

the contents escaped. He attempted to bribe the postboy that was to drive the jars to the railway station to upset the coach, and he induced the local postmaster to open the letter that contained the report of the experts, Dr. Taylor and Mr. Rees, and to acquaint him with its terms. He sent presents of game to the coroner. These artifices produced the result that was to be expected, and the sporting surgeon of Rugeley was fully committed for trial for the murder of John Parsons Cook. Rugeley, and, indeed, Staffordshire, had no doubt as to his guilt, and it was obvious that, if he was tried in his own county, the result of the trial would be a foregone conclusion. So the Legislature intervened to protect this blackleg from his neighbours, and an Act of Parliament was passed, which is sometimes described as Palmer's Act (19 Vict. c. 16), and which provides for the removal of a criminal prosecution to the Central Criminal Court when, for some cause personal to the prisoner, a fair trial cannot be had in the appropriate venue. The *cause célèbre* of *Regina v. Palmer* was heard at the Old Bailey in the beginning of May, 1856, before three Judges—Lord Chief Justice Campbell, Mr. Justice Cresswell, and Mr. Baron Alderson. It lasted for twelve days, and resulted in the jury unanimously finding the prisoner 'guilty as libelled.' The Attorney General (Sir A. E. Cockburn), Mr. Edwin James, and Mr. Huddleston appeared for the Crown. Mr. Serjeant Shee—*vice* Mr. Serjeant Wilkins, who was prevented by illness from conducting the defence—Mr. Grove, Q.C., whose scientific knowledge was considered valuable, and the unfortunate Kenealey appeared for the prisoner. The points of legal and medical interest connected with this trial are almost innumerable. We shall deal with a few of them and leave our readers to grapple with the rest. (1) *Regina v. Palmer* dissipated the delusion that poisoning by strychnia can be effected *with impunity*. When Dr. Taylor and his brother expert reported that they found no strychnia in the stomach of Cook, it was hastily assumed that this deadly alkaloid could not be detected, and a half-witted farmer in the Midlands, named Dove, poisoned his wife with it on the strength of this assumption. But the trial conclusively

established (a) that the failure of the experts for the prosecution to detect strychnia was due to the conditions under which their experiments were conducted; (b) that strychnia does not defy chemical analysis; and (c) that even if *post-mortem appearances* prove deceptive, the *symptoms* of poisoning by strychnia are unique and cannot be confounded by the practised eye with those of general convulsions, epilepsy, or tetanus, whether traumatic or idiopathic. (2) In the course of his powerful speech for the defence, Mr. Serjeant Shee said that he believed 'in his soul' that the prisoner was innocent; and Sir Alexander Cockburn in his reply was, with less excuse, betrayed into hinting that he held a contrary opinion. Lord Campbell directed the jury to disregard both of these observations entirely, and to confine their attention to the evidence. The feather thus plucked from the wings of counsel has never been replaced, and it is not now the practice, even in criminal cases, for an advocate to tell the jury his personal opinion as to the merits of the issues before them. (3) *Regina v. Palmer*, following *Regina v. Macnaghten*, 10 Cl. & Fin. 211-212, is an authority for the proposition that an expert will not be permitted to state that *upon the facts proved at the trial* he is of a certain opinion. But he may be asked what inference he as an expert would draw from certain facts or symptoms, *assuming them to be proved*. (4) In the course of Palmer's trial Mr. Grove was proceeding to cross-examine a medical student who had assisted at the *post-mortem*, upon the appearances caused by strychnine poisoning, when one of the judges stopped him, saying, 'When you have here all the medical men in England, you had better not put such questions to an undergraduate of London University.' This is the nearest approach that we are aware of in any medico-legal case to the assertion by a judge of his undoubted right to reject the evidence of any expert who appears from his own statements incompetent to give an opinion upon the matter in question. Upon the histrionic features of this remarkable trial we shall not dwell. Sir James Stephen and, *longo intervallo*, Mr. Harris have made them familiar to all English lawyers. But a bibliographical note