Reported for the Planters' Advocate.

TRIAL OF Dr. THOMAS CONTEE WORTHINGTON.

At the last session of the Circuit Court for Prince George's County, in the case of the State of Maryland *vs.* Dr. Thomas C. Worthington, arrested for the killing of Charles Crook, in October last, the accused was arraigned, and the usual formalities having been gone through, pleaded *not guilty*. Then, on suggestion of his counsel, based on his affidavit that he could not have a fair and impartial trial in this county, the Court ordered the record to be transmitted to the Circuit Court for Anne Arundel County. Wherefore, on Thursday last, the case was called up in that Court, sitting at Annapolis, and the trial was begun. By previous arrangement, we are enabled to give the following full report of the testimony and proceedings:

At 3 o'clock P. M. on Thursday, only ten jury men had been sworn; when the Court adjourned until Friday morning at 9 o'clock.—Wherefore it met at that time, and Dr. Worthington appearing in Court, the jury was completed. Col. Green, the Clerk to the Court, then read the jury the indictment as found in Prince George's Circuit Court, and also stated that the accused had been arraigned and had pleaded not guilty:

The following is a list of the Jury:

Richard I. Crabb,	William Glover,
George Gale,	John T. Hodges,
John T. Snowden,	Thomas H. Hodges,
Benjamin C. Neff,	Charles S. Welch,
James W. Hunter,	Albert G. Welch,
Thomas Ireland,	William H. Peake.

The State of Maryland was represented by James S. Franklin, State's Attorney for Anne Arundel County, and Augustus R. Sollers, Esqrs. For the accused, there appeared Messrs. Reverdy Johnson, W. P. Maulsby, J. M. S. Causin, Thomas G. Pratt, and S. H. Berry, Esqrs. Mr. Franklin opened the case, on behalf of the State, by a few remarks to the jury, when the State's witnesses were examined as follows:

Dr. John M. S. Maccubbin, being sworn, deposed as follows: Being a practising physician, was called in to see Mr. Charles Crook, on the day of the shooting alleged in the indictment. When nearing the house met, Dr. Worthington, the accused, who stated that he had accidently shot Crook with a pistol loaded with two balls. Entering the house, examined the wound; inserted a probe into the orifice of the wound, but it met twice with resistance; and did not find, 'till the subsequent day, that the ball had penetrated the cavity of the abdomen. Asked Dr. Worthington to show their relative positions when Crook was shot. The accused then assumed a position, and said he was taking the dimensions of Crook's heart at the time, but his hand had been depressed.—He said, moreover, that he had read a portion of the Book of Revelation to the deceased at the time he shot him. Witness asked what connexion there could be between reading Revelation and a loaded pistol? The accused replied: They are instruments I always carry about with me. He said further, that he was amazed, on reflection, that he should have shot so good a fellow. He then exhibited a pistol. Witness attempted to take it. Was told, by Worthington, he had better not—it was a dangerous instrument, and loaded with balls as before. On leaving the house, the accused said he would not have shot Crook, if the latter had not aggravated him. Witness asked how Crook had aggravated him? Reply, by bringing some of *his own* influences to bear upon him; an expression which witness did not then, and does not now, understand.

Cross-examined.—Witness has know the accused, slightly, for several years. He lived on the Valley Farm, which was rented by Dr. Skinner, and on which Charles Crook, the deceased was overseer. Crook lived in the overseer's house, not a quarter of a mile from the dwelling-house in which the accused lived.—First saw Mr. Crook about two o'clock, in his house; was there but a little while when he observed the accused there also. The latter said the wound was accidental, and that he was astonished on reflection, &c.

M. J. Kaldenback, being sworn, deposed: That on the 22d of November last, having been informed of the shooting of Crook by Worthington, felt it his duty to take the deposition of the former, which he accordingly did. On the following day he went to Crook's house and arrested the accused, whom he there found. Having two assistants, he ordered them to hold the accused until he was searched. Accordingly the latter was searched and a pistol loaded with two balls was found on his person.—After this, the accused requested witness to walk in the yard with him—and there said he had shot Crook because aggravated by him.—The accused then returned to the Valley Farm, dressed, and was committed. Saw Crook afterwards, also.

By the State—Tell the jury what Crook told you in reference to the occurrence?

Objected to by the Defence.

The Court decided that parol evidence would not be allowed at that stage of the examination.

