

next read from page 243, of Tanner's Practice of Medicine, and from Reynolds, as to the symptoms of cerebro spinal meningitis, and said it was not unreasonable that a man who had slept all night on a sofa, between two open windows, should have had a chill as General Ketchum had, and yet the State claimed that the chilliness was one of the principal symptoms. The State's officers might quarrel about terms, but he (Mr. Hagner) would be sorry to know of more of an epidemic of the disease in Baltimore than the testimony had shown. He (Mr. Hagner) had never heard more intelligent testimony than that given by Dr. Warren; he had borne himself like a man, and though great efforts had been made to break him down, he had fortified himself, and stood upon established authorities. Mr. Hagner next referred to the uncertainty of life and the suddenness of death, closing with eloquent remarks upon the subject. He next passed to the subject of the analysis of General K.'s stomach, and said that the books laid it down that the use of strong words, such as "unmistakable" and "without a shadow of a doubt," which Professor Aikin had used, created a doubt that the witness was not sincere. The authorities all insisted that the notes of the analyzing chemist should be produced, but Dr. Aikin had nothing to show, and had showed how unusually forgetful he was even in his last experiments with chloral and yellow jessamine. Mr. Hagner then insisted upon the production of the metal and quoted from section 503 of Wharton and Stille's Medical Jurisprudence.

Berzilius and Orfila claimed the same, and so did Dr. Taylor, if his writings were rightly considered. Dr. Aikin had said it was usual to produce the metal in Court in arsenic cases, and Dr. Craig and Professor Tonry had not been questioned on the subject. Even the liquid tests contemplated the production of the metal, and so did the sulphureted hydrogen test. Marsh's tests contemplate unquestionably the production of the metal. The metal ought to be produced, because it was the best proof. Prof. Aikin had said, over and over again, that anything which would give the three results he obtained, must be antimony, and that he knew of no other substances which would give them, but he introduced two other tests in his further analysis. The experts for the defence had shown that organic matter would give such results as Professor Aikin obtained, and the defence could claim that there was not antimony in the portions analysed by Professor Aikin. Four of the witnesses for the defence had proved that Dr. Aikin was mistaken in saying that only antimony would have given the results he obtained. Even Tonry was not asked if Aikin's testimony was right, and Aikin's evidence stood in Court like Melchisedec, with a pedigree without beginning or end. Then Dr. Aikin had come with his lunch basket filled with wretched little vials to prove that he was the Simon Pure in this case. If he could not do better than he did in this case, he (Mr. Hagner) would not buy a

jar of pickles or a wheelbarrow of guano upon his analysis. Mr. Hagner next referred to the high reputations and characters of the experts for the defence. In conclusion, he passed a high encomium upon the youngest expert, Prof. White, for his intelligence, truthfulness and modesty. All of them most unquestionably differed with Prof. Aikin. The Attorney General had charged that they had practiced a fraud, and the jury could consider how soon the Attorney General could come to a conclusion when they saw with what eagerness he charged fraud upon these gentlemen. A more unfounded charge was never made in a Court-house, and Prof. Aikin's best friend could not wish for him a better character than either of those gentlemen possessed.

After a recess of 10 minutes, Mr. Hagner resumed, and said he would first call attention to Prof. McCulloch's tests on organic matter, irrespective of chloral and yellow jessamine. Mr. Hagner then read at some length from Prof. McCulloch's testimony, and contended that Prof. Aikin had made but one test which Prof. McCulloch made. Mr. Hagner noted the differences as he proceeded, and called particular attention to Prof. Aikin's testimony that he had made no experiment on yellow jessamine, except in connection with chloral. He had not followed Professor McCulloch, and he had established nothing. His evidence showed that he actually did not know what were the experiments Prof. McCulloch had made, and yet he was bold enough to claim that he had shown a difference. He had omitted yellow jessamine, and was not certain that Prof. McCulloch had used it. There was no identity at all in the experiments, except in the action of sulphureted hydrogen on chloral. He had undertaken to show the same experiment, and yet he had left out the yellow jessamine, the lactic acid and the soda. That was all the support that Mr. Syester had for his charge that a "fraud" had been practiced. It seemed to him (Mr. Hagner) that the University of Maryland was on trial, and that blood was demanded to support it.

Mr. Hagner next came to Professor Tonry's tests, and said the spots he obtained were so infinitesimal that they could not be looked at with the eyes that God gave us, but had to be looked at with the microscope. His calculation, too, was wrong one way or the other; and here Mr. Hagner commented upon and noted the estimates Professor Tonry made. He had not formed an estimate of the quantity of antimony supposed to have been present in General Ketchum's liver, and his spots did not give it. Mr. Hagner next referred to page 356 of Taylor on Poisonings, touching the inaccuracies of any tests in determining the presence of imponderable particles of poison. Dr. Genth had gotten larger spots, and yet they did not show it. If General Ketchum had taken tartaremetic when a baby, as much as Professor Tonry had claimed to have found, might have been found, and the little minute particles, no matter what it contained, was not enough to hang a cat. He (Mr. Hagner) thought it would be an insult to the intelligence of the jury to take such evidences as any proof.