

The case of Luigi Buranelli : medico-legally considered / by Forbes Winslow.

Contributors

Winslow, Forbes, 1810-1874.

Publication/Creation

London : John Churchill, 1855.

Persistent URL

<https://wellcomecollection.org/works/vpgkvh7e>

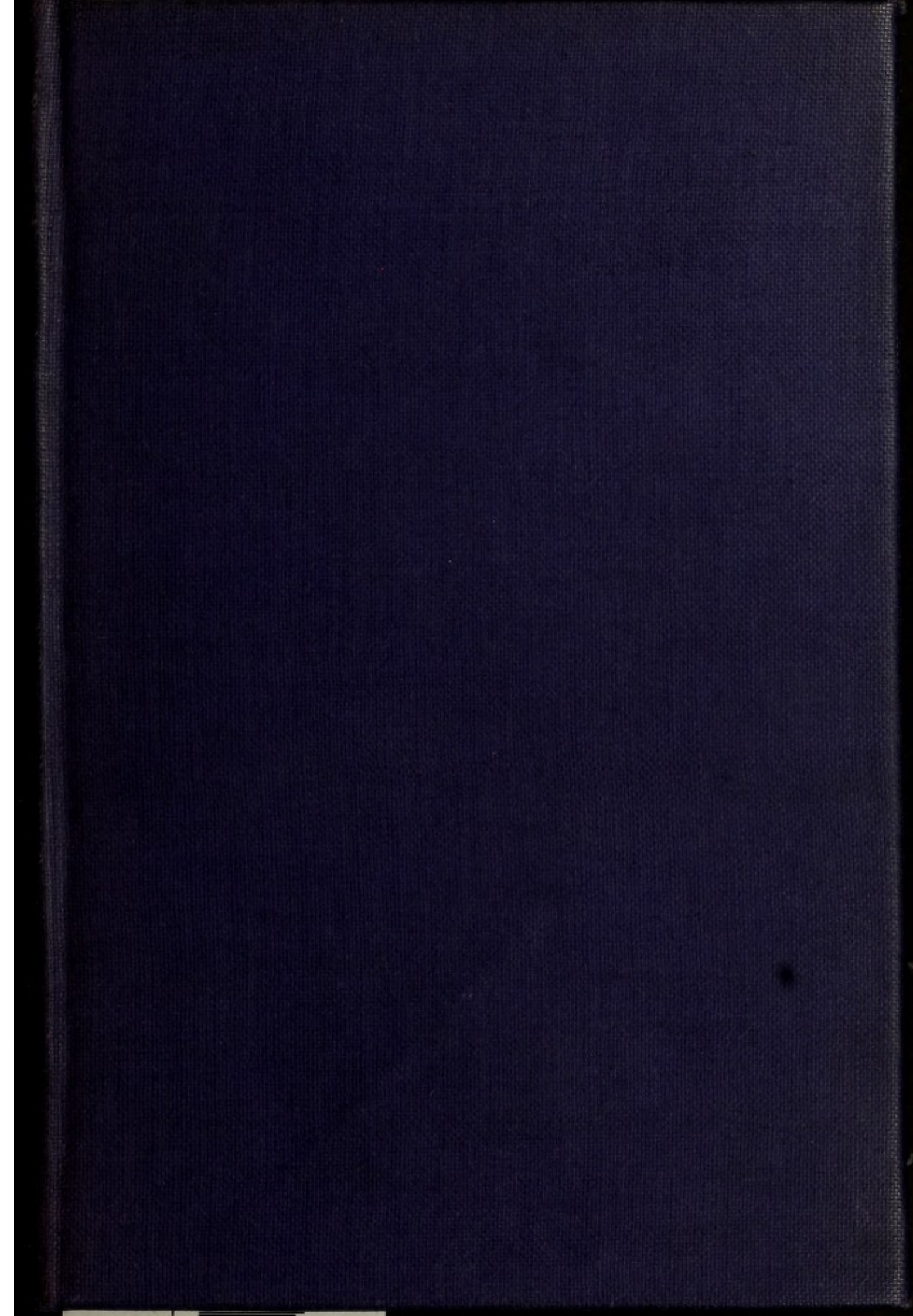
License and attribution

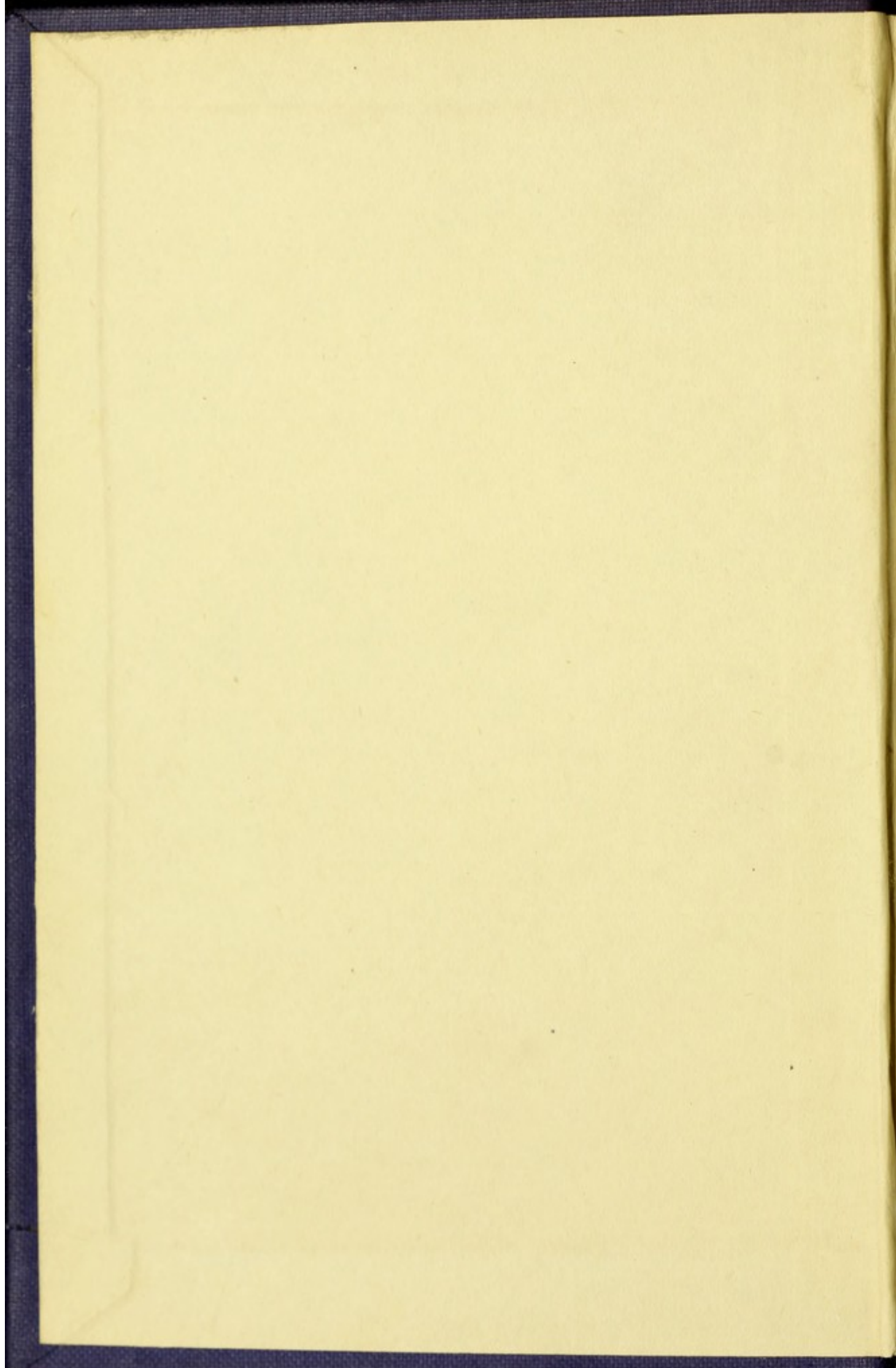
This work has been identified as being free of known restrictions under copyright law, including all related and neighbouring rights and is being made available under the Creative Commons, Public Domain Mark.

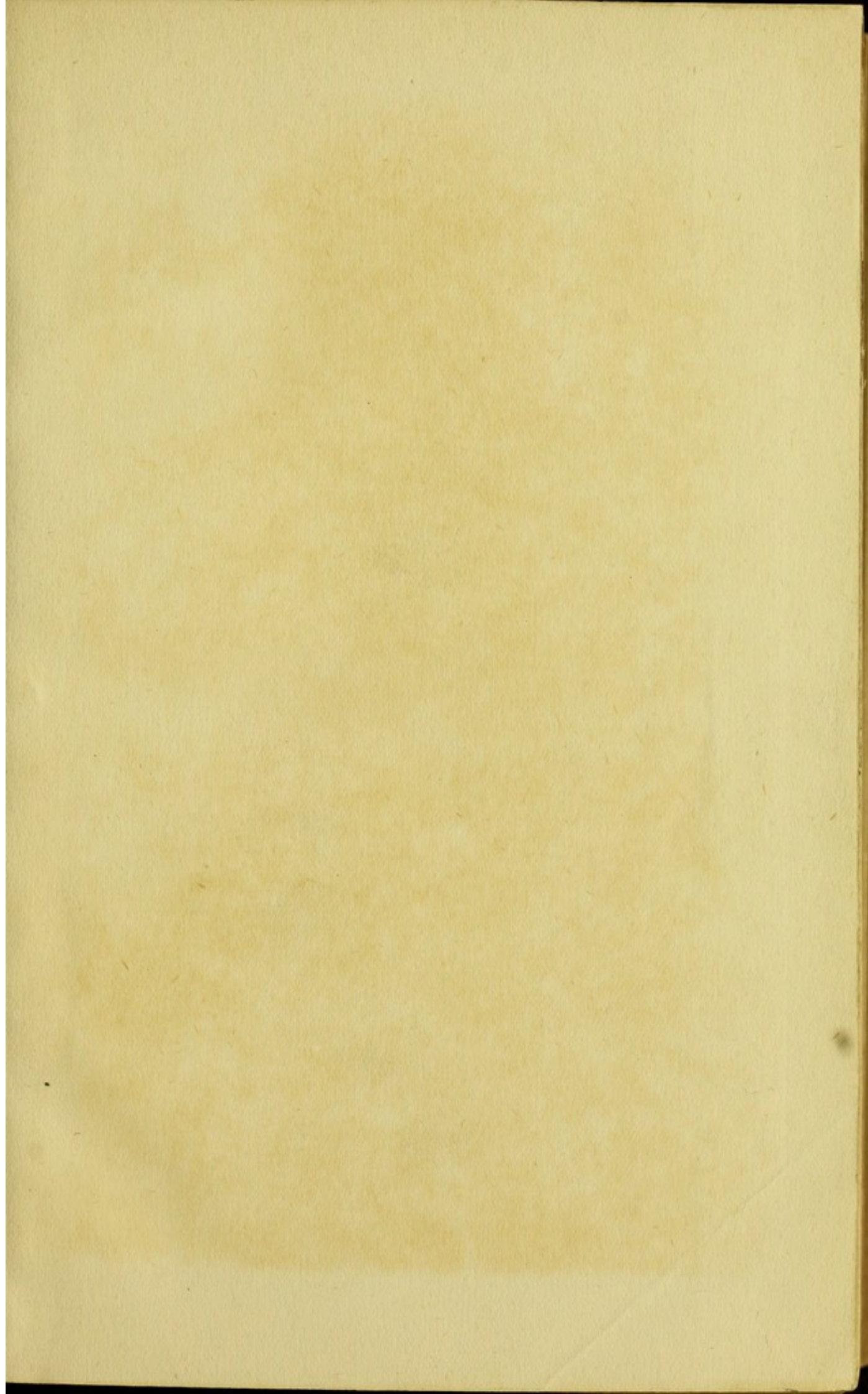
You can copy, modify, distribute and perform the work, even for commercial purposes, without asking permission.