The deposition of Crook was then offered in evidence. Objected to, on the ground that it was a statement of deceased's opinion, and not of facts.

It was excluded for the present by the Court.

Kaldenback—Worthington and Crook were, apparently, very intimate; had seen them together very often, in Nottingham; the accused seemed always to be very fond of the deceased; wound inflicted at *W's* house; *W.* said he had invited Crook to beakfast on that morning; at time of taking the deposition, Crook was in bed, evidently in his senses, but suffering a great deal; told witness he expected to die.

Here the State read in evidence, the deposition of Crook, with the exception of the opinion expressed therein as to the sanity of the accused. The deposition only stated the circumstances of the killing, and was very brief.

Dr. Maccubbin *recalled*—Crook died Nov. 27, about 11 o'clock, of the aforesaid wound; witness never told Crook his situation—though the latter seemed to be impressed with the certainty of his death.

Robert Thompson, being sworn, said: That Dr. Maccubbin, when going to see Crook on the 22d November, called by his house for witness to go along also; went accordingly; met the accused about one hundred yards from Crook's house; the accused said he had shot Crook with a pistol loaded with two balls; Dr. M. exposed the wound, and then the accused came in and talked with the Dr. concerning it. Being asked what position they were in at the time of shooting, the accused assumed a position, and said he had had the dimensions of Crook's heart at the time. The Dr. asked what connexion there was between reading Revelations and a loaded pistol—when the accused gave the answer as stated by Dr. M., above. The accused exhibited a pistol; the Doctor attempted to take it, and with the same result as above stated. The accused said he was astonished, on reflection, that he had shot so clever and good a fellow as Charley Crook. Dr. M. asked why he shot him? Reply: "because he brought some of *my* influences to bear upon me"—an expression the witness did not, and does not understand. The accused suggested it might be well to give some soothing medicine to the deceased. Dr. M. thought not.

William H. Grimes, sworn. On the 22d of November Worthington said to witness he had shot Crook because the latter had imputed to him (Worthington) a certain action.

[This circumstance, being of a private nature, is not mentioned.]

George T. Atchison, sworn. Saw Worthington and Crook talking together on the porch of the former, about 7 or 8 o'clock on the morning of the 22d.

Dr. John H. Skinner, sworn. Requested to go and see Crook by Dr. Maccubbin. Crook said he was very glad—wished to see him before he died; did not entertain any ill-will toward Worthington. Said W. was his best friend—said, further, that W. wanted Crook to acknowledge *Grimes's* statement, as above. Denied, emphatically, having used it. Knows that Worthington and Crook were intimate.—Crook was overseer for witness. Worthington was Crook's family physician.

Kaldenback, *recalled*. The reason for shooting Crook, given him by Worthington, when arrested, corresponded with the staiement of *Grimes*.

After the conclusion of so much of the State's evidence, J. M. S. Causin, Esq., opened the side of the defence by a condensed statement of what he expected to prove. He rested the whole case on the plea of insanity, and said they would show it existed in the accused, from a boy, up to the time of the shooting of Crook. The following witnesses were then examined for the defence:

James T. Stein, sworn. Worthington was put under his charge in 1832, when Principal of the Abingdon Academy—at about 11 or 12 years of age—and remained about six or seven years in his family. Nearly all the time appeared to act entirely from impulse—very nervous temperament—could not draw correct conclusions from the simplest data. Spirits were very often much depressed—assuming almost a suicidal form. No external cause for this existed. First attributed it to lunacy—but, on closer attention, thought it was hereditary. Upon the whole, thought the boy's mind unsound—insane decidedly. Spoke of it to a physician, a friend of W.'s family, who declined to communicate it, from reasons of delicacy. At times very much excited—to an unusual degree—laughter without apparent cause. Bodily health was very good. Very hearty, loud laugh. So he continued all the time.

Cross-examined. Had often reprimanded other boys also for laughing. Worthington could have distinguished between right and wrong.—Once shot a gun from his window, under peculiar circumstances, and, on being reprimanded, said he saw no harm in it. Enticed some smaller boys to run away towards Baltimore. Memory sometimes quick, at other times very dull. Told the aforesaid physician the boy was insane—looked on it as partial insanity: rather more so at some times than at others.

