

character then spoken of; from '57 to the present time, I had not seen her.

General Delos B. Sackett next testified—I am Inspector General of the United States army, and am stationed at Philadelphia; I have known Mrs. Wharton since February, 1847; I met her then at Fort Gibson, and I remained there for about fifteen months; I have only met her once since, and that was in Wilmington, Delaware, in 1864, and then only for a few moments; her reputation could not have been higher for amiability, gentleness and kindness.

To Mr. Syester—I only lived fifteen months at a frontier post in Mrs. Wharton's neighborhood.

Mrs. Col. Brantz Mayer testified—I reside in Baltimore; I have known Mrs. Wharton between nine and ten years; a part of the time I lived near her, and she has been my near neighbor a long time; when we were in the same street our houses were not a square apart; our families were very intimate indeed; her general reputation for amiability, kindness and gentleness was without reproach, and she had the happy faculty of making friends; she was remarkable for her fidelity to her friends; I saw her very often, and my daughters saw her almost daily; I had a full opportunity of knowing of her general reputation, and everybody spoke well of her.

Miss Mary Mayer testified—I reside in Baltimore, and am the daughter of Col. Brantz Mayer; I have known Mrs. Wharton for nine or ten years, and very intimately for six or seven years; we lived at one time on the same street; I visited at her house daily, and was very intimate with her; we had many mutual acquaintances and friends; her general reputation for amiability, gentleness and kindness was unexceptionable; I think she was considered a most self-sacrificing woman.

Mr. Syester objected to this last answer, and said the question of general character for amiability, kindness and gentleness was the only one upon which testimony could be given. After some desultory discussion the Court said the answer that Mrs. Wharton was a "self-sacrificing woman" could be given, but that the statement that she was "remarkable for her fidelity to her friends" was going a little outside of the rules of the law on the subject.

Mr. Hagner read from the report of the Black-McKaig trial in support of his view that the question was a proper one, and read the answer to a similar question propounded by Mr. Syester in that trial.

Miss Emily Eccleson testified—I reside in Cambridge, Md.; I became acquainted with Mrs. Wharton in September, 1871; I have kept up my acquaintance with her, and stayed several days with her during the latter part of last March; I never heard any one speak of her except in praise; I saw her nearly every day for two months while she was in Cambridge, and I became very intimate with her.

Frank Henry next testified—I reside at Cambridge, Maryland, and I am Clerk of the County Court; I first knew Mrs. Wharton in the fall of 1861; I saw her frequently both at my house and in camp; she made a great

many acquaintances in Cambridge; I know that she was universally admired; I never heard her spoken of except in a complimentary way; I never heard her general reputation for kindness, amiability and gentleness discussed or questioned.

T. T. Martin next testified—I reside in Baltimore; I have known Mrs. Wharton since September, 1861; Colonel Wharton encamped on my farm, near Cambridge, Md., and I then made acquaintance; I afterwards saw her at Drummondtown, Va.; I have known her ever since, and have visited her occasionally; I have heard a great many express their opinions about her; her reputation was the very best for kindness, humanity and amiability; she was spoken of by every one in the best terms.

Dr. Burton Randall testified—I am on the retired list of the United States Army officers; I first knew Mrs. Wharton at Fort Gibson in 1842; I was there four years; I saw a great deal of Mrs. Wharton and attended her family; she was there during the four years I was there; her reputation was very good for kindness, amiability and gentleness; her reputation was very good for affection; I saw her for a few hours about twelve years ago in Philadelphia at a hotel as I was passing through that city.

Benjamin F. Price testified—I have resided in Baltimore eleven years and am a member of the bar; I have known Mrs. Wharton about nine years; I think I made her acquaintance in the fall of 1862; her reputation was especially good for kindness, amiability and humanity.

Colonel Frank M. Etting testified—I reside in Philadelphia, and am a member of the bar; I was in the army from the commencement of the war, and resigned a year ago; I have known Mrs. Wharton eight or nine years; I have known her family intimately, and was much thrown with her, her family and surroundings, for five years while I was stationed at Baltimore; I think kindness and amiability would have been always mentioned as two of her prominent characteristics.

To Mr. Syester—I am a lawyer in Philadelphia, and have no other occupation there.

General Winfield S. Hancock was next called, and testified—I am a Major General in the United States army, and now reside at St. Paul, Minnesota; I know Mrs. Wharton quite well; I think I first knew her, in 1842 or 1844; I do not recollect which of those years; I have seen her quite frequently since that period; for the exercise of amiability, kindness and humanity, she was always admired by all I ever heard speak of her without exception; I knew Colonel Wharton very well, and was in the same regiment for sixteen years; he served on my staff for about a year; I knew his family quite well in the army and out of it; they came from my own county, Montgomery county, Pennsylvania; my father lived about four miles from her father's residence; I knew of her before I met her in the army; I had not seen her since 1866, before seeing her here; I am now commanding the Military Department of Dakota.

Mr. Revell—General Hancock we are very