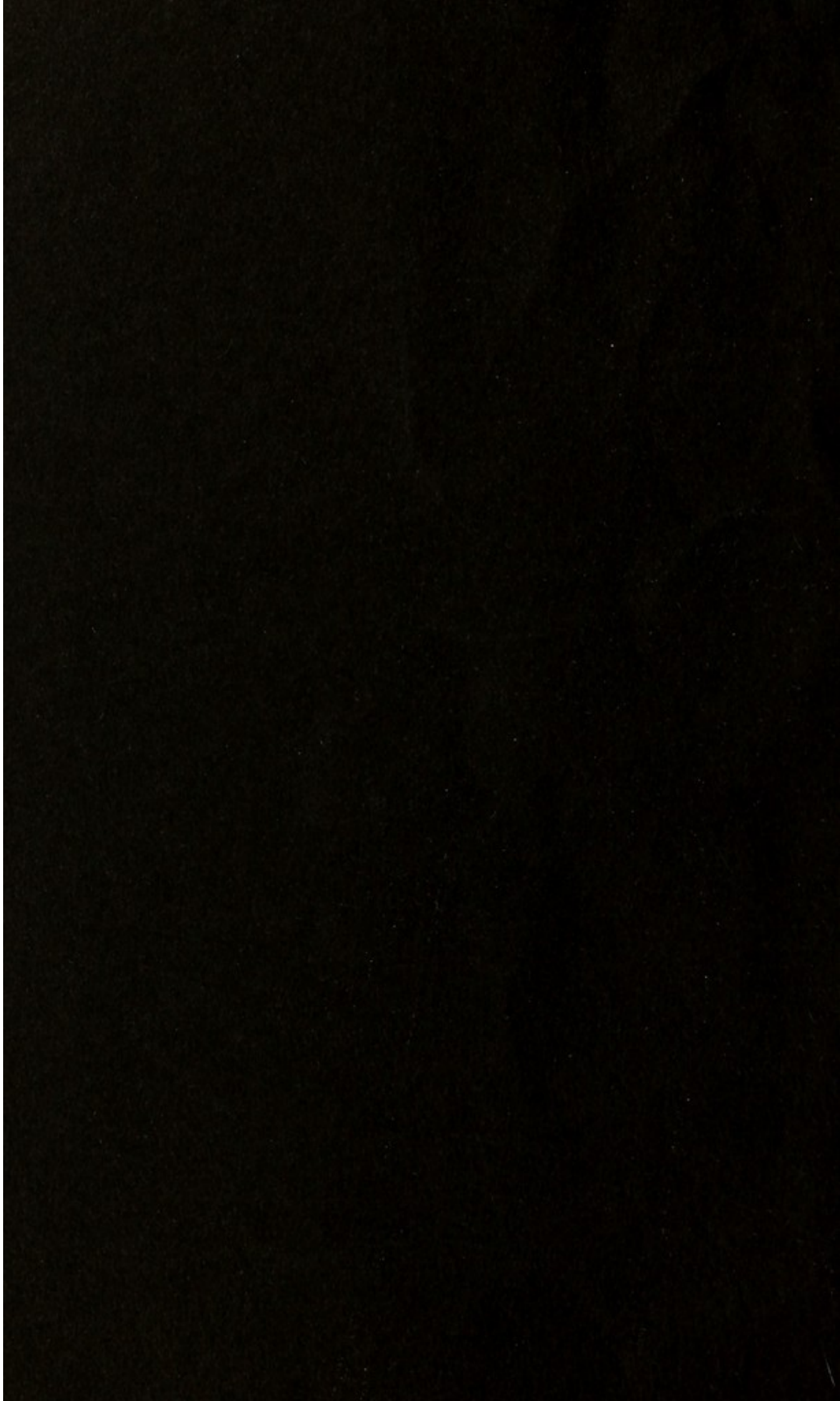


Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>









*The Reading Room of the Medical
Society. From the author* 12

THE CASE

OF

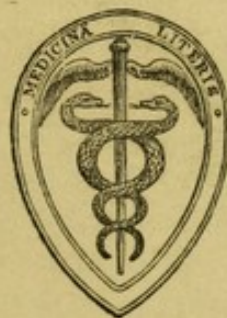
LUIGI BURANELLI

Medico-legally Considered.

BY

FORBES WINSLOW, M.D., D.C.L.

LATE PRESIDENT OF THE MEDICAL SOCIETY
OF LONDON, ETC.



LONDON:

JOHN CHURCHILL, NEW BURLINGTON STREET.

MDCCCLV.

THE CASE

OF THE

FLIGHT OF THE

THE

CASE OF BURANELLI.

THE case of Luigi Buranelli has excited, among all classes of the community, an intensity of interest almost unprecedented in the records of British criminal jurisprudence. That this miserable man was a lunatic when he committed the crime for which he suffered an ignominious death upon the gallows; that his life was cruelly sacrificed in blind submission to the speculative medical and mystical metaphysical opinions of those who, in the performance of what they no doubt conceived to be a painful professional duty, swore to his sanity and responsibility, are points easily susceptible of conclusive and triumphant demonstration. Were we to defer to the dictates of our own personal feelings, the curtain should drop at once and for ever upon this terrible drama—this dreadful legal tragedy; but the sacred call of HUMANITY, of JUSTICE, of DUTY, imperatively and irresistibly forces us to bring this subject, in all its revolting details, before our readers, and renders it necessary that we should accurately analyse and rigidly criticise the general and scientific evidence adduced during the trial of this unhappy criminal. It is a sad, sickening, and repulsive duty that we have imposed upon ourselves; but we cannot conscientiously shrink from its performance.

The execution of Buranelli will, we fear, be a foul stain and a "damned spot" upon the humanity and intelligence of the nineteenth century, and will, we apprehend, do an incalculable amount of injury to the advancement of the science of medico-legal testimony in cases of alleged lunacy, and seriously retard the progress of British Medical Psychology. The execution of Buranelli, in direct opposition to the evidence adduced in favour of his insanity, and in defiance of the strong protest subsequently made against his death, will throw judicial psychology back in this country for at least half a century. Enlightened medical jurists had flattered themselves that great progress had in recent times been made in the dissemination of just and humane principles in reference to criminal jurisprudence. Able judges and distinguished advocates have certainly exhibited of late years a disposition to entertain views in regard to criminal insanity, more in unison with the deductions of modern science; but this event throws a melancholy

blight over these bright hopes and sanguine expectations. We have, since the establishment of this journal, in 1848, striven to the utmost of our humble ability to place the great subject of insanity associated with crime on a philosophic basis, and have endeavoured to dissipate the many fallacies that unhappily prevail in connexion with the different branches of psychological medicine. We have no desire to make an ostentatious display of these labours; it has been our pride and pleasure to be engaged in such a work of LOVE and MERCY, and have ever esteemed it a noble privilege to stand forward as advocates in so holy and righteous a cause. We have never, in the performance of our editorial duties, allowed an opportunity to escape without placing before our readers, clearly and distinctly, what in our judgment we conceived to be the right, humane, and scientific view of insanity in all its relations, and we have been particularly anxious to impress upon the minds of our readers the principles that should not only guide the judicial tribunals of the country in adjudicating in cases of alleged criminal insanity, but direct the medical witness when called upon to give evidence in these important cases. We cannot therefore contemplate the late fearful catastrophe otherwise than with feelings of deep and painful emotion.

The trial and execution of Buranelli establishes that we had somewhat miscalculated the amount of enlightened progress made of late in judicial psychology, for we not only find a Judge, distinguished for his learning, natural sagacity, and eminent acquirements, disposed to repudiate the plea of insanity, when based upon what able, experienced, and reflecting men conceive to be conclusive evidence, but we, alas! see medical jurists of character and position stepping boldly forward to support, by the weight of their testimony and the authority of their names, one of the most monstrously iniquitous verdicts of modern times! This we conceive to be the unhappy feature, the salient point of the case, as far as the science of medico-legal testimony and the state of psychological medicine are concerned. To be routed by a flank movement; to have our redoubts seized; our own guns pointed at us; to be exposed to a murderous fire from those upon whom we fully calculated for support at the hour of danger; to be deserted by some of our own allies at a critical moment, are matters deeply to be regretted, and sadly to be deplored! Much mischief must result from this retrograde movement.

With these preliminary observations we proceed to lay before our readers a full narrative of Buranelli's case, in conjunction with the general and medical evidence, which we give *in extenso*, reserving for the conclusion any medico-legal remarks that may occur to us.

NARRATIVE OF THE CASE.

Buranelli was born in the town of Ancona, and apprenticed there as a boy to the trade of a tailor, but this pursuit, it appears, he soon abandoned for a military life, having entered the army of the Pope, in which he served, and was promoted to the post of brigadier of dragoons, some minor commission in the service. While on duty with his regiment in Rome, he was introduced to the notice of the late Thomas Stewart, Esq., of Drummond Castle, Perth, whose service he was induced to enter as valet; his brother, Antonio, being in the situation of cook to Mr. Drummond at the same period. In this employment he remained for about four years, till the death of his master in 1846. And as his after destiny seems to have been singularly influenced by circumstances growing out of this engagement, a glance at the romantic incidents connecting him with the Stewart family may not be uninteresting.

Mr. Stewart had embraced the Roman Catholic faith, and become a monk of the Benedictine order, being known in Rome as the Chevalier Abbé Stewart. In 1846, he went to a village on the sea coast, between Ancona and Senigaglia; and while there, allowed Luigi to pay a visit to his mother at her home in Ancona. During his valet's absence, the Abbé was one day, while bathing, assassinated by one of the natives, whose cupidity was probably excited by rich rings which Mr. Drummond was known to wear. The assassin, a youth of nineteen, was subsequently tried and convicted. On Luigi's return, he found his master dying; and the singular power the unhappy Buranelli possessed of exciting feelings of kindness and affection in all with whom he associated here became manifest in the act of the dying man, who, calling for pen and paper, wrote in Italian—"Dear Brother, I recommend my most faithful valet, Luigi Buranelli—" Then becoming weaker, he added, in English—"Dearest George, I am dying"—adding, in Italian, "Signor Messurier, pray send this to my brother George." This was the Abbé's last act, and in a few minutes after he expired. The Signor Messurier named was Mr. Drummond's banker at Ancona, and by him the copy of the last words of the dying man was forwarded to the brother to whom they were addressed, and from whose letter in reply, dated 4th August 1846, the following is an extract:—"I shall *faithfully* attend to the wishes of my dearest brother, whether expressed or implied, to the best of my power. Pray give this assurance, which I make to yourself, also to poor Luigi, with my best wishes to him, and also to Antonio, whom I know." In another letter to Mr. Le Messurier, he again writes: "In the will of my brother, Luigi is not mentioned, but in compliance with my dying relative's request, I shall charge myself with a provision for him, not equal, however, to Antonio's, and this I beg you will tell him." In another letter of September, to the same party, he writes: "I propose settling on Luigi Buranelli an annuity for his life, to be void, however, when he is paid 300*l*. I shall write again on the subject." Again, in November following, he writes to M. Le Messurier: "Mr. Wedder-

spoon, my solicitor, will communicate with you himself in a few days as to the sums he is to transmit, both on account of Antonio's annuity and the half-yearly 10*l*. I have assured to Luigi Buranelli."

An annuity of 50*l*. yearly was settled by the Abbé's will on Antonio. The bequest to Luigi being, however, of a different character, he mentioned to the brothers of the deceased, William and George, on their visiting the place of their relative's assassination some time after the sad occurrence, that he had received his first half-year's annuity, but had no document to show for its continuance; on which Mr. William Drummond repeated to him the words the Abbé had written, and presenting him with the family seal, told him as long as he kept that he had nothing to fear. The annuity continued to be regularly paid till the death of Mr. George Stewart Drummond, in Dec. 1847, when the executors, being unable to find any document authorizing the continuance of the payment, did not feel themselves justified in continuing the annuity. The cessation of payments induced Buranelli to apply to her Majesty's consul for the Roman States, Mr. George Moore, who, after some ineffectual efforts on the subject, gave the following certificate to Buranelli, who determined on coming to England, in furtherance of his claim on the representatives of his late master:—

"At the request of Luigi Buranelli, I hereby certify, that to my knowledge he served the late Chevalier Abbé Stewart for the space of about four years, faithfully and honestly, to the entire satisfaction of his master, in the capacity of valet.—GEORGE MOORE, her Britannic Majesty's Consul for the Roman States. Ancona, 27th June, 1849."

Buranelli shortly after sailed for England, leaving his wife, Rosa Colucci, whom he had a short time previously married, in the care of his mother in Ancona. On his arrival in London, he stopped in Privatelli's Hotel, where he acted as waiter for some five months. During this period, he received a letter from Mr. Moore, from Ancona, announcing the receipt of the pension from John, the heir of Mr. George Drummond Stewart; and in reply, instructed Mr. Moore to pay the money to his (Buranelli's) wife, to enable her to join him in England, which Mr. Moore accordingly did. Miss Le Messurier, the banker's daughter, being at this time about to proceed to England, Buranelli's wife accompanied her. On their arrival in London, the wife found her husband lodging in a house in Great Pulteney-street, Golden-square, in another portion of which, at the same time, were residing Mr. Latham and Mrs. Jeans, who were living there together as man and wife, known as Mr. and Mrs. Lambert. It was here the unfortunate acquaintance commenced which terminated so fatally to all concerned.

Buranelli's affection for his Italian wife appears to have been very great; and from her death, which occurred shortly after her arrival in London, the marked change of character became manifest, which kept steadily progressing till it resulted in the fatal act for which he was executed. Mr. and Miss Le Messurier appear to have felt a strong interest in the unfortunate couple, and the following letter, found by the police among Buranelli's papers, conveys some idea of the character of the man:—

"23rd May, 1851.

