

from the appropriation of the property of Gordon is the only fact in the cause which bears with any force against the defense of insanity in this case. I shall not omit the topic of motive when I come to the argument of the case.

THE WITNESSES FOR THE DEFENSE.

*Hartford T. Clark.*¹⁰ Have known defendant since September, 1852, when he enlisted in the United States Army. First saw him at Carlisle Barracks, Pennsylvania. He was then a member of B Company, First Dragoons. He left the army in New Mexico; discharged by order from the Secretary of War. I afterwards saw him at Fort Leavenworth in August, 1855. He had re-enlisted and was a private in Company H, First Cavalry, under Captain Newby. Was afterwards promoted to orderly sergeant of the company, and held that station at the time he last left Fort Leavenworth, January, A. D., 1856. Worrell had the reputation of being a peaceful, quiet man, when not under the influence of peculiar causes of excitement. He was very excitable—more easily aroused than most men. Of very sociable disposition; more inclined to joke than to quarrel. Could readily give and take jokes of the roughest character without seeming to become angry except when under some excitement. He was frank and unsuspecting; free and open in his demeanor and fearless. Generous to a fault; rather reckless in expenditure. Punctual in the discharge of his duties. More than

ordinarily orderly in all his business. He was deemed a very good sergeant by both officers and men. There was nothing vulgar or low-bred in the man, but his manners were quite refined. He was not dissipated or dissolute in any of his habits; was particularly observant of the etiquette of the army. Always neat and cleanly, and was never blamed for want of propriety by his superior officer. In July, 1853, while Worrell was attached to Company B, First Dragoons, he was taken sick at Fort Atkinson and was out of his mind several times; would not recognize, though well acquainted with me. In December, 1855, at Fort Leavenworth I was called up one night to visit him, and found him quite deranged, and no one could quiet him but me till the doctor was called and administered something to him. At the first-mentioned time Worrell made no demonstration except to stare wildly around and work his fingers. He would speak to no one, or notice anything around him. At the second time he tore his hair and called loudly for me, and would not keep quiet unless I would talk to him.

H. Miles Moore. Worrell came to my office in Weston, Platte

¹⁰ The evidence of Clark, Moore, Cavendish, Curran, Raisin, Dunn, Ringold and Urghart was in the form of depositions which were read to the jury.