

The CHIEF JUSTICE TINDAL interposed, and said,—Mr. Solicitor-General, are you prepared, on the part of the Crown, with any evidence to combat this testimony of the medical witnesses who now have been examined? because we think, if you have not, we must be under the necessity of stopping the case. Is there any medical evidence on the other side?

The SOLICITOR-GENERAL.—No, my Lord.

The CHIEF JUSTICE TINDAL.—We feel the evidence, especially that of the last two medical gentlemen who have been examined, and who are strangers to both sides, and only observers of the case, to be very strong, and sufficient to induce my learned brother and myself to stop the case.

The SOLICITOR-GENERAL.—Gentlemen of the Jury, after the intimation I have received from the Bench, I feel that I should not be properly discharging my duty to the Crown and to the public, if I asked you to give your verdict in this case against the prisoner. The Lord Chief Justice has intimated to me the very strong opinion entertained by himself and the other learned judges who have presided here to day, that the evidence on the part of the defendant, and more particularly the evidence of the medical witnesses, is sufficient to shew that this unfortunate man, at the time he committed the act, was labouring under insanity; and, of course, if he were so, he would be entitled to his acquittal. I was anxious, however, to say, on the part of the Crown, that they have had no object whatever but the attainment of public justice; and I believe I am right in saying that, on the part of the prosecution, every facility has been given to the defence. There is no wish, there can be no wish, on the part of the public prosecutor, but that the ends of public justice shall be attained; and, certainly, when in the streets of this metropolis a crime of this sort was committed, it was incumbent on those who have the care of the public peace and safety to have the case properly investigated. The safety of the lives and persons of all of us requires that there should be such an investigation. On the part of the Crown, I felt it my duty

to lay before you the evidence we possessed of the conduct of this young man. I cannot agree with the observations my learned friend has made on the doctrines and authorities that have been laid down in this case, because I think those doctrines and authorities are correct law; our object being to ascertain whether at the time the prisoner committed the crime he was at that time to be regarded as a responsible agent, or whether all control of himself was taken away? The Lord Chief Justice I understand to mean to submit that question to you. I cannot press for a verdict against the prisoner. The learned judge will submit the case to you, and then it will be for you to come to your decision.

The CHIEF JUSTICE TINDAL.—Gentlemen of the Jury, in this important case, which has excited very great anxiety during the two preceding days, the point I shall have to submit to you is, whether on the whole of the evidence you have heard, you are satisfied that at the time the act was committed, for the commission of which the prisoner now stands charged, he had that competent use of his understanding as that he knew that he was doing, by the very act itself, a wicked and a wrong thing? If he was not sensible at the time he committed that act, that it was a violation of the law of God or of man, undoubtedly he was not responsible for that act, or liable to any punishment whatever flowing from that act. Gentlemen, that is the precise point which I shall feel it my duty to leave to you. I have undoubtedly been very much struck, and so have my learned brethren, by the evidence we have heard during the evening, from the medical persons who have been examined as to the state of the mind of the unhappy prisoner—for unhappy I must call him in reference to his state of mind. Now, gentlemen, I can go through the whole of the evidence, and particularly call back your attention to that part of it to which I at first adverted, but I cannot help remarking, in common with my learned brethren, that the whole of the medical evidence is on one side, and that there is no part of it which leaves any doubt on the mind. It seems, almost unnecessary that I should go through the evidence. I am however, in your hands; but if on balancing the evidence in your minds, you think the prisoner capable of distinguishing between right and wrong, then he was a responsible agent and liable to all the penalties the law imposes. If not so, and if in your judgment the subject should appear involved in very great difficulty, then you will probably not take upon yourselves to find the prisoner guilty. If that is your opinion, then you will acquit the prisoner. If you think you ought to hear the evidence more fully, in that case I will state it to you, and leave the case in your hands. Probably, however, sufficient has now been laid before you, and you will say whether you want any further information.

The Foreman of the Jury.—We require no more, my Lord.

The CHIEF JUSTICE TINDAL.—If you find the prisoner not guilty, say on the ground of insanity, in which case proper care will be taken of him.

The Foreman.—We find the prisoner NOT GUILTY, on the ground of insanity.

The Clerk of the Arraignment, by order of the Court, directed the gaoler to keep the prisoner in safe custody till her Majesty's pleasure be known.

The prisoner was then removed, and the Jury were discharged.

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On Wednesday the 15th of March, the prisoner was removed by Mr. Cope, the Governor of Newgate, to Bethlehem Hospital, St. George's Fields, under an order from the Right Hon. Sir James Graham, her Majesty's Secretary of State for the Home Department.