miss Rosa Potts was next called and testified—I know Mrs. Wharton very well; I live in Washington and am the daughter of Mr. John Potts, the Chief Clerk of the War Department; I knew Mrs. Wharton in Baltimore in 1863; I saw her every day when I went to Baltimore, and I have visited at her house several times; her reputation could not have been higher or better for amiability,

humanity and gentleness; I visited her at her house in Baltimore last May.

To Mr. Revell—I have heard so many persons speak well of Mrs. Wharton prior to her arrest that it would be difficult to say who did not; I have heard General David Hunter speak of her in the highest possible terms; I have also heard General Dyer, Colonel Chaffin and Colonel Dupont speak in the best terms of her; if I had never had any opinion in regard to Mrs. Wharton I would give the same opinion I have expressed from what I have learned of her character from others; my personal knowledge of the character of Mrs. Wharton has nothing to do with the testimony I have given as to her character by reputation.

Mr. Thomas now informed the witness that he was about to ask her a question, but did not desire her to answer until she was told to do so. He then proposed to her the following question:

From your knowledge of Mrs. Wharton's general reputation as to the qualities of humanity, kindness and amiability, as you have testified to, would you or would you not believe her capable of committing the crime of murder?

Mr. Revell objected, and after some desultory remarks, Miss Potts was allowed to leave the stand, and it was agreed among counsel that after the argument of the question she should be recalled if the Court decided that the question of Mr. Thomas was a proper one.

Dr. William H. Baltzell was here recalled, and before he proceeded, said he desired to correct his remarks of yesterday by saying that the symptoms and treatment, and not the symptoms and post mortem, had been the grounds of his opinion of the cause of the death of General Ketchum. He further stated that Dr. Yeates' case was in 1865, and Dr. Rostmyer's in 1861.

He continued—I still have no idea who handed me in Baltimore the statement of the post mortem; I remember the symptoms stated; I remember his position in bed, remaining on his side; difficulty in using his legs, and also red marks on his abdomen; I considered his treatment most admirable for cerebro spinal meningitis or some brain affection, especially the chloral and yellow jessamine; all those symptoms, except the brain difficulty, would be present in tetanus; I have seen a great many cases of tetanus, and the mental faculties were perfect to the last moment of life; delirium was mentioned in the paper I saw in Baltimore; I think it said he died unconscious; in tetanus the patient becomes unconscious only a few moments before death; I gave Fred. Hinner yellow jessamine two days before his death; after the second visit I noticed the falling of the eyelid; the momentary blanching of the cheek showed the effect upon the capillaries; I think the falling of the eyelids continued after he had taken the third dose; I had three cases last year; one was a Mr. Frank, who enlisted sailors; he was about fifty-three years old; the next was a German woman, named Muller, who lived on Plum street; two children and three adults recovered; one of the children lived in Henrietta street and one in Sharp