"Dear Luigi,—I have received with much pleasure yours of the 21st instant. It is several weeks since that Signor Mattoni paid unto me the remainder of the money which I paid for the burying of your lost most precious Rosa. I have given him the receipt for the full amount, with the obligation which you then put in my hands as a security to repay me. I am not yet starting, but when I shall return to Ancona I will not fail to do what you requested me. The resolution which you have taken to assign a part of your pension to your sister Amelia and to the parent of your deceased wife does you great honour. Wishing you every success in your career, I salute you.

"EDWD. LE MESSURIER.

"United Service Club, Charles-street, Pall Mall."

At the period of his wife's death, Buranelli was in the service of Mr. Crawford, a gentleman residing in Grafton-street, and his mild and amiable character here, as elsewhere, drew around him the sympathies of all who knew him. His first great change of character was here exhibited by his inconsolable grief, his taking possession of a picture which he fancied was his wife's likeness, over which he would cry continually, and the idea, repeatedly expressed to his fellow-servants, "that all his troubles came on a Friday." After remaining six months with Mr. Crawford, whom he left on account of a change in his domestic establishment, not from any fault, he entered the service of Mr. Joyce, where he acted as valet for another six months, at the end of which time he received the following certificate of character:—"I, the undersigned, declare that Luigi Buranelli has been in my service, in the capacity of valet, for the space of six months, and that during his stay with me I was fully satisfied with him in every respect. The only reason he quitted my service was the climate of the place, which did not agree with his health. In faith of which—C. JOYCE."

While in Mr. Joyce's service, he became acquainted with Martha Ingram, a fellow-servant, to whom he was soon after married; and as her friends resided at Penshurst, in Kent, the newly-married couple decided on settling there, he intending to follow his original business of tailor as a source of living. Not succeeding in establishing a business of his own, he got employment from a Mr. Eagleton, a tailor in the village, with whom he worked during the whole period of his residence at Penshurst; and, as usual, his kind and gentle nature procured him the regard of all who knew him. The following letter of Dr. Baller to Mr. Henry, immediately after the murder, is indicative of the man's mental condition while in Penshurst, where his wife died in child-bed in the spring of 1854:—

"Penshurst, January 17, 1855.

"My dear Sir,—I will not delay my reply to your inquiries respecting that wretched man Buranelli. Some few years ago, when in service in London, he married a young woman whose friends reside in this neighbourhood, and he was induced, in consequence, about three years since, to settle in Penshurst. I became acquainted with him (the

prisoner) soon after he came here, and attended him on two or three occasions for hæmorrhoids (piles) and derangement of the liver, when I thought him a mild and inoffensive respectable man. Early in the spring of last year he lost his wife, to whom he appeared tenderly attached, somewhat unexpectedly, in consequence of a severe and protracted confinement. He was evidently deeply affected at her loss, and became melancholy and extremely depressed, but occasionally working at his employment. Soon after this, he applied to me with an abscess at the verge of the anus, which I opened for him, and found a fistulous communication with the bowel. At this period he became very anxious about his health, magnifying the slightest symptom, and under a strong apprehension that he should not recover. He was, however, induced, after some persuasion, to allow me to operate upon him for the fistula, when I also removed two small external piles. After the operation he became very irritable and impatient, removing the lint and tearing away whatever dressings I applied, nor could he be persuaded by scolding or entreaty to remain quiet. The consequence of this was, that the healing of the fistula did not go on satisfactorily, and eventually his conduct became so violent, and his temper so ungovernable, that neither I nor the people with whom he lodged (kind and attentive as they were) could do anything with him. He then placed himself under the care of a surgeon at Tunbridge Wells, but soon after was induced by his friends to get admission into the Middlesex Hospital. Such is the history of the poor fellow since he came to Penshurst; and although I could not, from my own knowledge of him, pronounce him absolutely insane, yet I believe his mind to have been in such a condition as to be easily thrown off its balance by any powerful excitement. I feel much interested in the unhappy man's fate. I am, &c. "J. H. BALLER.

"To Mitchell Henry, Esq., 5, Harley-street, London."

The several witnesses who gave evidence at the trial as to his state of mind while in Penshurst, not only fully corroborate the statements of Doctor Baller on this point, but proved, further, that after his second wife's death, his depression and melancholy were painfully manifest. That he continually talked of suicide and death, and that a little boy had been employed to stop with him in his room, it being thought unsafe to leave him alone. That he wanted the woman, with whom he lodged, to purchase laudanum for him, and that he believed Doctor Baller wanted to poison him; and, in order to detect poison in the medicine sent by the doctor to him, he was in the habit of putting a halfpenny into it, and pointing to the effects of the poison upon the copper. That, on one occasion, he left the house where he was lodging, declaring his intention of drowning himself in the river; and the witness, Cook, stated, that fearing to leave him alone, he accompanied him, he crying so loudly while on the road, as to attract every one's notice, till he left him with John Simmons, Buranelli's brother-in-law. These facts, unshaken by a severe cross-examination, bring the wretched man down to the period of his admission to the Middlesex Hospital, on the 17th August, 1854.

His condition, whilst in that institution, will be found fully detailed in the evidence given on the trial by Mr. Henry, the surgeon who attended him, by Mary Anne Flower, and Elizabeth Naylor, the nurses of the ward in which he was, and in the statement of Mr. Shaw, who, though summoned by the prosecution, was not examined.

It will suffice here to state, that the proposal to examine his fistula threw him into a paroxysm of terror, expressed with such exaggeration, both of words and manner, as to excite general observation and the laughter of the other patients. All that could be found was a little hole in the skin, at some distance from the anus, which looked like the remains of a suppurated hæmorrhoid. This little bridge of skin was divided, causing no pain, and attended with no more bleeding than would have followed the scratch of a pin. Buranelli, however, continued to insist that his urine passed in quantities through this hole, and perpetually teased his medical attendants to examine the wound, and so distressed the Nurses by his perpetual assertions, that his bed was "swamped" and "swimming" with water, and entreaties to be taken out of it, that they mentioned the subject to the Matron of the hospital. It appeared, also, that he would lie crying for hours together, complained much of pain in the head, and conducted himself so strangely, that they were led to talk about him to each other and to Mrs. Lambert, the so-called wife of the murdered man, who had accompanied him to the hospital, and expressed her belief that he was not right in his head.

At the expiration of about three weeks, viz., on the 2nd of September, he was discharged from the ward, but permitted to attend Mr. Henry as an out-patient; for that gentleman had been much struck with his gentleness, his great melancholy and dejection, and apparently forlorn condition. He continued in regular attendance as an out-patient down to the very time of the murder; but had no trace of fistula, or any other physical ailment for a period of many weeks, although his delusion as to the flow of water remained as strong as ever.

On leaving the Middlesex Hospital he went to reside in Newman-street, in the house occupied by Lambert and the females Jeans and Williamson, and subsequently removed with them to Foley-place. It appears at this time he intended returning to Penshurst, but through the friendly solicitations of Latham, otherwise Lambert, he consented to occupy a room on the same floor with Mrs. Williamson, at three shillings a week, paying a very moderate sum as his proportion towards the expenses of the table. The singular influence he seemed unconsciously to exercise on all who observed his amiable and gentle nature, here was strikingly apparent. These people knew the condition of his mind. They had tenderly ministered to his wants in the hospital, and pointed out to the nurses his mental condition, and the danger of his being left alone; yet when he was obliged to become an out-patient, from motives the most humane and disinterested, he was invited to make one of their household, and, from his first entering in September, until the day of his final departure from the house in Foley-place, about the 25th of December, there is no evidence to

show that these kindly feelings were for a moment interrupted. That an improper intimacy should arise between him and Mrs. Williamson, a woman separated from her husband, who occupied the other and only additional bed-room, on the same floor where they slept, cannot be matter of much surprise in an establishment under the control of parties in the position of Latham and his reputed wife. And this sin, as it were, of his position, is the only stain, before the murder, on a character more than ordinarily blameless, where all the gentler elements abounded, offering a striking contrast of the rational being compared with the demoniacal fury of the insane murderer, who slew his benefactor sleeping on his pillow, without apparently enough of motive to excite to the most ordinary extent of moderate revenge. The evidence referring to this period of his career, as adduced on the trial, is deserving of attention.

In order to make this narrative clear, it should here be remarked, that the arrangement by which Mr. and Mrs. Lambert, Mrs. Williamson, and Buranelli resided together as one household, continued until the 28th of December last, when the latter left the house by the desire of Mr. Lambert and Mrs. Williamson, on the plea that she was in the family-way by the prisoner. This supposition, however, was incorrect; for there is no evidence to show that the female Williamson was in reality pregnant.

From the testimony of Mrs. Jeans, alias Lambert or Latham, it appears that on the occasion of the last interview between Mr. Latham and Buranelli, on the day of the latter quitting Foley-place, that no anger was manifested on either side. No loud words were heard to proceed from the room where they conversed together; and on Latham's handing to Buranelli the balance coming to the latter, after deducting a certain sum for board and necessaries, a friendly altercation took place, the one wishing to pay more, and the other refusing to receive it; the scene terminating in words of mutual kindness, and a friendly parting shake hands. The evidence of Mrs. Williamson confirmed these facts, and disclosed, that during the period of his residence in the house, she had gone with him several times to the theatre; on which occasions he used to talk to her of committing suicide, of his appearing to her after his death, and being under the idea that he was one of the beings represented on the stage, she remonstrating with him in a religious tone on the wickedness of his words and fancies. She also stated that in two of the letters he had sent her, after his leaving Foley-place, that he begged to be kindly remembered to Mr. and Mrs. Lambert. With reference to the pistols, it appeared he went into the shop of a dealer in second-hand articles and purchased an umbrella, rain at that time falling, the buying of the pistols being an afterthought, no ammunition having been sought for until the day before the murder, when, on passing through Oxford-street, he observed fire-arms and bullets in a window, and went in and purchased some balls, which he next day fatally used in the commission of the murder. Elizabeth Gurney, with whom he lodged for a short time preceding the murder, proved that for some days before that occurrence he was wild in his manner and complaining of pains in his

head, and that on the Friday night before the fatal event he went, without any apparent object, frequently in and out of the house, would have no fire, though the weather was very cold, and after his retiring to bed she heard him talking so loudly as if to other people, that she opened his room-door and went in, but found him alone, pacing through the room and flinging his arms wildly about. The Italians who had seen him for several days before the murder, deposed to the wildness of his manner and irrational, unconnected discourse. Conforti, the keeper of the hotel where they were in the habit of meeting, proved that, for about a week before the murder, Buranelli had taken his meals at the hotel, eating very little, and appearing in a very melancholy and desponding state, causing the witness to remark to those around him that he was mad. On the Saturday, in the presence of several persons, he declared his intention of starting for France as soon as he could get his passport, and during the evening complained frequently of illness, making an appointment to meet there on the Monday following, at one o'clock, a medical friend of Conforti's, who came at the hour appointed, the murder having taken place in the meantime. In this state of dejection and restlessness he remained till two o'clock on the Sunday morning, when he went to his lodgings in Newman-street, and in a few hours after committed the murder.

The subjoined statement, made by the prisoner to his solicitor, Mr. Keighley, gives a clear and most interesting account of the circumstances immediately preceding the murder. There is every reason to suppose that it is strictly accurate, and in most of the important points it is corroborated by the testimony of the witnesses on the trial:—

THE PRISONER'S ACCOUNT OF THE MURDER.

On Thursday evening, the 28th December, 1854, Mr. Lambert requested me to leave the house, No. 5, Foley-place. I asked why; he said, "You have not respected my house." I said, "Who told you that?" he said, "Mrs. Williamson," and then Mrs. Lambert and Mrs. Williamson came into the room; in the presence of all three I asked Mrs. Williamson if she said that. She covered her face and said, "Yes." Mr. and Mrs. Lambert then both said I had disgraced their house, and I said, "Excuse me, but I have not disgraced this house—it occurred in Newman-street." Mr. Lambert said, "You must leave my house to-morrow." I said, "Pray do not expel me from the house in this manner, it would look as if I were a thief; what will Mattoni think? If I have done wrong, I shall repair my error." I requested to be allowed to remain for a few days, because it no look well before the servant and before my friends. He said, "You have no excuse, you must begone;" and after this he said, "Look here, one man come here every day, and talk about the fistula, he is not well." I broke directly the conversation, and said "Don't insult me;" and he got up, he said, "What, do you think I fear you." I, myself, say, "Excuse me, you no fear me, I no fear you; and if you do like that, I go to-night instead of to-morrow." He said, "That is the best—go directly." Now I said, "You put down what I ought to pay (for I then had not spent all the 10*l*. I had received of my pension on the 5th December, 1854, and which 10*l*. I had given Mr. Lambert to keep for me), he said, "That is the best plan," and then wrote out the account on a piece of paper; he said, "You see I charge you no more than I am out of pocket." I said, "I wish you to charge exactly what you think proper;" then he gave me four sovereigns and five or six shillings back out of the 10*l*. note, and Mrs. Lambert gave me back a diamond ring she had to sell for me. I say now, "I want you to allow me to say a word to Mrs. Williamson,"

he say, "No, it was quite sufficient what you have done." I said, "If you don't allow me this, I sha'n't go;" he said, "Then he would get a policeman." I said, "Mind what you do, because you might be taken yourself, because I know very well what you have done." Mr. Lambert significantly looked into the face of Mrs. Lambert for one moment. He said, "Well, what do you want to say to Mrs. Williamson?" I said, "Excuse me, I've something private to say to her." He say, "Very well, be quick." Mr. and Mrs. Lambert left the room. I say to Mrs. Williamson in private, "I very sorry what you have done, and I fear you make me a sacrifice. I said, I wish you may continue well. If you fall ill here, take the four pounds and the ring." I put them in her hands as well as the ring. Mrs. Williamson said, "I will take the ring, for I've one other of yours, but I sha'n't take the money, take care of yourself," she say, "if you go into the country, I promise to write you;" and I said, "I stop for one week here in London before I go into the country. I don't know where. I pray to see you once more." Mrs. Williamson say, "Well, I see by-and-by."