Dr. John S. Battee, sworn. First acquainted with the accused in 1836, at Dickinson College, Carlisle, Pa.; was there with him about six months. Knew him again at the Baltimore Dispensary in 1846 and '7. Always regarded him as a very eccentric man; and would not have been surprised, at any time, on hearing of his complete insanity. He treated witness badly, without cause; was very capricious—sometimes cordial—sometimes rude and causelessly harsh. Eccentric at Carlisle and Dispensary also. When he first read of the *fact* of the shooting, made up his mind that the accused was insane. Afterwards, on reading it was done in a fit of insanity, was only confirmed in his prior conviction—was shocked at it, but not surprised.

Cross-examined. Opinion always that his state of mind would result in insanity. Delusion is a mark of insanity. Never observed it in the accused. Between '36 and '46–'7, did not see him. Saw him only once since the last mentioned period. Upon the evidence, as to the circumstances of the killing, has no doubt he was insane. Recognizes the distinction between mental and moral insanity.

Dr. James Higgins, sworn. Has known the accused for eight or ten years. Has seen cases with him. Always thought him liable, at any time, to be a raving maniac—and would not have been surprised to hear it of him. Did not judge from a single act, but from his general behavior. Upon the evidenced circumstances of the killing, judges that he was insane—could not otherwise account for it. The fact that he assumed as a provocation what never existed, and endeavored to make Crook acknowledge such imaginary provocation, are further evidences of insanity.

John R. Baden, sworn. Has known the accused from a boy. He came to reside near Nottingham some years since—does not know how long. Some three or four weeks before the killing of Crook, went with Mr. Plater to see Worthington, who was sick. Found him in a very strange way—under great excitement—singing and whistling—going wildly about the house. Made witness promise to come the day after. Went accordingly. Found him incoherent, wild and restless, all the time.—Atchison and Crook were there for a short time. Mrs. Ryan was also there. He pressed them earnestly to stay; and to return, if they would go. Made up his mind that he was either drunk or crazy.

Cross-examined. Had seen what would have led him to think he might, possibly, be drunk. Saw him at Nottingham on Friday and Saturday before the occurrence. He was then apparently sane. At the aforesaid visit, he talked sometime rationally, but his deportment was most unnatural. Did not see him drink. Had not seen him drink for a year or more, before the occurrence. Saw him nearly every week in Nottingham. The accused belonged to a Temperance Society, but had resigned, as witness understood. At the aforesaid visit, he talked pretty much on one subject, but very excitedly, with dishevelled hair, &c.

Frederick G. Skinner, sworn. Has known the prisoner for ten years—witness lived in Prince George's county up to four years ago. The accused came to his house in '45. Several young men were there at the time. He was very gloomy and declined to join in any amusement or to drink. Said he expected to die on the 14th of February, following. Witness said at the time that he was cracked. The accused told witness he was firmly convinced he would die on the 14th of the approaching February—would not drink, because he had to prepare to die—to put his house in order, &c.—Witness ridiculed him, but without effect.

Owen Norfolk, sworn. In 1845 or '46, the accused conceived the idea that he was to die on the 14th of February following—was perfectly confident, persisted in his belief, and would not be persuaded out of it; and made preparations for the event. He had a great many peculiar and singular notions.

Cross-examined. Among these, he was very singular on the subject of women.

Thomas J. Turner, sworn. Has known the accused for many years. Slightly, when a boy, in Frederick; intimately, since 1843, when witness became a resident of Prince George's county. Always thought the prisoner a very singular and eccentric man. Had often told him he was crazy. In 1845 or '46, the accused said he would certainly die on the 14th or 22d of the following February—and even bet $100 with a person, that such would be the case. Saw a good deal of the accused—his spirits sometimes buoyant, and, at other times, much depressed. The accused told his approaching death to every body he knew.

Cross-examined. To best of his recollection, never told any body else he was crazy, under like circumstances. Certainly believed the accused to be laboring under monomania. He had rational ideas on some subjects—was then practising medicine—but often became melancholy and neglected his profession. He would sometimes drink—like most young men, would have periodical frolics. Kindly disposed, and generally beloved by all who knew him.

Judge W. G. D. Worthington, sworn. Is the father of the accused. Shortly after the 22nd of November, received a letter from his son, which he read in court. [This letter was very singular, and spoke of Death as a relief, and referred the Judge to the Lamentations of Jeremiah and to the 109th Psalm.] Always thought there was a vein of insanity in his family, on both sides. A good many members have been in hospitals, on account of derangement. The accused was born in Florida—always had some fine qualities, but subject to violent paroxysms and outbreaks of mania.

