

should be encouraged in their purely medical functions, and should have every opportunity and facility for observation and research extended to them. By raising their status, increasing their emoluments, and *enabling them to marry*, the service would be maintained at a high level of excellence.

“Dr. Clouston also insisted on the importance of the asylum physician continuing in contact with his brethren engaged in general practice. He would encourage them to visit asylums and to see the work done there. He would be hopeful that they would learn from the asylum medical staff, and that the gain to professional knowledge would be reciprocal. With this in view he would not impose any restraint on the medical officers of asylums seeing medical work outside the walls of the institution with which they were connected, so long as asylum duties were not neglected. Such restraints might be a hindrance in the way of the best possible work.

“The President was followed by Dr. Savage, Dr. Ball (Paris), Dr. J. A. Campbell, Dr. Hack Tuke, Dr. Urquhart, Dr. Outterson Wood, Dr. Needham, Dr. Campbell Clark, Dr. Lyle, Dr. Whitcombe, Dr. Aldridge, Dr. Deas, and a paper on the subject of the discussion by Dr. Strahan was read in his absence by the Secretary.

“It may be added that the many and interesting papers read and discussed at this successful meeting of the section of psychology afford proof that the medical spirit is at present maintained at a high level in our asylums, while the future, as forecast by Dr. Clouston, is full of promise.”

The Poole Murder Case.

Another example is afforded by this striking case of the singular condition of English law in regard to the responsibility of supposed lunatics who commit the crime of murder. In May last a pilot, John Gerrard King, shot Alderman Hamilton, Commissioner of Pilotage at Poole, with a revolver. Nothing had happened previously to cause any animosity on the part of King to Hamilton, but the prisoner called upon him in order to obtain redress for what he considered a grievance in connection with his office as pilot. Shortly before Hamilton met his death he and King were seen talking together at noon nearly opposite the Poole police-station. What passed is not known, but the prisoner was seen to shoot the Commissioner,

and was arrested. In charging the grand jury before the trial, Mr. Justice Hawkins said that the facts were very clear, and that "he had no reason to believe that King was not responsible for his acts."

It appears from the account of the trial in the *Western Chronicle*, July 16, that during the whole of the evidence the prisoner sat sullen, and apparently half stupefied. Even while the terrible details of the murder were being related, not a shadow of repentance or remorse was reflected in his fixed features, and to all appearances he was a man thoroughly oblivious to the fearful position in which he was placed, and regardless of the fatal issue of the trial. Mr. Austin, for the prosecution, concluded his address "with deep impressiveness" (!) in the following terms:—"To say that at the time this man took Alderman Hamilton's life he either did not know what he was doing, or did not know that what he was doing was wrong, is impossible." The paper adds:—"This striking sentence in the learned gentleman's address produced a marked impression in the crowded court, and even the prisoner, sunk as he was in apathy and indifference, shifted uneasily on his seat." Counsel must have been impressive indeed. As to the medical evidence, it would probably satisfy all our readers of the mental condition of the prisoner to know that Dr. Symes, the experienced Medical Superintendent of the Dorset County Asylum, after repeated examination of King, by instructions from the Treasury, gave a decided opinion that he was a man of thoroughly unsound mind. Mr. Good, the medical officer of H.M. prison, as often happens with medical men holding this position, and with no special knowledge of mental affections, was quite unable to detect insanity.

Judge Hawkins laid down the law relating to insanity and crime in the usual fashion. It was not sufficient that a man should show he was eccentric, or that in some things he might indicate unsoundness of mind; neither was it sufficient to show that he was suffering under delusions which had nothing whatever to do with the act he committed. But it was necessary to show that he was so diseased in his mind as that his mental condition at the time was such that he did not know the nature of the act, or if he did know that, he did not know it was a wrong act—in short, that the prisoner did not know he was about to take the life of another, or if he did that he did not know it was a wrong act. It was important, in the interests of justice, that this case should not come to them on any false issue. It must be shown, not that there was any irregularity