Then Mr. and Mrs. Lambert came back. I say, "Well, I've done; I much obliged to you. Now I go and take my bag, and allow me to take one of the servants," and I take Mrs. Mattoni's sister with me up to my room, and I let her look at all my things, and I gave her back one shirt which Mr. Mattoni lent to me. She say, "You going, Louis?" I say, "Yes, I going." She say, "Why you going to-night?" "Why," I say, "if you want to know, Mr. Lambert sent me away." She say, "I very sorry." This done, I go down stairs; I say, "Good-bye, Millie, give my respects to your sister (Mrs. Mattoni) when she came, and if you see Mr. Mattoni, do the like." I get to the door, I heard Mr. Lambert say, "Come in." I say, "I going, sir." "I very sorry, but excuse me," he say, "you know why; well, this is the best plan; I wish you may come well." Mrs. Lambert said the like, and I shake hands with both. I say to Mrs. Lambert, "Mind Mrs. Williamson, because I leave her in your hands in good health." She say, "All in good health; I hope you'll come well." Mrs. Williamson was there; I said, "Take care of yourself, remember what I told you. Good-by."

Lambert then went with me to the door. I said, "I got here my things. Mrs. Mattoni's sister has seen that all belongs to me." He said, "I'm sorry you do so, because I no suppose nothing bad of you." I shake hands again, and we part, bidding each other good night. After that, I no more saw either Mr. Lambert, Mrs. Lambert, or Mrs. Williamson, till I killed him.

Then I go to Mr. Brunetti's, 71, Newman-street; he say, "What the matter?" I say, "I left Mr. Lambert." He say, "Why?" I say, "I've a little question there." He said, "Oh, I thought so with those people." He keep ask some questions. "Well," I say, "I've some insult; but all right now." I said, "I'll leave my carpet-bag, if you will allow me, and go and look for a lodging." He said, "Yes." I go to seek for a lodging. I know not where to go. I wander out, and I found myself in Great Pulteney-street, and saw it was the same place where my Rosa died.

I then go in one public-house in the top of Great Pulteney-street, coffee-house next door. I ask for one bed. He say, "I think next door at the coffee-house has one." I say, "How much?" He say, "One shilling." Which I gave. I slept soundly, and breakfasted next morning; then go back to Brunetti's for my bag. I say, "I want to lodge." He say, "Come with me." He went to 63, Newman-street. I took the room at 5s. per week. I left the bag. I say I come in to-day.

I sleep at home every night, till the Sunday (the 7th January). I didn't go out much. Major part of time at home, for I didn't feel well. The first Saturday, I say to myself, "I don't know what to do, I feel so queer,—very ill all over." I get up late in the morning. I feel so queer myself, I don't know what to do. I go out on that Saturday to Brunetti's about half-past one. I said, "I no feel well." He said, "What is the matter?" I said, "I hurt in my head, and my heart feel heavy." I say, "I want to go to some Italian hotel for society." He said, "I take you to Conforti's; he is my friend." He went and said to Conforti, "Take care of him; he is not well."

The next day, Sunday, I feel so queer, and I ask to see the landlady before break-

fast. I said to her, "My head is so bad. Light the fire." I gave her 2s. 6d. for tea, sugar, &c. I got up, I remember, and began to reflect, and thought of the way in which I had been sent away. I say, "No matter,—I'll write Mrs. Williamson."

I pass two or three days. I asked the landlady if she knew anybody who would write a letter for me in English. She say, "Oh, yes, sir, there is a very good man down stairs." I say, "I am obliged, I thank you." After I remember myself, that no do. I'll try myself. I remember I write a letter (which I sent by a boy I found in the street) to Mrs. Williamson. I said in my letter, "Pray you come and see me at any place you appoint; I want speak particularly to you." The boy took the letter. I had no answer. I wait another day. No answer. I reflected again. I could not see why I had no answer. Sometimes I said, "I will go and see her, to see why I've no answer to my letter." Sometimes I said, "This no do."

I talk with Conforti about my complaint. I mention if he knew somebody understand this complaint. He say, "Yes." I see one doctor. He come here very often. He asked my complaint. I say the climate. I say, "What you think of France?" He say, "Yes." I say, "Yes, I think I go there by-and-by." I go home. I got in my mind every time this Mrs. Williamson. I determined to go to France. "But before I go," I say to myself, "I will give Mrs. Williamson my likeness, and if I don't get well in France, I kill myself."

One day (the 1st January) I had my likeness taken in Oxford-street.

One day (the 2nd January) I go out in Tottenham-court-road. It rain. I ask man in shop if he had an umbrella second-hand. He said, "Yes." And I pay 1s. for it. Then I see the pistols. I say to myself, "These are the things just suit me, because I don't get well, I can't work; I kill myself." I bought the umbrella of the Master, who sent his assistant to me about the pistols. He asked, I think, 16s. I said, "That's too much; I think my friend that's going to Australia wont like to spend so much." I said my friend, for it flashed through my mind that as Barthelmy, a Frenchman, had lately committed a murder, that if I (an Italian) asked for pistols for myself, they might suspect something, and send for the police. I offered 12s. He said he would not let me have them for that, and I said, "If you wont let me have them for 12s., I wont have them at all." I took up the umbrella to go. When he saw this, he said, "Here, take them; you are lucky." To this I say no one word, but I say to myself, "Perhaps they take away my life." I go home. I say to myself, "I got the pistols now. This is the time to decide on my life." I put them into my bag, and leave them there. The next day, I write another letter to Mrs. Williamson. I say in it I never received an answer. I pray you give me an answer before you make me sacrifice. (This letter was interspersed with expressions of affection.) I said I was going to France, and begged of her to meet me at the church in which Mattoni was married, behind Foley-place; and I sent a boy with this letter. I went to the church; stayed an hour. Mrs. Williamson did not come. I go home again. Brunetti inquired of me as to my health. I complained of my head, and said I did not know what I should do. He said, "Mind what you do." I said, "I am sorry what Mr. Lambert has done with me; it troubles my mind all the day." He said, "My wife says you have something on your brain."

From inquiries made of the prisoner, it appears that for three or four days before the eventful Sunday, he had been, as he expresses it, "poorly in his mind;" and it was about this time that he began to write those extraordinary productions which were found in his lodgings by the police, and copies of which are appended to this statement.

On the Thursday or Friday night, I am not sure which, I commenced to write in that little book. I wrote what is there contained, because I had the intention of killing myself, and I wished to make the motives of my suicide known.

I wrote a third time to Mrs. Williamson, I said that I was very sorry she had

not replied to me. I had written two letters to her and got no answer, and I said that for fear that she might not have received my letters, I would repeat the same appointment that I had made in the others, and ask her to meet me at the Church at eight o'clock that night. I urged her to come and meet me because I was going to France. There were many expressions of love also in that letter. I think that letter was written on Friday. I sent that letter by a boy, and I again went to the Church that evening. No one came. I wrote the last letter to Mrs. Williamson on Saturday afternoon. I said that I had been writing to her several times but had received no answer, at which I was very much surprised and grieved. I prayed her to allow me to see her, and I appointed the same place again; I said she had nothing to fear, that I did not want to murder her, but that I wished to see her most particularly, because on Monday I was going to France. I mentioned my feelings of affection for her, and I begged of her to give my respects and kind regards to Mr. and Mrs. Lambert. (I had said the same in my first letter.) After writing this letter it occurred to me that perhaps she might never have received my previous letters, perhaps they might have been intercepted, or perhaps, the boys whom I had sent had never fulfilled their messages, and I thought that this letter I would make sure of myself, so I went myself to Foley-place, that Saturday evening, with a letter in my pocket a little before dusk; just as I reached Foley-place, I heard some one calling my name, and on turning my head I saw Mrs. Mattoni's sister, who acted by way of servant to the Lamberts; and she said to me, "Luigi, why are you going this way?" I said, "I am going to Regent's Park, to take a little air, and that I thought that was the way." She said, "Yes, it was the way; and she asked me how I was?" I said, "I don't feel well at all, Nelly. I then asked her how she was herself; and I asked after Mr. and Mrs. Lambert, and I particularly inquired after Mrs. Williamson? She said, "Mrs. Williamson has been very poorly indeed, but she is now better." I asked, "Is she well enough to work?" She said, "No, but she has got out of bed, and is just now sitting by the fire doing nothing." I said, "Give my compliments and kind respects to all, and tell them that I am not well." When she parted from me I said to myself, "Now this is just the time for catching Mrs. Williamson. So I called a boy that was passing and told him I would give him twopence if he would take a letter to No. 5, but he must mind what I said, and that was: "You go there and ask for Mrs. Williamson and give this letter into her hands, and say that you are to bring back an answer, and that if there is no answer sent to bring back my letter." The boy went into No. 5, and stopped very near a quarter of an hour, when he came back and said, "that the message was, that Mrs. Williamson can't give an answer because she is in bed very ill." I told him "that he ought not to have left the letter," but gave him his twopence, and then went home. After I got home I felt very disturbed and depressed in mind; I considered to myself that it seemed as if they were making game of me, because Mrs. Mattoni's sister said that Mrs. Williamson was better, and was sitting up at the fire, and the boy had been told that she was so ill in bed that she could not give me an answer. This put my mind very much out, and I went out in the open air to relieve myself, I walked along Oxford street till I came to a gun shop, where I stopt for a moment and saw balls in the window. I thought to myself that I would go in and purchase them for my pistols. I asked if "he had got pistol balls?" he said, "he had, and what size would I want?" I said "that those that were before me would do," and I finally purchased half a dozen of that size and half a dozen of a smaller size. After that I bought a knife and then I went to Conforti's café.

I slept at Conforti's until about 1 o'clock that night, Saturday, or rather Sunday morning. On my return home I went to bed and slept soundly. I got up about 8 o'clock, but as if some irresistible force pressed upon me I returned to bed again, but soon afterwards got up, shaved myself, washed and dressed myself. I had no thought of shooting Mr. Lambert at this time, but my eye fell upon two letters that were lying upon my dressing table, and that recalled to my mind what had taken place the previous night about my letter to Mrs. Williamson, and I said to myself, "I will go there and see whether they are mocking me. I will go, and get back my letters."

The prisoner then loaded the pistols, and proceeded towards the

house. The circumstances attending the commission of the crime appear by the depositions of the witnesses.

The documents before alluded to as found by the police are three in number, each written in Italian: they consist of two letters and one written statement in a memorandum-book.

The first letter, viz., that addressed to Mr. Conforti, the keeper of an Italian café, which the prisoner had frequented after he left Mr. Lambert's, is thus translated:—

“ITALIANS.—I beg of you to pardon me, I am a dishonour to you, I dishonour our beloved Italy, but it is not entirely my own fault; from the first moment I arrived in the land of exile, or rather the land of grief, I have not had one hour's peace. Here I am insulted by the name of assassin. I must act, I am a Roman, and am an Italian; enough, in one of my memorandum-books you will read my motive and also a part of my love.

“Remember my name to all my friends, and dying, I say, Live Italy!”

LUIGI BURANELLI.

The second letter, namely, that addressed to Mrs. Streatfield, a lady at Penshurst, who had been very kind to the prisoner, is thus translated:—

63, Newman-street, Oxford-street,
The Night of January 4th, 1855.

“MOST NOBLE LADY,—Doctor Baller has led me into this state of desperation; I hate him; in the sight of God, he has caused me to lose my soul; my horrid crimes has been occasioned by many insults, which, after the saying of the Doctor, these Lamberts offered me. I shall better make myself understood. If Dr. Baller had not performed a bad operation and opened new wounds, I should not have been obliged to come to London on account of my health. I was compelled to remain under these flatterers, the false Lamberts. When I came out of the hospital, I really wished to return to Penshurst, but these Lamberts having seduced me with false flattery, kept me where I had the misfortune to fall in love with a woman chosen by the said Lamberts. At last, afterwards, the woman found herself in business with the Lamberts, and seeing me in a bad state of health, they have made their utmost to send me out of the house with false pretexts. As Lamberts have no decorum and endeavoured doubly to degrade me; he succeeded, now he calls me by the name of assassin. I do not think, however, that, on account of having seduced a woman who has much experience of the world, a man may be called with the name of assassin, and as now my life is nothing, and here in England all calling me an assassin, then as an assassin I am compelled to act. Lady, I do not add anything to this; I beg pardon for the trouble which I have given you till now, at least. I recommend my dear daughter Rosa, and think, Oh Madam, that my daughter had a father assassin, my daughter is innocent. A kiss for me to the daughter. I recommend to that great God my soul. I die content.