Mrs. Ryan, sworn. Knows W.; lived with him as house-keeper. W. was very much confined some three or four weeks before shooting of Crook. He was very much distressed in mind; never dressed himself; walked up and down the house; ate nothing for five or six days, and drank nothing intoxicating. Witness carried him his meals regularly; never touched them, save the coffee. On one occasion, in the night, he knocked at her door, which she opened; he entered, half-dressed, with a drawn sword in his hand which he several times stuck in the bed; servants ran from him; threw the sword down and himself upon the bed. Had a ring on with a miniature picture in it; held it to witness, saying: "Look at this; this has been my ruin!" He was very much distressed; looked wild, and went about the house with a light in his hand. On Thursday night received a letter, and never dressed for a fortnight afterwards; did not shave; did not leave the house, save once to go to his sister's. During all the fortnight, neither ate nor slept, to the witness's knowledge. After fortnight, his sister Mrs. Brook arrived. He was very melancholy and distressed in mind all the time. Witness thought his mind was affected. Knew Worthington and Crook to have been very intimate, and never heard of their quarrelling.

Cross-examined. Never perceived that he took any of the food she carried him—though he might have done so. He never asked for food or drink.

Mrs. Brooke, sworn. Is a sister of the accused. Saw him in October, on the Tuesday after the 8th of the month. Found him in a very melancholy condition; his conduct was that of a frenzied person. Insisted he would not live beyond Wednesday; appeared to have some design on his own life; ate some to gratify her; perfectly satisfied that W. had not been drinking. W. asked her to wait 'till Wednesday and see whether he could go home with her. In '45 bade her good-bye on one occasion; seemed perfectly satisfied he would not survive that night. Lived with witness at that time. Witness laughed at him and reasoned with him, to no purpose. In October '52 believed him to be perfectly insane; he was very melancholy; violent and frantic; bled himself until he fell back as if fainting. Could not raise his hand to his head after the bleeding; saw him also after he was brought to Marlboro'. He was frenzied in November and also in December '52. Told witness he could not live after Christmas; went to see him at Christmas; found him on his bed; he began to scream; witness was confident he had taken poison, but he laughed at the idea; was singing and laughing. W. never seemed to have any recollection of these events. He was always very kind, lively and gentle by nature. Lived with the witness many years. In '45 witness's child was sick; sent into W's. room for him to see it. W. came in, and told witness he expected to die, had bought a suit of clothes to be buried in, and was actually dressed in them, at that late hour. In October '52, made arrangements for his death. Told witness where to find certain articles. Witness remained in his room nearly all the time, from uneasiness.

Mrs. Carroll, sworn. Is an aunt of the accused. W. spent a great deal of his time with her. Never found any fault with her. On one occasion, came to her house, looking very singularly, with a chisel in his hand and said he was going to take down a certain bedstead. He came down stairs, looking very wild, and taking a blank card, said he was going to pronounce a curse upon her and her household. He then tacked the card to her parlor door. Witness destroyed the original, but preserved a copy. [The card ran somewhat thus wise: "I, Thomas Contee Worthington, of the 4th generation of the family which once inhabited this mansion, do call down upon Jane M. Carroll and her household, the veriest curse of Heaven—if possible, exceeding 109th Psalm."] Always particularly fond of accused and he of her—After this did, not see him until October; very ill and prostrate.

Cross-examined. No recent misunderstanding: none that could have caused the writing on the card. He never complained of her, to her face.

Mrs. Waring, sworn. Is a sister of the accused. He was at her house in October. She also went to see him. Found him crazy; almost run mad. Dr. Skinner took her home and advised her to write to her father to have him confined. When she saw the accused, he was very weak, could scarcely speak; remained at her house 'till the Sunday night before shooting of Crook. About 9 o'clock at night, suddenly ordered his horse to be saddled; saying he had a very important communication, which if it suited him, would put him in good spirits; otherwise she might never see him again. Very gloomy all the time and could not be aroused; ate very little. He did not say what the communication was, and asked her not to enquire. Had a horoscope, made for him in Baltimore, and appeared to place confidence in it.

Dr. Maccubbin, *recalled*. Saw W. with Dr. Skinner on 18th October; found him at the head of the stairs; singing and whistling; spoke of the great Mr. Adams. Dr. M. then told the accused: "You have played this game long enough; you had better dress and go out, &c." He said that if nothing occurred on the 19th, he would go out. Witness considered the state of the accused to be feigned and badly acted.—Never saw any reason for supposing him crazy. Believes in moral insanity. Does not think the accused to have been ignorant of the distinction between moral good and evil.

