

Mr. Syester said the defence, in answering the evidence of the State as to the analysis of Gen. K.'s stomach, had not confined themselves to the tests followed by Prof. Aikin, but had made every effort to impair the force and invalidate the evidence of the witness now on the stand. They had called experts to show that the same results had been obtained from chloral and yellow jessamine. It was in every view of it new matter, and Dr. Reese had gone into extacies over it, and on his solemn oath declared that it opened up a new field to science. Professor McCulloch, Drs. Reese and Genth had formed themselves into a mutual admiration society, and had held themselves up to the public, the Court and the jury, which was to be the final arbiters of this cause, as showing that Professor Aikin's tests were all fallacious. It was introduced to show that Professor Aikin had made false conclusions. The State proposed to show now the monstrous fallacy to which the defence had resorted. Was Prof. McCulloch to be allowed to come into court, hold up a vial and say to the jury, "there is the same that Prof. Aikin obtained?" The defence had not been satisfied to put opinion against opinion, but had gone further, and had attempted to show the jury that the State's evidence was all a fallacy. Did not the State have a right, and did not public justice have the right, to demand that this new matter should be inquired into, and the truth reached at last? The State was ready to show that it was a fraud, or the result of the grossest ignorance. Professor McCulloch had come into court with vials and acids in his pockets, and had experimented, and then sworn that the results Professor Aikin had not obtained were not alone compatible with the presence of antimony, but that other substances would give them. The offer was new, on the part of the State, to rebut new evidence brought to assail the evidence of the State.

The State was prepared to follow Professor McCulloch step by step, and show how fallacious his results had been. If Professor McCulloch said he had obtained from his white cloud with the sulphide of ammonium results characteristic alone of antimony, the State was prepared to meet him, and show that it was all false. The State was prepared, too, to show that the laws of chemistry forbade such results as he had sworn his processes had yielded. He, too, should be subjected to the experimental crucible, and his accuracy fully tested. Professor Aikin had been fully tested, and they had declared that he was ignorant and unfit to be heard in a Court of Justice. The State was now prepared to show that Professor McCulloch's experiments would produce no such results as he had sworn to before the jury.

Mr. Thomas said he would not follow the example of the Attorney General, who, in addressing the Court on a question of law, had addressed the jury, but he would address the Court on the plain principles of law, which he considered applicable to the question before the Court. The State had chosen to go into the negative evidences of the presence of antimony, and

had excluded itself from contradicting any of the evidences offered by the defence in opposition to the negative evidence of the presence of antimony in General K.'s stomach. The State's officers had undertaken to meet in advance the negative evidences of the presence of antimony, and Dr. Aikin had used the words, "such substances must contain antimony." The witness had no right to assert that no other matter would give such results, unless he knew that they would not, and the defence had really rebutted the State's evidence. Again, Professor Aikin had said "There is no one thing but antimony which would give those results," and the evidence of the defence had been to rebut that testimony. The attempt on the part of the State was to add cumulative evidence on points which they had brought out on examination in chief. He was sorry to have to say that the Attorney General had used language which was unbecoming a gentleman holding his high position. The gentlemen of whom he had spoken were as high in character as any in this community or any other, but the Attorney General of Maryland had chosen to say that they had practiced "a fraud," and had held themselves up as a mutual admiration society. He could inform the Attorney General that if he admired the witness on the stand he was alone in his admiration of him. The Chief Judge said the Court was of opinion that the testimony now offered came directly within the rule laid down in the decision of the Court on Saturday, and was admissible. The defence had experimented on particular substances, and, if the same substances had been experimented on by the State, and produced different results, it was only replying to the defence on the new point raised by them.

The Court here adjourned until 10 A. M. tomorrow.

Great interest was manifested to-day, and the attendance was very large. The jury does not seem to relish the idea of hearing more chemical testimony, and the foreman was heard to express the hope that Professor Aikin would break his bottles before the Court met again. Professor Aikin was observed to handle his basket very tenderly, and to watch it closely. At times to-day Mrs. Wharton appeared anxious, but is still calm.

Since the last decision of the Court it is anticipated that the trial will now be considerably protracted, and it is understood that the State has chemical testimony additional to that now in the possession of Professor Aikin.

### THIRTY-SIXTH DAY.

ANNAPOLIS, January 16, 1872.

The proceedings on yesterday in Mrs. Wharton's trial were exciting and important. At no other previous stage of the trial had the opposing counsel exhibited so much determination to urge their views upon the Court, and the arguments partook more than on any preceding occasion of the spirit and temper of recrimination. The spectators seemed to enjoy the excitement and to share in the feel-