“Madame,—I beg to present my last regards to all those who esteem me; I pray you all to pardon me as I pardon Mr. Baller as my executioner.

“Madame,—I beg to open eyes over that Doctor, and then there will be more religion. Meanwhile, believe me, yours, Oh most esteemed lady,

“Your most humble and most devoted servant,

“L. BURANELLI.”

The writing in the little memorandum-book is thus translated:—

The cause of my desperation is the Lamberts. When I left the hospital I wished to return into the country, the Lamberts kept me in London, and with false flattery wrote to my club, giving notice that I and Madame Williamson had become attached to each other. In conclusion, a flame was lighted in our hearts

which hurried us onward to the point of an impropriety, though Madame Williamson was both an experienced and capricious woman. In that moment of love our reason deserted us, and she swore to be true to me many more times than if I was her husband, and I, for my part, the same. Our love was mutual from the first, and cost the honour of Madame Williamson; she, being alarmed at her situation, discovered all to the Lamberts, who immediately began to meddle in the business, and Mrs. Lambert discovered to Mrs. Williamson a purpose of her own. As the state of my health would not allow me to go out of England, I remained in London, and my affection for Madame Williamson increased. At this time I found that M. Kotozd and M. Yambelli had become through the Lamberts equally attached to Madame Williamson. When the Lamberts found that they wished to take her out of England, they attempted directly to cause a separation between them. The Lamberts also prevented the husband of Madame Williamson coming back to her; and with regard to myself, Madame Williamson confessed to me that they always spoke disparagingly of me, and attempted by every means to cause the greatest disagreement between us; and they succeeded to the extent that Madame Williamson told me she wanted to love me no more. She also told me that Madame Lambert had promised to give her a sweetheart,—a Sardinian young man, who was to be lodged in the house. When Mr. Lambert did know of my accident with Madame Williamson, he came to me, and acted as if I had been a thief and an assassin, expelled me from the house, and having no regard to my state of health. Upon this, I called Mr. Lambert a ruffian and a thief, and I can prove that, as he let his apartments to a certain Mrs. Roberts, first prostitute of Regent-street, who, to my knowledge, kept two gentlemen with her till daybreak; and I will show him to be a thief, as he robbed a golden bracelet and a ring, which he says he left on a bed belonging to Mr. Smith, who resides at 35, Newman-street, Oxford-street. Mr. T. and Madame Williamson are witnesses of the theft. I say again, Mr. and Madame Lambert are in effect two ruffians and two thieves. It was not enough for them to have had the satisfaction of expelling me from this house, but they said to everybody that I was a rogue, and a thief, and an assassin, and all the worst calumnies that could be uttered they have applied to me. Ah! I who am the offended, who was forced on to love, for which I am now suffering, and to be insulted for it, abandoned by my sweetheart! I lost my reason, and became a madman. I resolved to destroy myself, but before doing so, I said within myself, I will see those who have deprived me, those who have caused me to lose entirely my senses. I resolved to speak to the Lamberts, and after that to die in peace. Oh, my brains! I lost myself. God forgive my excess! I am lost! I am a dying, desperate man! God forgive the great many faults of which I have been guilty! The Lamberts have made me an assassin. I recommend to you my daughter, because the little one is innocent. I am a Roman and an honest Italian, as you will perceive by my certificate. Since I am in England, they call me thief and assassin; by doing so, they cause me to act as such. I shall be able to say that I have been assassinated by Dr. Baller, of Penshurst, of Kent. Open my flesh after I am dead, and you shall certify how I have been treated. Yes, open my lacerated flesh, and you will be astonished. If I have done wrong, it is the law that must punish me, and not the doctor nor the priest. Oh, yes, you did assassinate me, and you have occasioned new crimes. You have my life; what do you want more? Oh, God! pardon in this horrible moment. I die content.

“LUIGI BURANELLI.”

The state of the prisoner's mind up to almost the very moment of his firing off the pistols, is shown by the statements made by Conforti and the Italians who frequented his house:—

Conforti says that he knew nothing of the prisoner till about seven or eight days before the killing of Mr. Lambert. During that period he frequented the house for his meals, he paid for all he had, and he noticed how little he ate, and how gloomy and desponding he appeared.

The prisoner left an impression on the minds of him, Conforti, and the other Italians who frequented his house, that he (Buranelli) was not right in his head, he

told Conforti he was persecuted, that he had great differences with somebody, which he alleged was the cause of his despondency ; another time he would say he was very ill, that he was ruined by the doctors, that this climate was killing him, and that was the reason of his thoughtfulness ; he used to say one thing, then another of quite a different nature.

On the Saturday evening preceding the fatal Sunday, the prisoner said, in the presence of Conforti and four other Italians, that he wanted to go to France, that he fully intended to go there, and would start as soon as he could get a passport. So strange was his conduct and so vague and contradicting his remarks, that on that evening Conforti said to the Italians present, " Oh, never mind him, he is mad."

Santi Angelo, who frequents that house, recollects Conforti using that expression on the night in question.

The trial took place at the Central Criminal Court, on Thursday, April 12th, 1855, before Mr. JUSTICE ERLE.

Messrs. BODKIN and CLARK conducted the prosecution, Messrs. M'ENTEER and LE BRETON the defence.

The prisoner, Luigi Buranelli, aged about thirty-two, was indicted for the wilful murder of Joseph Latham. For the prosecution the first witness called was Sophia de Veaux, a servant, but as her evidence merely corroborates that of the next witness, Mrs. Lambert, or Jeans, it may be omitted.

MARY ANN JEANS deposed. I am a widow. I had been living with Mr. Latham, as his wife, for fourteen years, before this unhappy event occurred ; we passed as Mr. and Mrs. Lambert ; before we went to live in Foley-place, we lived in Newman-street ; we occupied the upper part of the house—the prisoner lived in that house, I think for five or six weeks ; he was an acquaintance of Mr. Lambert's for five years—he had been some time in the country, but I should think he had been in London about four or five months altogether, with the time he was in the hospital, and the time he was at our house—I do not know how long he was in the hospital ; it was the Middlesex Hospital—when he came from there, he came to live with us in Newman-street ; he was an inmate of ours, and associated with us as part of the family—we allowed him to take his meals with us, and he hired a bed-room in the house—he continued in Newman-street till we moved to Foley-place, and he moved with us—Mrs. Williamson was lodging in Newman-street, not as part of our family, she had her own apartment—she is a milliner—she also moved to Foley-place when we moved—in Foley-place, Mrs. Williamson slept in the upper back room, and I and Mr. Lambert slept in the back parlour, on the ground floor—the prisoner slept on the second floor—for about a fortnight he slept in the next room to Mrs. Williamson, on the third floor ; but then he removed down on the second floor—there are four rooms on the upper floor—the prisoner left the house on 28th December.—I believe he is by trade a tailor ; he had not much to support himself during the time I knew him ; but Mr. Lambert allowed him to live there, and gave him what he could afford to give him, which I think was about three shillings a week—he was always an idle, lazy man, I believe ; he would never do anything—the reason of his moving from the upper room to the lower one was this ; as we gave him his room for nothing we did not charge him for it, and the room on the second floor we thought we could not let to any one else, and as we gave him his room we thought he might as well sleep in the room which we could not let to any other person—he ceased to live there on 28th December, by the desire of Mrs. Williamson, wishing that he should not continue there—I had not the least idea that any intimacy had arisen between him and Mrs. Williamson, not until after he was gone from the house—it was Mrs. Williamson's desire that he should leave ; Mr. Lambert was the one that mentioned it to the prisoner—after he left he did not come to the house for any purpose until the morning in question ; but he sent a little boy twice with two letters to Mrs. Williamson—I did not know that little boy—I believe he did not wait for an answer—that was all the communication he had with the house after he left, to my knowledge—on Sunday morning, 7th January, I was sleeping in my bed-room on the

ground floor—Mr. Lambert was in bed with me—our bed-room door was not fastened inside—I was awake when Buranelli entered the room ; I had been awake some time—I heard the ring at the bell, and heard the door open, and heard him speaking to Mrs. De Veaux—I did not hear her go down stairs—I saw him enter our room—the bed was just behind the door ; the door opened on the left hand, and the bed was on the left hand side—a person coming into the room, if he walked straight from the door would get to one side of the bed—that was the side on which Mr. Lambert slept—when the prisoner opened the door and came into the room, I saw that he had a pistol in his hand ; I only saw one, he had the other hand behind him—he said, “Mr. Lambert, Mr. Lambert!” and instantly shot him—he was quite asleep—the prisoner was well aware that Mr. Lambert slept very sound, and always laid till late in the morning—he died instantly upon receiving the shot—I at first pulled the clothes over my head, and then I jumped out of bed and ran round to see if I could get hold of the other pistol—I went towards the prisoner—I saw him change the pistol he had discharged into the other hand, and take the loaded one into his right hand—he did not say anything to me as I approached him ; when I got quite close, going to take the pistol, he instantly fired—he was standing close by the wardrobe, about one or two steps from where he shot Mr. Lambert, and he was coming towards me—he was holding his arm up, with the pistol in his hand ; I saw him raise his arm—the ball of the second pistol took effect in my arm and neck, and I am still labouring under the effects of that ball—the prisoner instantly left the room, and went up-stairs—I cannot tell whether I fell or not.

Cross-examined by Mr. M'ENTEEER. Q. Did you observe whether he was excited when he broke into your room? A. No ; I did not perceive that he was the least excited in the world—he said, “Mr. Lambert, Mr. Lambert!” but not in an excited manner at all ; he did not appear to me to be at all excited—I should think it was within two or three minutes of his speaking to Mrs. De Veaux in the hall that he opened the door and fired the shot—he had to shut the door a little way before he could get to Mr. Lambert's bed ; that was the only interruption that occurred upon his opening the door, and he immediately fired—it was as instantaneous as it could be, with the exception of his putting the door aside—Mr. Lambert had always been very kind indeed to the prisoner—Mr. Lambert sympathised with him during his frequent complaints of illness, and frequently visited him in the hospital, and took him in any little thing which he required—I also did similar kindnesses to him in the hospital—I took him tea and sugar, and any little thing that he required, or money—he said he had something the matter with his inside, but nothing we thought to hurt him at all—he always appeared to be quite well when at home ; in fact, when he was receiving his money from his club ; although he would not work, he could go to the theatre of a night, and stop out till after twelve o'clock at night, which was against the rules of the club—he said where he had been—I am not aware that there are Italian houses in London which the Italians frequent in the evening—it is not my own supposition that he had been to the theatre, he told me so ; in fact, when he came home late he told me where he had been—at one time he had been to see the “Corsican Brothers” at the Princess's—Mrs. Williamson was with him upon that occasion.

COURT. Q. Was that at a time when he was receiving money from his club on account of supposed ill health? A. Yes.

Mr. M'ENTEEER. Q. Are you aware whether he received money from any other source than his club? A. Yes, from Scotland ; from the Stewarts ; I believe that was from being a servant of one of the Stewarts, a priest, in Italy—I believe he received £10 every half year from them—he had left the last £10 with Mr. Lambert—I believe Mr. Lambert kept some of it, which was owing to Mrs. Williamson ; £1 or £2, and I think he gave up £4 10s. when he left the house—he returned the prisoner what was due, after deducting what was owing to Mrs. Williamson, and money that he had advanced to him—I do not recollect the nurse of the hospital making any inquiries whatever of me regarding the prisoner's peculiarities, or his state of health ; she never made any remark—I never heard Mr. Lambert make any accusation against him, or call him an assassin, or a thief, or anything of the kind—the conduct of Mr. Lambert was always kind to him—he appeared to be grateful to me and Mr. Lambert for that kindness—he was always a very quiet man—if he ever accused Mr. Lambert of calling him a thief, a liar, or an assassin,

or anything of that kind, it was perfectly untrue to my knowledge—I do not believe there was any such thing as that—we parted with the same friendly feeling evinced on both sides—he said he was very sorry if he had done anything to annoy any of us, and he wished us good-bye, and left the house quietly.