Cross-examined. Supposing the circumstances to be *real*, which witness considered feigned, then the judgment of witness is that the accused was crazy beyond all doubt. There are cases of homicidal insanity recorded; most medical writers believe in moral insanity: as Pritchard, Wood, &c. Witness, however, differs from all of them. Believes moral insanity to be no more nor less than moral depravity.—Taking for granted the circumstances of the killing of Crook as detailed by witnesses, has no doubt the accused was crazy. Does not profess to know much of the subject of insanity; not so much as names of Authors. Hereditery insanity is possible.

Robert W. G. Baden, sworn. Has been told by Turner, he was crazy, but only in jest.

[Here the Court decided to admit Crook's statements other than the deposition.]

On the evening of the 22nd November, went to see Crook, who said he was passing the accused's house that morning when he insisted on his coming in to breakfast with him as he (*W.*) had some rarity for breakfast. After breakfast the accused, with a Bible in one hand and a pistol in the other, said: "Charley, I have the dimensions of your heart in my eye, you had as well die now as at any other time." Crook, thinking he was jesting, said also, in jest, "You had better let me see my wife and children before you fire"—when the pistol went off. That night the accused came into Crook's room, spoke to witness, asked how Charley was, and if he had taken the pills he made for him?—Witness replied, no. The accused exhibited a pistol and told witness it was the same one with which he had shot Charley Crook.

Cross-examined. Has known the accused a long while, seen Worthington and Crook together; never saw insanity in *W.*

Dr. Skinner, *recalled*. The accused sent for him one Tuesday morning about the 10th October last. Went. *W.* was not in his room.—Witness waited up stairs, and *W.* not appearing, was about to leave, when he saw *W.* coming down from the garret. He seemed much distressed, threw his arms around witness, cried profusely, said he was very anxious to see Mrs. Waring, his sister. Witness went for her.—Saw *W.* frequently, his manner was very extravagant. On one occasion found him much excited; singing and whistling. His mind was not made up as to his sanity. On another occasion saw him, when Mrs. Brooke, his sister, was present; was beating his breast; had bled himself profusely and was very exhausted.—Witness wrote to the accused's friends that he should not be left at the Valley. The accused seemed to be under influence of stimulants. Never saw him sleeping save once.—Witness saw Crook the morning of his death. Crook said the accused called him in to breakfast, he agreed to go with the accused and assist him in an elopement; then the accused read to him from the Bible, then got a pistol, which generally lay on the table, and saying, "It is appointed to all men to die," shot him. Witness asked Crook if he thought the accused feared he (Crook) would divulge any secret, and therefore shot him? Crook replied: "No, for though the accused and he talked freely, the accused knew him not to be a talking man."

[With regard to Crook's opinion as to the sanity of the accused, the Court refused to admit it.]

Surgeon Nixian Pinkney, U. S. N., sworn. Has been nineteen years, in the Navy. Supposing it to be true that Crook was invited by the accused to breakfast, that the accused read the Bible and, without provocation, shot Crook, then the accused was undoubtedly insane. The fact that a taint was in the family, makes the presumption still stronger. The highest authorities allow of hereditary insanity.

Dr. Fonerden, sworn. Is at the head of the Insane Hospital in Baltimore. Has devoted much attention to the subject. Upon the hypothesis of Surgeon Pinkney, thinks the accused was in a state of incipient insanity. Supposing it to be true, as testified, that he was frenzied, for some time before, then his insanity was an abiding state of mind at time of shooting Crook. Believes, that where there is a predisposition to insanity, any sudden trouble will bring it out. Supposing it be true, as testified, that as far back as 1845, the accused was deluded in reference to a certain future day, opinion of insanity is further strengthened.—Taking all the facts into consideration, cannot account for the act of shooting except on the theory of insanity, and this is witness's decided conviction on all the circumstances.

