

eccentricity of conduct in any man's life can never be considered an excuse for wilful crime. It never has been.

But I deny that the prisoner is crazy. If at previous intervals he may have exhibited such symptoms it has no application to this case. The hinge on which this question must turn is not as to—

Counsel for the prisoner asks *Mr. Coalter* not to anticipate what defense is to be made, but simply to state the facts the State expects to prove.

Mr. Coalter. I thought it fair—and in fact to the advantage of the prisoner—that the views of the State should be fully presented in the opening. I desired also to advert to this plea of insanity at this time, in order that the jury might keep their minds upon the conduct of the prisoner, as proved before them, and judge how far his actions corresponded with those of an insane man. But perhaps enough has been said at present, and therefore I shall close by requesting the jury to weigh well the evidence which shall be given, and thus be prepared to say whether the prisoner did the act as charged against him, and if he did, was he in a responsible condition of mind, and thus be prepared to render a true verdict in the premises.

THE WITNESSES FOR THE STATE.

Robert Walker. Am chief engineer of the North Missouri Railroad; knew Basil H. Gordon intimately for nearly twenty years. Early in January, 1856, Mr. Sturgeon and I determined to go up the line of the railroad. Directed Mr. Gordon, my principal assistant, to accompany me. The weather was so cold as to induce me to purchase these gloves (showing a pair of fur gauntlets). and advised Mr. Gordon to buy a pair just like them, where I bought mine—on the corner of Fourth and Pine, St. Louis. Gordon had a pair of fur cuffs which, I told him, would not be sufficient protection. He got a pair

of gloves like mine. On the evening of Sunday, January 13, we left St. Louis. Mr. Sturgeon and myself took the cars to St. Charles; Mr. Gordon on horseback. We stayed that night in St. Charles, at the house of E. L. Wentz, one of my division engineers. On Monday morning, Mr. Sturgeon, Gordon, Wentz, Pratt and myself, accompanied by a negro boy (employed by Wentz), left, and after several days arrived at Bourbonton, in Boone County, previous to which Wentz left us. Mr. Sheerbarth, another division engineer, had joined us. Sheerbarth and I were in a sleigh. We all had