MR. BODKIN. Q. Was Mr. Lambert displeased when he heard the complaint of Mrs. Williamson, and her wish that he should leave the house? A. He did not seem so very displeased about it, only as Mrs. Williamson desired it, and we were in business together, we thought he should leave; it was upon Mrs. Williamson's wish that Mr. Lambert desired it—he was not so displeased as to be very angry with him—there were no angry words passed between them—I do not know what passed between Mrs. Williamson and Mr. Lambert when she spoke to Mr. Lambert in the bed-room—I suppose he felt rather annoyed—I was not present when anything passed between Mr. Lambert and Mrs. Williamson upon the subject, or between Mr. Lambert and the prisoner, only when he was saying good-bye and he was leaving the house—I never heard Mr. Lambert communicate to the prisoner any complaint that Mrs. Williamson had made—Mrs. Williamson and I were in partnership together in business—at the time the prisoner left I was not in the least aware of any improper intimacy between himself and Mrs. Williamson—I cannot tell whether Mr. Lambert was aware of it—he never communicated to me anything that Mrs. Williamson had said—I am not aware whether he knew of the intimacy or not—I was present when the settlement took place about the money, and the balance was given to the prisoner; it was in the evening, when he went away—Mr. Lambert reckoned it up, because Mr. Buranelli wished to pay for a fortnight's board while he was in Foley-place, and a fortnight's lodging for a room, but previous to that, during the time we were in Foley-place, he did not pay anything for his food or his room, only the last fortnight.

COURT. Q. What did Mr. Lambert decide about it? A. He took one shilling a day for his board, and half-a-crown a week for his bed-room.

MR. BODKIN. Q. Did Buranelli agree to that with Mr. Lambert? A. Yes—he thought it was not enough—he told Mr. Lambert to take more, because it would not pay him, but he said, “No, you have very little money to take away with you.” I believe the settlement was reduced to writing, and I believe Mr. Lambert gave it to Buranelli, that he should look over it and see that it was perfectly correct—he understood it and agreed to it.

The next witnesses were Francis Hayes, the policeman, and Mr. Bridge, the surgeon, who were called to the prisoner immediately after the murder.

The chief value of their evidence depends on the following statement which Buranelli is described to have made to them. He said:—

“I was in Middlesex Hospital some time ago, and being a friend of the Lamberts, they wished me to leave, and to come and live with them at their house, which I did; while there, I became acquainted with a person named Jane Williamson, and in consequence of some difference with her, Mr. and Mrs. Lambert wished me to leave their house, which I did; Mr. Lambert ascertained that Mrs. Williamson was with child by me; he threatened to strike me, and I left the house; I then became desperate from that time; that was last Thursday week; this morning I went to the house, No. 5, Foley-place; when the door was opened to me by the servant, I forced my way into the bed-room, placed the pistol behind Mr. Lambert's head, and shot him; I then shot Mrs. Lambert; I ran up stairs, where I reloaded the pistol, and shot myself, and I hope I shall soon die.”

The succeeding witness was Jane Williamson, a married woman, living separate from her husband, and stated to be in partnership with Mrs. Lambert as dressmakers.

JANE WILLIAMSON. I am a milliner by trade—I resided in Newman-street, in the same house with Mr. and Mrs. Lambert—Mrs. Lambert and I were not connected in business until we left Newman-street—during the time I lived in Newman-

street, the prisoner lived there—he and I became intimate as man and wife; that had been the case three weeks, I think, before I left Newman-street—we had been acquainted longer than that, from seeing him at Mrs. Lambert's—I think I once or twice went out for a walk with him—I used not to go to the theatre with him before that time—I have been once at the theatre with him; that was when we were in Foley-place—nobody went with us—oh, I went once before that, with Mr. and Mrs. Lambert and the prisoner—when Mr. and Mrs. Lambert moved to Foley-place, I accompanied them—I set up in business with Mrs. Lambert at that time; we took the house together, and I slept in the upper room—the prisoner also moved, and slept for a few nights in the room next to me, and then he went down to the second floor—after a short time he left; I think it was on a Thursday; in January, I think—I do not remember whether it was in January, or the latter end of December; it was shortly after Christmas—it was my wish that he should leave—I communicated that wish to Mr. Lambert, and the prisoner left a few minutes after—he told him instantly to go; as soon as he could get his carpet-bag ready, he went; it was after tea in the evening—Mr. Lambert told the prisoner why he was to leave—I was not in the room when he told him to leave—I did not hear what Mr. Lambert said to him about his leaving—there was no one in the room but themselves at first—they were in the dining-room; the ground floor front room—I was called in afterwards, I think by Mr. Lambert—they had been together about five or ten minutes before I was called in—when I went in, Mr. Lambert said to me, “Do you wish Buranelli to leave the house?” I said, “I think it would be better”—he then said, “I will go,” and he went up-stairs, and got his bag to go—he said he wished to speak to me alone, and Mr. and Mrs. Lambert left the room for a minute or two—I do not remember when Mrs. Lambert came in, but when he expressed a wish to speak to me alone, she was there—after Mr. and Mrs. Lambert left the room, the prisoner asked me to meet him, and I refused—he did not mention any place or time—he had some money, which he offered to give me, but I would not take it, and he then left—when I spoke to Mr. Lambert about the prisoner, I gave him a reason for wishing him to go—I was on the ground floor, and Mr. Lambert called me into the bed-room, and asked me what made me so unhappy; that was the beginning of it—he had noticed that I appeared unhappy, and asked me that question—he guessed the cause, and I said, “I think it would be better if Buranelli could leave the house”—I told him I thought I was pregnant by the prisoner—it was directly after that that the interview between Mr. Lambert and the prisoner took place—Mr. Lambert seemed astonished at receiving this communication from me—the prisoner was in the parlour, on the ground floor, at the time—Mr. Lambert said he would protect me, and he went into the other room, and ordered Mr. Buranelli out of the house—I remained in the bed-room, whilst Mr. Lambert went into the parlour, until I was called in—I heard their voices in conversation in the interval, but I could not detect the words—I never saw Buranelli after he left that day, until I saw him after he was shot—I received two letters from him; I showed them to Mr. Lambert; I did not send any answers to them—I gave them to Mr. Lambert—one I threw away, and the other was burnt—I never received but those two letters from him in my life—the first letter was wanting me to go out; I forget the exact words of it—he said that he held my honour in his hands, and it was my duty to go out and see him, and he begged I should do so—I sent no answer to that letter—the first letter came, I think, on the Tuesday, and the second on the following Saturday; that was begging me to meet him at All Souls' Church, in Regent-street, that evening, from eight till ten o'clock, and stating that he was going to Paris—I do not remember whether the second letter alluded to the fact of my not having sent any answer, or taken any notice of the first; I think not—about an hour before that letter came, an apprentice that I had, saw him in Foley-place, and he inquired of her how I was, and said he was going to Paris, but I received no other communication from him than those two letters—they were written in affectionate terms—on the Sunday morning in question I was asleep in my room, and was awoken by a noise proceeding from the lower part of the house—my apprentice was sleeping with me at the time—my door was fastened inside—I heard some person ascend the stairs, and then try to open the door of my room—I called out, “Who's there?” the answer was, “Open the door; open the door”—I asked, “Who is it?”—I did not recognise the prisoner's voice at all; he seemed so agitated—he answered, “It is Luigi Buranelli”—

hearing the noise previously, I thought something was wrong, and I said, "Where is Mr. Lambert?" he said, "Dead," and I think he said that he was his assassin, but I am not sure—he then went into the adjoining room—I heard the window thrown up, and I ran across my room, and looked out of the window, and I immediately heard the discharge of fire-arms—my window looks out the same way as the window which was opened—I did not see anybody when I looked out of the window—I did not go into the room—the policeman came up and said, "Open the door;" when I opened my door, I had a view of the room into which Buranelli had gone—I then saw him lying on the floor, and bleeding from a wound in his face.

Cross-examined by Mr. M'ENTEER. Q. I believe you say you went only once with the prisoner to the theatre? A. Twice—the second time I went I saw the "Corsican Brothers"—he was much delighted at the part where one brother shot another man—I forget what it was; I forget the piece now—he said he would like to appear to me when he died, the same as the ghost does in the "Corsican Brothers" (there was not a bloodstained figure on the stage in the course of the performance)—I said to him, I think it is very ridiculous; I should not like you to appear to me when you are dead—he has frequently said he should shoot himself—I endeavoured to reason him out of those notions—I spoke of his soul, and told him he was acting very wickedly, that he talked wickedly—he said he wished he was dead; he always imagined that he was going to die—he appeared at times very well in health, and at times he was not well—he frequently said that since he had known me he had forgotten his child—he said he thought the medical man at Penshurst had injured him—he did not describe to me how the injury arose—he always spoke of it in a tone of complaint—I used to tell him it was nonsense, that he imagined these kind of things—he said he did not imagine them—I believed that he did imagine things.

COURT. Q. Did he frequently speak about the doctor at Penshurst, and imagine he had done him harm? A. Not very frequently, but sometimes.

MR. M'ENTEER. Q. You endeavoured to reason him out of these imaginings? A. Yes—I used to say I thought he was very silly, the doctor would not injure him, it was not likely; that he used to read so many operas till he fancied he was one of the beings in the opera—he used to repeat them all, sing them all, parts of all the operas—I meant he fancied he was the being that was performed, not the actor, but the individual represented.

COURT. Q. Can you name any opera in which he said he fancied he was the being of the opera? A. No, I cannot state any opera; but he used to state that they were very beautiful, and he admired them so much.

MR. M'ENTEER. Q. What was your opinion from hearing him talk in this way? A. It never occurred to me that he was mad, but I thought it was very strange; he was a man of such great imagination, but I did not think he was mad—I do not remember ever saying to any person that I thought him mad—I cannot tax my memory with it—I do not think I ever said so—I might, perhaps, have said in a joke that I thought he was going out of his mind, but I did not think it; I do not remember ever saying so.

Q. In the two letters that he sent to you, were there any kind expressions in regard to Mr. and Mrs. Lambert? A. I think in one he said, "Give my respects to Mr. and Madame Lambert"—I have occasionally written letters for him at his request—(looking at some letters) these are my writing—I wrote them at the request of the prisoner—I have not looked them through; I hope there is nothing put in them that I did not write.

MR. BODKIN. Q. When were those letters written? A. I have not the slightest idea; I did not write them by his dictation, he merely expressed what he wanted said, and I wrote it in my own language—one of these letters is dated December, but I think I must have written it before December—I think it was about December—it is dated from Newman-street—they were both written in Newman-street; but I should imagine this one was the first, and that one the last I ever wrote for him—Mr. Lambert used generally to write his letters for him; he was out when I wrote these—I think they were both written in Newman-street, I could not swear so—he did not tell me that he had undergone a very painful surgical operation in the country—he told me he had undergone an operation, but he did not tell me the doctor that operated upon him; he did not tell me who operated upon him—I understood from him that he thought he was injured in that operation; he

thought he was suffering from fistula—I understood from him that the operation was for fistula—he complained of pain in his left side—he always appeared changed when it was wet weather—he said he still suffered some inconvenience or pain from the fistula—I went with him to see the “Corsican Brothers;” there is a representation there of one man shooting another; he does it to protect some woman whom he is in love with; it is Charles Kean who plays the character—the man whom he shoots, is the man who is represented to have killed his brother; the death is caused by stabbing, not shooting; I am so confused I did not recollect—the ghost of the one brother appears to the other simultaneously—the prisoner then said that after his death he should like his ghost to come and visit me—that was the observation he made, in a jocular tone—that was after we had been intimate; it was when we were in Foley-place that I went to see the “Corsican Brothers”—he always spoke to me in terms of strong attachment—he did not talk about shooting himself before we got to Foley-place, it was when he was at Foley-place—he was jealous of me—he was not jealous of anybody in the house, or of anybody who came; he was not jealous of any particular person, but generally jealous—I do not think any foreigners came to see him in Foley-place—sometimes a friend came to Newman-street—I do not remember any Poles coming, they were Italians and Hungarians—he did not talk very often of shooting himself, he said it once or twice—that was not when he was a little jealous—I never heard him say that he would shoot himself from any jealousy—he appeared jealous at times, by his talk, not by his manner—he expressed an apprehension that I might like somebody else as well as him—none of the visitors I have spoken of went to the theatre with me at any time, neither with him, nor without him—I know he had a daughter who was down in Kent, where he had formerly lived—after he became acquainted with me he was very attentive to me—I never saw his daughter—I could not hear the conversation which took place between the prisoner and Mr. Lambert—they did not talk particularly loud.

The remaining witnesses for the prosecution were Edward Dugan, another policeman, and John Vincent, the pawnbroker from whom the prisoner bought the pistols, and who confirmed the account previously given of that transaction in the prisoner’s own statement.

The medical witnesses called on this side were Mr. M’Murdo, Dr. Mayo, and Dr. Sutherland, who deposed as follows:—

GILBERT MCMURDO, Esq., *sworn, and examined by MR. BODKIN.* Q. Are you the surgeon of Newgate? A. Yes.

Q. Has the prisoner been under your notice during his confinement in the prison? A. He has.

Q. From what time? A. From the day of his admission.

Q. When was that? A. I do not at this moment recollect the date. I saw him on the day he was brought in.

Q. It was about six weeks ago, I believe? A. About that time.

Q. Did you find him suffering under any bodily ailment? A. I found him suffering chiefly in consequence of the wound which he was said to have inflicted on himself.

Q. But I mean independent of that? A. He complained after a few days of a bleeding, which I attributed to the existence of piles, and which he allowed existed.