With the evidence of Dr. Fonerden, the evidence terminated, and the Court adjourned to Saturday morning—when James S. Franklin, Esq., opened the case on the part of the State, in a speech of about one hour and a half. He was followed by Mr. Causin, who spoke for two hours, with much eloquence and great energy. He was followed by Mr. Reverdy Johnson, who occupied the Jury for about three hours, with the most powerful argument, to which the writer has ever had the good fortune to listen. After the conclusion of Mr. Johnson's argument, the Court took a recess for one hour. On re-assembling, Mr. Sollers concluded, on behalf of the State, in a very energetic speech of about a half hour's duration. The Jury then retired and, after an absence of a little more than an hour, returned into Court: R. I. Crabb, Esq., answering for the Jurors, gave in a verdict of Not Guilty; also that the Jury considered the accused insane at the time of the killing and insane now.

MARYLAND LEGISLATURE.

Tuesday—*April.*—The House met at half past nine, agreeably to previous order. Allen M. Goldsborough, Esq., from Caroline county, qualified and took his seat as member of the House, in place of H. M. Godwin, deceased.

The bill to regulate pilotage was taken up, and was under discussion when the House adjourned.

In the Senate, the bill to regulate inspections was amended by striking out all relating to flour inspectors, and ordered to be engrossed.

The bill to fix the numbes of county commissioners in each county was passed. This bill was amended so as to give each of the counties three commissioners, except Montgomery and Prince George's counties, which have five each.

Wednesday—*April* 27.—In the House, Mr. Roberts reported a bill to limit the time of bringing suits upon constables bonds.

The bill to regulate pilotage was taken up as the unfinished business of yesterday. Mr. Frazier spoke at length in opposition to the bill. Mr. Roberts replied. Mr. Lankford was speaking against the bill when the hour of adjournment arrived.

In the Senate, the Metropolitan railroad bill with House amendments was taken up. The Senate refused to assent to the amendment, imposing a capitation tax.

Thursday—*April* 28.—In the House, Mr. Wyse, chairman of the committee of ways and means, made a lengthy report upon the subject of the reduction of the State taxes. A minority report was also made by Mr. Brodwater. 2,000 copies of each report were ordered to be printed.

Mr. Morris, from the same committee, reported a bill to repeal the stamp taz on notes less than $500, which was ordered to be printed.

The bill for the better regulation of free colored people of this State was amended and ordered to be engrossed.

Mr. Brooke reported a bill to make valid a deed to Richard H. Marshall.

Mr. Fleming reported a bill to reassess the property of those portions of the State in which the oath was not administered.

The Speaker laid before the House a communication from the State Treasurer, stating that legal proceedings had been commenced against him for refusing to pay a warrant of the late Comptroller, which was referred to the committee on the judiciary, to act in conjunction with the judiciary committee of the Senate. The warant was issued by the Comptroller for the balance of his own salary, he claiming salary from the oath of his election, and the Treasurer being willing to allow it only from the date of his qualification.

The consideration of the bill to regulate pilotage was resumed. Mr. Lankford continued his remarks in opposition. Mr. Parran spoke in favor of the bill. Mr. Frazier spoke in opposition to the bill. Mr. Roberts replied. The debate was of a very animated and exciting character. The motion to strike out the enacting clause was rejected—ayes 19, noes 31.

Friday—*April* 29.—In the House, the message from the Senate asking the House to recede from its amendment to the Metropolitan railroad bill imposing capitation tax, came up which was debated at length by Messrs. Crout and Baker in opposition to receding, and Messrs. Waters, Coale and Kilgour in favor of receding. The discussion was continued until the bill to regulate pilotage came up as the order of the day.

Mr. Parran offered a substitute for the whole bill which was under discussion when the hour of adjourument arrived.

In the Senate, Mr, Williams reported a bill to ascertain and define the powers and duties of county commissioners.

Mr. Williams, chairman of the judiciary committee, to which was referred the communication of the Treasurer of Maryland in relation to the legal proceedings commenced against him in relation to the payment of the Comptroller's srlary, made a report, stating that the subject did not come within the province of the legislature, but should be le left to the courts for their decision. Mr. Kunkle spoke in opposition to the payment under any circumstances. The report was laid on the table.

Saturday—*April* 30.—In the House, several propositions to adjourn, and relative thereto, were made and laid on the table.

Mr. Plumer offered an order that the House will entertain no proposition to adjourn until final action shall be had on the bill to reduce the direct taxes, which was adopted—yeas 30, nays 15.

The House resumed the consideration of the bill to regulate pilotage.