of mind, mere eccentricity, or unsoundness, unless it amounted to what he had told them. If the law were otherwise, it would be a sad thing in the interests of society. His Lordship read the resolution of a majority of judges on the McNaghten case, which fully bore out the theory he had laid down. It was not a question to be raised whether or not there was any doubt about the prisoner's insanity; the issue and the burden of proof was upon the defence to satisfy the jury that his mind was such that he was criminally irresponsible. The question they must ask themselves was—Aye or nay; was the prisoner, when these shots were fired, labouring under such a defect of reason as not to know the nature and character of the act he was doing, or that he was doing a wrong act? He pointed out that although one member of the family was insane, there had been nothing whatever to show hereditary taint.

No one ought to blame the judges for doing what Sir Henry Hawkins did in this case, but the point is here—that while Mr. Justice Stephens maintains that the present law should be interpreted to mean very much what mental experts wish it to mean, he altogether fails to induce his fellow judges to do the same. They continue to understand the law in the literal sense in accordance with which not a few madmen have been executed, and if they had their way, some of the latter would suffer the extreme penalty of the law as responsible beings. Hence, Sir James Stephens having failed to convert his colleagues to the non-natural interpretation of judge-made as well as judge-interpreted law, it is as necessary as ever to expose the antiquated notions upon which it is based. It should be clearly understood that by English law the Poole murderer was condemned to death as not insane, that by an English judge this verdict was approved,* and that it was only by obtaining a further medical examination that the opinion of Dr. Symes was confirmed, and that of the gaol surgeon set aside. Dr. Bastian, Crown referee in cases of supposed insanity, and Dr. Sheppard, late Medical Superintendent of Colney Hatch,

* The Judge (having put on the black cap) addressed the prisoner as follows:—
“John Gerrard King, it was quite impossible for the jury to have come to any other conclusion than they had done—that it was by your hand Mr. Hamilton met his death; and when I come to think upon the evidence before me, I must say they have come to the true conclusion with regard to the defence that was set up for you, that you were not responsible for your actions. No man is irresponsible for his criminal actions unless it can be established to the satisfaction of the jury that he did not know the nature and character of the act he was doing, or that he was doing a wrong act. I cannot myself come to any other conclusion in my own mind than that which the jury have arrived at.”

had no difficulty in determining the mental condition of the convict to be unsound. He was, in fact, a typical lunatic. He was on their report reprieved, and removed to Broadmoor.

The Certificate in Psychological Medicine.

It will be found on referring to the report of the Annual Meeting of the Association in this number of the Journal that the conditions and regulations respecting the examination for the certificate of efficiency in psychological medicine have been modified in several important particulars. At the time it was instituted it was intended to ensure, by means of a certificate and the requiring of a certain amount of practical experience antecedent to granting it, such efficiency as would commend to the public, persons holding the diploma as specially qualified to sign certificates in lunacy, and to determine on the delicate question of the best mode of carrying out the care and treatment of patients. It was also hoped that in any Lunacy Bill to be introduced by the Government, the force of such a certificate would be recognized as possessing special value. Hence, the minimum age was fixed at 25, and it was made a condition that candidates must produce certificates of having resided in an asylum (affording sufficient opportunity for the study of mental disorders), as clinical clerk or assistant medical officer, for at least three months, or of having attended a course of lectures on insanity and the practice of an asylum (where there is clinical teaching) for a like period.

During the year which has elapsed since this certificate was decided upon, there has not been the hoped-for response to the offer to grant this diploma of efficient knowledge and experience. It has, it is true, been made publicly known for only a shorter period, and the notice in the Journal probably failed to meet the eye of a large number for whom it was designed. We are not disposed, therefore, to make too much of the apparent failure referred to. Still, it appeared to the Council best to open the portals wider, and while the former conditions as regards previous attendance on lectures, &c., are retained, the alternative is added that candidates can be admitted to examination on presenting such evidence of antecedent study as shall satisfy the President. This qualifying clause removes the obstacles to examination which it is alleged would press heavily upon some desirous