Q. Did you examine him? A. I did.

Q. Did you find the presence of piles? A. I found a small pile, which I considered indicative of the existence of internal piles, from which the blood proceeded.

Q. Did you examine that part of his body so as to ascertain whether there were internal piles? A. There was a small external one, which is indicative of internal piles; generally speaking, when external piles are found, and bleeding has occurred, we presume, without putting the patient to further pain, that internal piles exist.

Q. Did you see any appearance of an operation having been performed on that part of the body? A. I did.

Q. For fistula? A. Yes.

Q. Was it perfectly healed? A. Not entirely; there was a little watery discharge from a little orifice in the skin where it was abraded.

Q. That was the case when he came in? A. Yes, or within a few days afterwards; he did not tell me of it till then.

Q. It was the case when your attention was called to it? A. Yes.

Q. There was a little watery discharge, you say? A. Yes, which is common under such circumstances, occasionally a very small quantity.

Q. Did he make any representation to you with respect to any discharge from that wound? A. Not in the manner which I have heard.

Q. What did he say? A. He said that he passed blood.

Q. From there? A. "From behind," he said; he did not represent to me anything about water.

Q. He did not represent to you any gushing of water? A. No, he did not.

Q. Not all the time he has been under your care? A. Yes, because I asked him.

Q. He represented that he passed blood? A. Yes, when he went to stool.

Q. You found that to be true? A. I did not see it; I found that he most likely had passed blood.

Q. As I understand you, until you spoke to him upon the subject, he did not complain to you of the passing of water? A. Not at all.

Q. You had heard of that, had you? A. I had heard of it.

Q. When did you speak to him about it, and how long had he been in the gaol before you heard of it and mentioned it? A. I did not speak to him about it until this morning; nor did I hear of it to draw my attention particularly to it until yesterday.

Q. You saw him early this morning? A. I came down to the prison for the purpose of asking that question.

Q. What question did you ask him? A. "Did you say anything to me about water having passed from behind?" He then said, "My fistula," or "fistule," as he calls it, of course.

Q. Was that all he said in answer? A. That was all he said in answer at that moment. I said to him, "But did you ever think that you made water from behind?" and he answered, "I do not know that I ever did."

Q. Was that all that passed this morning? A. To the best of my recollection it was.

Q. During his stay in the gaol you have had conversations with him repeatedly, I think? A. Almost daily.

Q. Have you ever observed, in the course of your attendance upon him, or in the conversations you have had with him, any symptoms of aberration of mind? A. I have not.

Cross-examined by MR. M'ENTEER. Q. I believe, with regard to fistula, there is an indication of a return after an operation? A. Yes, the same state of body that produced it before, under similar circumstances will produce it again.

Q. Have you ever paid any attention to the treatment of lunatics? A. I have had a great many persons about whose state of mind inquiry has been made, or was made under my care, during my tenure of office for a considerable time; I have been surgeon for twenty-five years to the gaol of Newgate, and I have had a great many persons under my care, some who have been of unsound mind, and some who have been thought to be so.

Q. What would you prescribe for active irritation of the brain? A. I do not profess to be what Dr. Conolly is—set apart to that part of the profession.

Q. Would you consider that large local bleeding, where a man is labouring under inflammation of the brain, in any degree would have a beneficial effect—I mean local bleeding near the seat of disease? A. Will you repeat your question?

Q. Supposing a man labouring under inflammatory action of the brain, would local bleeding have a beneficial effect? A. If a person was maniacal we might not be disposed to pursue that plan of treatment; I should give him a sedative.

Q. Would not bleeding have a sedative effect? A. It would have a depressing effect; but every case must be spoken of *per se*.

Q. Have you ever heard of cases of inflammation or irritation of the brain in which local bleeding has been made use of? *A.* I have heard of persons being bled from the arm for such cases.

Q. Have you ever heard of cupping in the neighbourhood of the brain? *A.* Of course I have, often when persons have been suffering from plethora.

Q. That would cause a disease of the brain, would it not?—it would cause congestion of the brain? *A.* That is not disease.

By MR. JUSTICE ERLE. *Q.* Plethora may cause a disorder of the brain? *A.* Certainly.

By MR. M'ENTEEER. *Q.* If a man was suffering under an appearance of excitement or insanity, would bleeding have a beneficial effect? *A.* There might be a great many cases.

Q. Would it have a beneficial effect? *A.* Not necessarily; it might in some.

Q. Would quietness and a regular diet have an improving effect upon that state of mind?—would quiet and a regular diet and bleeding restore his mind? *A.* It is natural that quietness and regularity should improve the condition of a person thus situated.

By MR. JUSTICE ERLE. *Q.* And would restore an unsound mind to a sane state? *A.* I did not say so.

Q. That was the purport of the question? *A.* I said nothing of the kind.

Q. If a man was labouring under excitement or insanity, bleeding and regular diet and quiet might relieve him? *A.* It is very rarely that bleeding is had recourse to.

By MR. M'ENTEEER. *Q.* Do you believe that a regular system in prison under such circumstances as the prisoner was under here would have a sedative or an improving effect upon his mind? *A.* I think anybody committed in an excited state of mind would probably be in a more quiet state of mind after being in prison some time, and kept quiet and regular. If a person when committed was simply in an excited state of mind from the circumstance of his being committed, I believe his mind would become more tranquil, calm, and composed after being there some time,—that is supposing it is merely the excitement incidental to his committal.

Q. From seeing the present state of mind, you would not attempt to speak of any previous state? *A.* I can only speak of that which I have known.

Re-examined by MR. BODKIN. *Q.* On the first day he came in, and before any beneficial effect could have resulted from the diet and treatment of the gaol, did you observe any symptom whatever of aberration of mind? *A.* I did not.

Q. Of course with respect to bleeding, like any other mode of treatment, it will depend upon the symptoms of the case? *A.* Every case must be treated by itself.

Q. In the case of a person long depressed and debilitated, can you conceive that bleeding would have any beneficial effect? *A.* On the contrary.

Q. It would add to the depression? *A.* If previously depressed, certainly.

By MR. JUSTICE ERLE. If he was labouring under depression, would that be increased or diminished by committal? *A.* If he was labouring under depression, that depression might be increased by the fact of committal.

By MR. M'ENTEEER. *Q.* Then excitement would be decreased by the same means? *A.* The question, as I understand it, is, that if the person's depression is likely to be increased by committal, would on the contrary his committal in a maniacal condition have decreased it.

MR. JUSTICE ERLE. No, my question was entirely confined to committal—if he laboured under depression at the time he was committed to prison, it was supposed that confinement to prison would restore him to equable spirits; your (Mr. M'Enteer's) question was of some supposed result of bleeding.

Q. In excitement of the brain would bleeding be a universal remedy? *A.* Not at all in some cases, it might in a great many cases—in the majority of cases I should expect that it would not be had recourse to.

Q. It is sometimes had recourse to? *A.* Many persons may.

By MR. BODKIN. Has any medical man on the part of the prisoner seen him in the gaol since he has been there? *A.* Not that I am aware of.

Q. Two physicians sent by the Government have seen him? *A.* Dr. Sutherland saw him separately from myself—Dr. Mayo also saw him separately from myself.

Q. Dr. Conolly has not had the opportunity of personal examination? *A.* No, he has not—I should have been most happy to have accompanied Dr. Conolly.

THOMAS MAYO, Esq., M.D., *sworn, and examined by* MR. BODKIN. *Q.* You are a physician, and I believe have paid great attention to what are called diseases of the mind? *A.* I have.

Q. How long have you been devoting yourself to that branch of study? *A.* I have never devoted myself exclusively to it; but I have paid great attention to it.

Q. How long have you been practising? *A.* Since the year 1818: I studied in France for some time, and had the management of an establishment there; which would probably turn my attention to it; but I have never been exclusively a physician of that class.

Q. Not exclusively confined to the subject of insanity? *A.* No; about ten years ago Dr. Southey and I were appointed to investigate Bedlam, in relation to some charges made against it by Mr. Serjeant Adams.

Q. Have you recently delivered a course of lectures before the Royal College of Physicians upon the subject of insanity? *A.* More particularly upon the subject of medical evidence and proof in cases of insanity.

Q. Were you desired by the Government to visit the prisoner in Newgate? *A.* I was.

Q. And have you seen him there? *A.* I saw him there yesterday, and had a long conversation with him.

Q. You had that conversation with him with a view to form a judgment upon the state of his mind? *A.* Precisely.

Q. Were you able to detect any symptoms of aberration whatever? *A.* No, in that conversation I saw no symptoms of aberration whatever.

Q. Have you been desired also, by the same authorities, to attend the trial here to-day? *A.* I have.

Q. Have you listened to the evidence? *A.* Carefully.

Q. Have you heard what has been stated with respect to the prisoner's representation or impression that water came from the wound where he had had a fistula and an operation performed? *A.* Yes, I have heard that.

Q. Do you consider that, from all the evidence you have heard respecting it, an insane delusion of the mind? *A.* I conceive that that impression in the patient was founded upon the slight dribbling of serous fluid from the cellular tissue about the wound, which there must have been, even in that small place, exaggerated by his mind, that mind being intensely sensitive and excitable. I could observe that in the conversation I had yesterday.

Q. Is there a state of the body or nerves that you call hypochondriasis? *A.* There is.

Q. Do you judge, from what you have heard with respect to the history of this prisoner, that he has ever been the subject of an attack of that kind? *A.* I think, considering the nature of the delusion—which was not in my eye strictly an insane delusion—considering his extreme excitability, and the sensitive state of his mind, I should conceive that all his peculiarities might be accounted for, without supposing anything more than hypochondriasis.

By MR. JUSTICE ERLE. *Q.* Considering the extremely excitable state of his nerves, you think all the symptoms that have been spoken of would be accounted for by hypochondriasis? *A.* All the symptoms that look like insanity might be accounted for by that; hypochondriasis being a form set apart for those who are very nervous about their own health—a peculiar set of persons—whom it would be very unjust to call insane; persons who are peculiarly anxious and nervous upon the subject of their health.

By MR. BODKIN. *Q.* And frequently imagining diseases which do not exist? *A.* Frequently imagining diseases.

Q. Have you, in the course of your practice, known cases in which persons labouring under hypochondriasis have imagined diseases to exist in respect to their own person, which had no foundation whatever in fact? *A.* It is more frequently the case that they exaggerate a symptom. I am assuming in this case, not a complete imagination, but an exaggeration.

Q. That is your opinion in this case? A. Yes, it is more frequently that they exaggerate a symptom; and I imagine that to be the case in this instance.

Q. Have you known cases where a strong belief existed of a particular disorder and ailment without any foundation whatever? A. They may be generally traced to some trifling foundation.

Q. Do you consider that persons exaggerating in that way could be at all properly classed with those of unsound mind? A. Certainly not; you would extend a very dangerous excuse if you did.

Cross-examined by MR. M'ENTEE. Q. You only saw the prisoner one day, I believe? A. Only one.

Q. You have heard all the evidence here to-day? A. Yes, I have.

Q. With regard to the delusion which you consider not to be a delusion—about the partial passing of water; would you consider, if a man thought that his bed was swamped with water, that that would be a delusion? A. Certainly not. I should use precisely the same method of explaining that as the other form I spoke of. If a patient held language to the effect that his bed was swamped, if it began from the slight ground which this person seems to have had, I conceive it quite natural, quite conformable with the laws of hypochondriasis, that he should go on exaggerating to any extent.

Q. After he arrived at any extent, would you consider it had ever arrived at a delusion? A. Well, that is the fallacy of division; there is no end.

Q. Then you would consider that a man who said his bed was swamped, although it was repeatedly shown him that there was not a drop of water of any kind in his bed, and that delusion being still persevered in, day after day, was not under delusion? A. It would be a very strong case, I admit; there is no question about it.

Q. With regard to incoherency, do you consider that an element of delusion—I mean, an element in making up delusion? A. No, I do not.

Q. Do you consider that inconsecutiveness is? A. They are so nearly the same thing.

Q. Would you consider those two—inconsecutiveness and incoherency—as tending to create a morbid delusion? A. No; there must be something beyond that.

Q. I will just read you a passage from the work of a gentleman whom I am sure you must have a very good opinion of: "In dealing with the two grounds which I have recently considered for imputing insane delirium—namely, the presence of inconsecutiveness of thought, in cases of certain delusions—how does the medical witness conduct his inquiry and arrange his evidence? He makes, or he ought to make, each of these elements throw light one upon the other. Where incoherency and inconsecutiveness exist there is little difficulty. Continual inconsecutiveness I believe involves the presence of morbid delusions—that is, sure to produce them."

MR. JUSTICE ERLE. What are you reading from?

MR. M'ENTEE. I am reading Dr. Mayo's own words, from page 26 of his work.

Q. Do you agree with that? A. Yes, inconsecutiveness when continued, and incoherency, are pretty sure to have delusion with them.

Q. "And is therefore a most important element in the proof of insane delirium?" A. Certainly.

Q. Did you observe in the evidence given here, proof of inconsecutiveness of character in the conduct of this man? A. No.