Mr. Fleming spoke in favor of the bill, Mr. Lankford in opposition. Mr. Frazier also spoke in opposition to the bill, and said in relation to an article quoted by one of the speakers on the other side from the Baltimore Sun, that he did not know but "*what the Baltimore Sun was hired to puff those fellows!*"* He referred to the statements made by him yesterday, when he said, "*that he had agreed to abandon his opposition to the compromise pilot bill to gratify his Baltimore friends, though he was still opposed to it in principle!*" He repented of the pledge he had given, and should oppose the bill.

The bill was ordered to be engrossed—ayes 28, noes 12.

In the Senate, Mr. Bowling reported a bil to incorporate the Patuxent Rail Road Company.

The bill to promote the cause of Temperance, was rejected.

[* *Query*—Has not Mr. F. been unfortunate in such acquaintance as he has perhaps made among the press, that he should thus judge us; or does not his own language and vacillation on this subject imply that he may possibly judge us by himself? To what article Mr. F. refers we do not know, as *The Sun* itself put forth nothing in relation to the pilots or pilot laws lately that we remember, except a sew statistics, gathered from a Legislative document.]

THE PLANTERS' ADVOCATE.

UPPER MARLBORO'.

Wednesday Morning, May 4, 1853.

Acquittal of Dr. Worthington.

A large space of to-days paper is given up to a report of the trial of Dr. Thomas C. Worthington for the alleged murder of Charles Crook, of this county, in the Circuit Court of Anne Arundel county—which, by previous arrangement, we are enabled to give very fully and completely.

We have been induced to this publication by two motives:

Frstly, it is a matter of great interest to our readers in this county—the occurrence having occasioned great sensation, and not a little prejudice. Wherefore, it was due to all sides, that they should see the evidence and read it.—Those who were prejudiced will thus have occasion to see how far their opinions were correct and their prejudices justifiable; while those, who entertained a different idea of the case, may also be able to read how far their views are warranted and sustained by the evidence.

Secondly, it was, in a high degree, due to the accused himself, that his fellow-citizens should compare the evidence, for and against him. In the event of a conviction it would, manifestly, have been of great importance to him, to have the public see upon what facts such conviction was had; and now, since he has been acquitted, it is, perhaps, equally important that the public should have before them the grounds of such acquittal.

The case was one of great interest, and occasioned much commotion in Annapolis. As will be seen by our report, Messrs. Franklin (State-Attorney for Anne Arundel county) and Sollers appeared on behalf of the State. The Defence was managed, in chief, by Messrs. Reverdy Johnson and Causin.

We desire to express no opinion as to the merits of the case or its termination. The jury acquitted the accused, and found he was insane at the time of the occurrence, and insane *now*. He has accordingly gone to the Maryland Hospital, according to the Act of Assembly, until the head of that Institution shall be satisfied of his sanity.

We commend both those well-disposed, as well as those hostile to the accused, to a calm perusal of the report, which is full and impartial.

A Model Jail.

Having been obliged to be in Annapolis, during the major part of last week, we took occasion to visit and examine the County Jail—opportunities for which were kindly afforded, by the gentlemany manager, Mr. Edwin W. Duvall. We have never seen any building approaching so near to what, in *our* estimation, a jail ought to be, as the one of which we speak. The house is large and commodious, well-aired and as clean as any private dwelling to be met with in a twelvemonth. The rooms are large, the walls white as possible, (and not like the walls of a dungeon,) and the floors look as smart as it is possible to make them, under the influence of sand and water. The whole establishment is a credit to Anne Arundel county.

It is due that we should refer, in very high terms, to the courteous bearing of Mr. Duvall towards his visitors, and his uniform kindness to, and care of, the prisoners under his charge. The least we can say, is, that if ever *we* should be put in limbo, we will pray, most devoutedly, to be given up to his keeping—for in his hands, it is true, beyond all question, that the evils of confinement are dissipated, as far as they can possibly be.

Commutation of Sentence.

Governor Lowe, after a careful examination of the circumstances of the case, has commuted the sentence of death, passed upon *Mary Eleanor Brown*, a colored woman, in the Circuit Court of this County, to imprisonment for life. She will be released from the Penitentiary, whenever further evidence of her probable innocence shall be laid before the Executive. It is perhaps right to mention, that this commutation of sentence has been granted mainly at the instance of F. Suit, Esq., of this village. Having become perfectly satisfied of the innocence of the woman, he has been unremitting in his efforts to obtain a pardon, and has thus far succeeded.

