

man knew what it was that he was doing—that was to say, that he knew he was killing a fellow creature. He repeated that if a man killed a fellow creature knowing at the time that he was doing wrong then he was guilty of wilful murder. The only question, therefore, for them to determine was whether the prisoner knew the nature and quality of the act he was committing, and whether he knew it was wrong. The jury were bound to give their verdict according to the evidence, and to administer justice according to law. The circumstances were very sad, and a painful duty rested on the jury and all concerned in the trial. However painful that duty was they must not shrink from the performance of their duties. The only defence, and the one which had been set up on behalf of the prisoner with the utmost skill, discreetness, and ability by his learned counsel, Mr. Grain, was that the accused at the time he committed the act was of unsound mind, and therefore not responsible for his actions. His Lordship then carefully reviewed the evidence which had been given on the part of the defence in order to prove insanity, and remarked that previous to the 8th of August no one would have said the prisoner was of unsound mind, and referring to the statement made by the accused, he observed that it was difficult to say that at the time he did the deed he did not know what he was doing. He had had handed to him by the learned counsel for the prosecution, an Act of Parliament passed towards the end of last month—of the existence of which he was not previously aware, as no notice had been given to him—which might affect the form of their verdict. The former and logical law was simply this:—Wilful murder involved malice aforethought, and a person of unsound mind was incapable of forming an intention or malice aforethought, and therefore incapable of murder. In such circumstances a jury found a person “Not Guilty on the ground of insanity.” The law, however, had been altered, and if the jury found that the prisoner was insane at the time he committed the act they would have to return a special verdict that he committed the act, but was insane at the time. If, on the other hand, they found that he knew the nature and quality of the act when he killed his children, and that he was not of unsound mind, they must find him guilty, and the new Act would not affect that verdict.

The jury retired to consider their verdict, and, after an absence of about a quarter of an hour, returned into Court, finding the prisoner *Guilty*.

Being asked in the usual course whether he had anything to say why sentence of death should not be passed upon him, the prisoner replied in the negative.

Silence was then formally proclaimed, and

Mr. Justice Day, having assumed the black cap, proceeded to pass sentence of death.

The prisoner, who had preserved a calm and undisturbed demeanour throughout the trial, was then removed.

TO THE EDITOR OF *The Times*.

SIR,—I feel it my duty to write shortly about the case of William Gouldstone, the murderer of his five children. Justice demands further investigation of the case. The facts are plain. A young man of 26, who had been a well-behaved and industrious man, odd in some of his ways, is seized with fear of impending ruin to himself and family, and kills them to send them to heaven. The act is an insane one, and I think little more should have been needed to prove it to be such, but it was proved that his mother and aunt both suffered from precisely similar fears of ruin, and though the Judge ridiculed the importance of a second cousin on his father's side being insane, I would repeat emphatically that there being an insane taint which could have been shown to exist in several second cousins and others on the father's side, was of great importance. A great deal was made of my statement that I could not certify to his insanity from my personal interview of 15 to 30 minutes. It does not follow that the man may not have been insane at the time the act was committed.

There is the feeling abroad that a man if insane and irresponsible is always so, whereas the most insane people often are collected enough during the greater part of their lives. The poor man Gouldstone is, to my mind, a typical case of insanity associated with insane parentage. He had done his work, which was purely mechanical, well, but he had no power to resist, and the act he perpetrated depended on an insane feeling of misery. I have no doubt he would have sooner or later developed delusions.

The medical officer to the House of Detention told me he considered him to be suffering from melancholia.

I trust this prisoner will not be allowed to be hanged. I may say that I am not one who is in the habit of defending criminals on the plea of insanity.

I am, yours truly,

GEO. H. SAVAGE, M.D.,
Physician Bethlem Hospital.

September 15, 1883.

TO THE EDITOR OF *The Daily Telegraph*.

Sept. 18, 1883.

SIR,—I feel bound to take notice of the letters written to you by "One of the Jury" in this case, as there seems to be great danger that the prisoner will suffer through misunderstanding of my opinion. The skilful cross-examination of Mr. Poland gave me no opportunity of representing my own opinion on the man's sanity. I was forced to own that in a short interview, from the facts seen by myself, I could not have signed a certificate of insanity. I doubt not but that if I had expressed a willingness to sign one that the haste of the proceeding would have been used as an argument against its value.

I did say, however, that, taking my examination with the history of the man and the crime, I had no doubt that he was of unsound mind. The Judge opposed strongly attempts to get my opinion, believing the common sense of a jury to be the best judge of sanity. This is all very well if the facts are explained by one understanding their value, and not otherwise. That the patient knew he had killed his children, and that he knew he might be hanged, I could not deny, but knowledge of this kind does not exclude insanity.

I have patients of the most insanely dangerous class here who have said the same things which Gouldstone said, and who know as much as he does. Yet they are mad. William Gouldstone ought not to suffer without a careful independent investigation of his history and the history of his crime, one not confined to an examination of twenty minutes or half an hour.

I am, yours truly,

GEO. H. SAVAGE.

Bethlem Hospital, Sept. 17.

LETTER FROM GOULDSTONE'S WIFE.

(*Standard*, Sept. 20.)

"During our five years' married life I frequently noticed that my husband was absent-minded and given to brooding. If he were asked a question he would not, no matter how simple it was, or however easy to answer, reply at once. He would think over it, and sometimes say something not concerning the question. We commenced housekeeping on 21s. a-week, and latterly he had 25s. It was sometimes difficult to make ends meet when the children came so rapidly, and this weighed on his mind, I fear, although he never spoke of it to me—except in the way of saying how sorry he was that my hands were so full, and that we could not go out together as we used to do. That was the only way in which he ever spoke of the burden of the family. Before we had