

new boots, which, as in the case of the trousers, he immediately put on. At half-past 3 he returned to some lodgings which he had been for some time occupying, and which he had not given up when he made the pretext of taking those of Mrs. Henrichson. Here his change of dress was noticed, as also a gold chain and a purse of money sworn to have belonged to the murdered woman. After borrowing of his real landlady a clean shirt, and leaving in its place one stained with blood, he went at 6 in the evening to a hairdresser's, and, under pretence of being shaved, asked for a wig. That night he passed with his wife, whom he had not visited for a considerable time. The next day, having bought a new cap, he went into a Jewish shop, to effect if possible the sale of the watch. Here his demeanor was so suspicious, that the owner of the establishment, speaking to his son in Hebrew, directed him to procure the services of a policeman, and he was speedily placed in custody, though not, as yet, for the murders. As the crime, however, and the description of the presumed criminal, were now notorious, he was soon identified as the man for whom pursuit was at that moment being made."

The atrocity of the crime, and the absence of what some call a sufficient motive, constitute the only grounds upon which a plea of insanity could be raised with any plausibility in this remarkable case. The counsel for the prisoner appears to have relied upon the former point, although he must have considered it a hopeless line of defence. He endeavored to persuade the jury that the whole of the circumstances of the case showed that "whoever committed the murder was not an accountable being. The savage manner in which the children had been treated, the number of blows which had been inflicted upon the servant girl, when so much less violence would have been sufficient for the purpose of the murderer, tended to show that the person who inflicted them was not an accountable being."

This line of argument, as well as that derived from the sufficiency or insufficiency of motive, was well disposed of by the learned judge who tried the case. In his summing up his lordship said with great energy:—

"I do not think there is the slightest possible evidence of insanity. I am obliged to state so openly, because really, if on account of the ferocity and brutality of the offence, a jury was to be told to presume a man to be insane, you might as well have no law or justice in society at all. This was really frightful; and I believe this is the first instance in which insanity was ever attempted to be set up from the brutality and ferocity that characterized the deed. There must be something to satisfy the minds of the jury that the prisoner was insane. But what was there here? There was nothing at all in particular, excepting the mere ferocity of it, from which I do not think that any one would draw the conclusion that the man did not know right from wrong. As to his not having such a motive as would induce a reasonable man to commit such a horrible murder—why, a reasonable man would not commit a murder at all. It was not a question whether a man had his right senses or reason in the sense that he could not control his passion. A man might commit a murder whilst laboring under a sudden fit of passion, or to gratify revenge; but it was not for that reason that a jury was to say that a man was insane. A reasonable and well-judging man would not strike at all; and if we see from the evidence of a case that a man was really out of his mind, and did not know whether he was doing wrong or not; that his mind was entirely beyond his control; that he was not aware that what he did was wrong in the sight of God or man; then, in considering your verdict, such a man would not be answerable for his actions; but this really is the first time I have ever heard this sort of defence carried to the extravagant extent that, because the thing is so very ferocious, the man who committed it must be insane."

The Jury returned a verdict of Guilty.

In this case it will be perceived that there were the *premeditation* and *precaution* in the perpetration of this horrible series of murder, which indicate that the perpetrator must have been well aware of the nature of his acts and their consequences. The attempts at concealment on the part of the accused in endeavoring to wash the stains of blood from his clothes, and his subsequently giving them to a person whom he casually met in the street, as well as the fact that the murders were followed by robbery, are circumstances entirely adverse to the admission of the plea of

homicidal insanity. They are acts clearly indicative of a crafty murderer, carrying out his purpose with a certain object in view, and endeavoring to baffle the efforts of justice. With the clearest evidence of this kind against him, it would have been preposterous to have allowed this criminal to escape on a plea of insanity, merely because the acts of violence were more than sufficient for the purpose of murder, and the motive for the perpetration of these acts was not sufficient to induce a reasonable man to commit such horrible crimes. If a plea of this sort were once received in a Court of Justice, it would be impossible to convict of murder any criminal who had used more violence than was physiologically sufficient to account for death, or for whose acts a normal motive was not apparent! As the learned judge truly observed, we might, under these circumstances, just as well have no law or justice in society at all.—*London Medical Gazette.*

MISCELLANEOUS.

Queries in Medical Ethics.—By W. Fraser, Esquire, M.R.C.S.E. (Read before the Medico-Chirurgical Society of Aberdeen, 5th April, 1849.)—The following queries, which bear reference to certain points of a practical character in medical ethics, were noted down at different times, as the circumstances giving rise to them occurred. These circumstances, which were such as must have frequently happened to every member of the Society, have in no instance left any unfriendly personal feeling in my mind, but rather the reverse. I am far from thinking that I have in every case given the proper solution to the queries, or satisfactorily set at rest the difficulties that have been stated: indeed, I fear that in many instances I have done little beyond opening up the subject for discussion. They are brought forward chiefly for the sake of eliciting information, and of directing attention (more particularly that of the younger brethren) to the consideration of those principles by which our conduct towards each other, as well as to our patients and the public, should be governed.

With your permission, I shall first read the queries, and then, when the opinions of the Society upon the different topics have been expressed, the answers which I have ventured to offer for your consideration.*

Query 1.—If a patient wishes you to call into consultation a medical man, of whose qualifications in the circumstances of the case you may have an unfavorable opinion, is it proper or honorable to decline doing so, or to endeavor to alter the opinion of your patient?

Ans.—If your patient expresses a very decided wish to have a particular person called in, you ought to acquiesce, provided there be no professional stain on his character sufficient to warrant you to decline doing so. His being junior to yourself, either in age or professional capacity, is certainly no sufficient reason.

Query 2.—If, on being sent for by a patient, you find that he has been under the charge of another, who, from some reason or another, has discontinued his attendance, although it was still desired by the patient, is it proper in you to take charge of the case, or ought you previously to communicate with the other medical attendant?

Ans.—You should advise the patient to let his former attendant understand that he wishes his services continued, and if the latter decline to continue them, there is nothing to prevent you from taking charge of the case.

* Although the answers given in this paper were not, of course, endorsed as correct by the Society as a body, yet it may be stated with perfect truth that they expressed as nearly as possible the views that seemed, in general, to be entertained on the points to which they refer.