Dr. Pinkney's Lecture.—Our readers will do themselves the justice to recollect that Dr. Pinkney will lecture at the Court House, on to-morrow (Thursday) evening, at 8 o'clock, before the Waverly Society.

"Black Warrior."—We direct attention to the advertisement of this celebrated horse in another column. He is a fine specimen of the thorough-bred, Canadian species, and we would advise our planters to avail themselves of this opportunity.

A number of articles prepared for this week's paper, have been unavoidably crowded out.

An Interesting Suit.

Ex-Governor P. F. Thomas has filed a petition in the Circuit Court for Anne Arundel County, the object of which is to test a very interesting question. Under the petition, a rule has been served upon James S. Owings, Esq., the Treasurer of Maryland, to show cause why a mandamus shall not issue to compel him to pay to the late Comptroller his salary from the date of his *election*, instead of the day of his *qalification* by oath. The gist of the difficulty is this: Is an officer, elected by the people, entitled to draw his salary before he shall have qualified for the same? Dr. Owings thinks not, and has therefore refused to pay the money; and, in our judgment, he has acted very properly.

For, in the first place, it is true, beyond all question, that no one is an officer, until he has taken the prescribed oath, and is thus authorized to enter on its duties. Until such qualification, he is only an *officer-elect*. Now, it is only common-sense to say, upon this consideration, that no man is entitled to the salary of any office, before he becomes invested with that office.

Again, if the Ex-Comptroller should gain his point, there will appear this manifest absurdity: that we have had two sets of officers at the same time, both receiving their salaries. For the present Judges of the Court of Appeals claim their salaries, also, from the date of their election; and their predecessors, of course, claim *theirs*, up to the period of the legal qualification of their successors. Therefore, if this claim be allowed, this State had *two* Courts of Appeals from the election of the present judges up to the time of their qualification—which is no more nor less than an absurdity. The same case applies to the Circuit Judges and members of the Legislature. Bearing in mind the plain principla that no man can claim the salary of an officer, until he be that officer himself; and, secondly, that no man is an officer, until he is qualified, as prescribed by law—we are satisfied that no man of common information can fail to agree with the Treasurer, in his refusal to sanction such an outrage on the public funds. The only wonder is, how so plain a question ever came to be discussed.

The Prince George's Railroad.

By the kindness of Mr. Bowling, we are favored with a copy of the Bill reported by him to the Senate of Maryland, on the 30th ultimo, and referred, after the first reading, to the Committee on Internal Improvements. The report is very long and full in its details. Having received it at a very late hour last evening, we are compelled to defer an analysis of its provisions, 'till next week.

The object of the bill is to incorporate a company with the style of "The Potomac and Patuxent Rail Road Company," with all the usual powers and privileges. The ultimate intent of the incorporation is to construct a road from some point in, or near, Baltimore to some other point on the Patuxent River, "not higher up than Liverpool point and not lower down than the mouth of Wicomico River."

We understand, inofficially, that it is contemplated to run the road through or near this village. Its construction cannot fail to be of the utmost importance to our county. It will not only afford swift and constant means of transportation for Tobacco and other heavier produce, but will be an outlet to market for all surplus fruit and vegetables, and will thus promote and encourage a spirit of life and activity, never known before.—But more of this at a future time.

References to the People.

By the annexed paragraph, from an exchange paper, it appears that the Supreme Court of New York have taken a noble stand against that popular, but utterly false notion, of referring important measures to a vote of the People. The Legislature, as its very name imports, is intended to make laws by its own authority. But if any one measure is to be referred to the people, as to a superior tribunal, then all must be referred, on the same principle;—and when that is done, there will be an end of all legislation, and, as a consequence, of all civil liberty. We earnestly hope the decision in New York will serve as a precedent:

The Supreme Court of the State of New York, at its late term at Oswego, have affirmed the unconstitutionality of an appeal to the people in any legislative matter. The subject in question was a vote by the people of that State on the Free School Law. They decide that a bill otherwise constitutional can be rendered unconstitutional by requiring its validity to depend upon a vote of the people. They argue that the State Constitutions have confined the law-making power to the Legislature. Judge Hayner, of Minnesota, made the same decision on giving the liquor law to the decision of the people.

Governor's Bridge Sold.—We understand that that enterprising gentleman, N. H. Shiply, Esq., of this county, has purchased the village of Governor's Bridge.

The democratic members of the Legislature in caucus have fixed the 10th day of August for holding the State Gubernational convention.