Q. Did you pay attention to the evidence of Mr. Henry upon that subject?

MR. JUSTICE ERLE. What particular part of his evidence?

MR. M'ENTEE. That he could not get him to connect two ideas.

A. It may perhaps be an answer to your question, as far as I can give one, to say this, that I saw not that amount of disorder of thought, or any such extent of error in the succession of ideas, which would amount, in any fair reasoning, or observation, to insanity. That takes in inconsecutiveness and incoherence too.

Q. Do you consider the existence of positive delusion to be an evidence of unsound mind? have you ever known a sane delusion? I will read you Lord Brougham's definition: Lord Brougham defines a delusion to be "a belief in things as realities which exist only in the imagination of the patient." Do you consider

that definition to be a correct one? *A.* Certainly not, it is much too loose, obviously so; I am sure Lord Brougham himself would declare so.

Q. What is your definition of a delusion? *A.* The basis of a delusion is a false perception—I believe I may say that every delusion is a false perception—that false perception may either be one of the special senses, or it may be one, corresponding with the delusion of the special senses, of the understanding.

Q. Would a delusion combining both those, be a perfect delusion? *A.* It would.

Q. A delusion of the understanding and the senses both? *A.* Yes.

Q. If a man fancied that he passed water in enormous quantities and that his bed was swamped, and if it was proved that he did not do it, and he was shown that the sheets were not wet, would not the two specifics for your delusion exist?

A. I have already explained, that there is a form set apart called hypochondriasis, which begins with certain grounds—now the false perception, which is a real delusion, has no grounds—but the hypochondriac starts upon perhaps most trivial grounds, and the mole-hill grows into a mountain, and the expression of swamping perhaps takes place: that is a totally distinct thing from what I mean by a delusion.

Q. Does not hypochondriasis merge occasionally into insanity? *A.* Of course there is an immense difficulty in drawing lines, but that would become a matter of fact: there must unquestionably be, in every science which is not a perfect one, a good deal of philosophical empiricism.

Q. Will you listen to this definition of Dr. Winslow's, and tell me your opinion of it? "A delusion is a belief in the existence of something extravagant, which has in reality no existence except in the *diseased* imagination of the party, and the absurdity of which he cannot perceive, and out of which he cannot be reasoned."

MR. JUSTICE ERLE. That definition cannot be of the slightest use, because the premises do not exist.

Q. Do you think that a man, whose judgment would not allow him to correct a transparent delusion, could exercise a sound judgment in other matters? *A.* I do not suspect that the person in the dock is one who has exercised a sound judgment in any matter lately, but I allude to wisdom and experience.

Q. Do you think that a man whose judgment would not allow him to correct a transparent delusion, could exercise a sound judgment in other matters? *A.* It is often the case.

Q. What is your opinion? *A.* I can only say that in such modes of delusion as belong to hypochondriasis there are many men whose judgment is excellent but who are exceedingly erroneous in other matters.

Q. By MR. JUSTICE ERLE. They are unable to correct the delusions they have in respect to their own health? *A.* Yes.

Q. By MR. M'ENTEE. If you find the elements of delusion combined with a suicidal act, would not you consider that strong evidence of insanity?

MR. JUSTICE ERLE. A delusion in respect of water?

MR. M'ENTEE. Yes, a delusion in respect of water, combined with a tendency to suicide, carried out in practice, would that be evidence of insanity?

A. If I knew hypochondriasis to be the cause, the delusion and the suicidal attempt in a person of such sensitiveness and such unfitness to deal with the difficulties of the world would not; such a person is liable, sane or insane, when things go wrong to commit that act: there are some three or four points which I mention as controvertible, in my book, in order that the whole book may not be looked upon with a jaundiced eye.

Q. Will not a delusion occasionally disappear after an attempt at suicide or an accidental bleeding? *A.* If a real insane delusion occurred and the patient was of a plethoric character, and not of that sort of constitution in which bleeding disagrees with the insane, no doubt the loss of blood might temporarily benefit him.

Re-examined by MR. BODKIN. *Q.* With respect to the effect of bleeding in a plethoric subject: when the vessels of the brain are in a state of congestion bleeding would be useful? *A.* Moderate bleeding; but in insanity it is not right to take as much blood as the state of the pulse would indicate.

By MR. JUSTICE ERLE. *Q.* If the brain is congested in insane persons bleeding may be beneficial? *A.* Yes, moderate bleeding.

By MR. BODKIN. Q. Having heard the history of the person and his great depression and debility, are you of opinion that bleeding would be proper? A. He has the constitution not of our climate, he has the Italian pulse, but a very small one, and a nervous constitution, and I should very much doubt whether bleeding would suit him under any circumstances, at least they must be very extraordinary circumstances—I carefully felt his pulse.

ALEXANDER JOHN SUTHERLAND, Esq., M.D., *sworn, and examined by MR. BODKIN as follows:*—After a few preliminary interrogations, the witness was asked, When he saw the prisoner? A. Yesterday.

Q. Did you have a conversation with him? A. I had.

Q. Was it at the same time that Dr. Mayo saw him? A. No, before.

Q. Was that the only time? A. Yes.

Q. How long were you with him? A. An hour and a half.

Q. Conversing on different subjects? A. Yes.

Q. Did you observe any symptom of aberration of mind? A. I did not.

Q. Have you heard the evidence in this case? A. I have.

Q. Have you heard the acts and observations attributed to the prisoner as indicative of the state of his mind by the witnesses at different times? A. I have.

Q. Assuming those to be true, would you in your judgment refer them to unsoundness of mind? A. No; I cannot consider the acts to have been the result of motiveless impulse.

Q. You mean the acts of violence? A. Yes.

Q. But you have heard the history of the prisoner, and of his asking a man to shoot him? A. Yes.

Q. Assuming those circumstances to be true, would you refer them to unsoundness of mind? A. No.

Q. With respect to this particular one, his impression that water came from his person in quantities in the bed, and that on one occasion he said that he swamped the bed, what should you consider that the effect of? A. I should consider that an illusion, the result of hypochondriasis, and not a delusion the result of insanity?

Q. Have you in your experience met with many cases where persons suffering under hypochondriasis take false views of the ailments of their own bodies? A. It is very common.

Q. Do you find them frequently persist obstinately in those impressions? A. Yes.

Q. Do you ever consider it necessary to order such persons under restraint, or to treat them as insane persons? A. No.

Cross-examined by MR. LE BRETON. Q. May I ask you if the belief that the prisoner's bed was swamped with water, although it was not the case, was not a delusion? A. No, an illusion, the effect of hypochondriasis.

Q. Where is the seat of hypochondriasis? A. In the nervous system.

Q. Is it not in the mind? A. It is seated generally in the nervous system; it is the effect of the nerves conveying false notices generally through the stomach to the brain.

Q. May not hypochondriasis proceed to mental disease? A. Yes.

Q. If you find in combination with hypochondriasis suicidal notions and tendencies, and general depression and melancholy, would you not consider that evidence of a mind not sound? A. No; not taken in the way you put it, without considering the whole circumstances of the case.

Q. Would it go a long way to constitute mental unsoundness? A. It would go some way.

Q. What would it require? A. Delusion.

Q. Is not the bed being swamped with water a delusion? A. An illusion.

Q. What is the difference? A. An illusion is objective.

Q. Is a delusion subjective? A. It may be, but the judgment must be involved.

Q. On what does the illusion act? A. On the brain.

Q. Where a man was argued with, and shown to demonstration that no such illusion existed, would not the judgment come into play and be called upon to decide? A. Yes.

Q. If after that the illusion was persisted in, would you not conceive the judgment to be in fault? *A.* Yes.

Q. If the judgment be at fault, is there not something wrong in the mind? *A.* No.

Q. Not on a transparent fact like that? *A.* Not without hypochondriasis.

By MR. JUSTICE ERLE. *Q.* Not in the sense of unsound mind? *A.* No.

By MR. LE BRETON. *Q.* Would you consider the mind to be a sound mind that would come to such a judgment? *A.* It might be.

Q. It might be perfectly sound? *A.* Yes.

Q. If a man believes that his legs are made of glass, and it is shown that they are not, would that man have a sound mind? *A.* No.

Q. What is the difference between the bed swamped with water and the glass legs? *A.* The one is so palpably absurd upon the face of it, that it is a delusion.

Q. Is not it palpably absurd that the bed was swamped with water, when it was shown to be untrue? *A.* No; I should inquire if there were any reasonable grounds for the supposition.

Q. But where it is demonstrated that there is no water in the bed? *A.* Yes.

By MR. JUSTICE ERLE. *Q.* When there is no reasonable ground for the supposition? *A.* Then I call it a delusion.

By MR. LE BRETON. *Q.* Then in this case the prisoner was under a delusion? *A.* I do not say so; if I found that there was reasonable ground, I should not consider it a delusion.

Q. What could be the reasonable ground? *A.* He told me that Mr. Henry had tried to persuade him that he did not pass the water behind, and he said that he showed Mr. Henry the lint, and it was wet.

Q. Do you consider the exuding of a small portion of moisture would be sufficient ground for the illusion if the bed was dry? *A.* I should consider that it was a great exaggeration of the fact.

Q. Is there a progress in mental disease which is called the incubation? *A.* Yes.

Q. Is hypochondriasis a cause of mental disease? *A.* Yes, a very frequent cause.

Q. Although a man may be hypochondriacal without being insane, is not hypochondriasis one of the conditions of insanity? *A.* It may be, but there is something superadded.

Q. If great mental depression were superadded to hypochondriasis, would not it be an evidence of unsoundness of mind? *A.* Not a symptom: it would be a symptom leading out of it.

Q. Is a suicidal tendency one of the symptoms of mania. *A.* Very frequently.

Q. Are there not cases in your experience, mentioned in books, where a man after brooding over some fancied wrong, and the commission of a crime, has suddenly recovered his mental faculties? *A.* Yes.

Q. *By MR. JUSTICE ERLE.* Insane, or whatever the word is for it—an insane person? *A.* Yes.

Q. *By MR. LE BRETON.* I would ask you whether the quiet and isolation in which the prisoner has been lately, may not have had a beneficial tendency on mental disease, assuming it to have existed? *THE WITNESS.* You put that hypothetically.

Q. Yes? *A.* Yes.

Q. Does it follow because you found him without mental disease yesterday that he may not have been maniacal on the 7th of January? *A.* No, it does not follow at all.

Q. May it not be so? *A.* Yes.

Q. Taking all the circumstances of this case into your consideration, can you form a positive opinion that the prisoner was of sane mind last January? *A.* I do not like to give an opinion about that; I think that is for the Jury to give an opinion of, not for me.

Q. *By MR. BODKIN.* You did not see him in January? *A.* No.

Q. Did you see in this case clear proof of his having been suffering from hypochondriasis? *A.* Yes.

Q. I do not know whether you have said it, but the tendency of hypochondriacal patients is to exaggerate any ailment of the body, is it not? *A.* Yes, it is.

Q. That is a marked feature of the ailment? A. Yes, it is.

Q. Then this impression of the prisoner about the bed, had reference to a supposed exudation from his body, which he exaggerated? A. Yes.

Q. Is that a circumstance that you would consider at all unusual in a person suffering from hypochondriasis? A. No.

Q. On the contrary, is it not one of the most usual features of that complaint? A. It is.

Q. Having heard the evidence respecting this prisoner, would you refer any act of his of which evidence has been given to-day, to the influence of an unsound mind? A. I think I answered that before in saying, that the act which I have heard of I do not consider to be motiveless, and therefore the result of insanity.

Q. That is assuming that the facts are true, that he was dismissed from the house, and so on, in the way that has been proved? A. Yes.

For the defence there were called:—

John Crawford, Esq., the prisoner's former master, who not knowing that the defence of insanity was to be set up, had voluntarily called at the prison, before the trial, in consequence of the strong impression left on the minds of some members of his family, that Buranelli's intellect was disordered when he lived with them, five years before the murder.

The next witnesses were Elizabeth Davis, a fellow-servant of the prisoner at Mr. Crawford's; William Eagleton, the master tailor at Penshurst, for whom Buranelli had worked during the three years he resided at that place, previous to the death of his wife in childbed; James Cook, a shoemaker at Penshurst, with whom the prisoner had lodged; John Simmonds a gardener, at Penshurst, Buranelli's brother-in-law, and Harriet Simmonds, his wife. The evidence of these different persons established:—

1st. That Buranelli had originally gone to Penshurst on account of his marriage with Martha Ingram, his fellow-servant at Mr. Joyce's, and that he had followed the occupation of a tailor, working for the same master, and living in the same lodgings, during the whole time, a space of about three years. His fellow-workmen and companions stated that he was cheerful, industrious, sober, and much liked by every one.

2ndly. That, consequent on his domestic misfortunes, his disposition had altered; he had become dejected, irritable, violent, and morose; frequently spoke of destroying himself; and they believed would have done so, had it not been for his child, to whom he was much attached. They further affirmed that he had endeavoured to procure laudanum, had tried to persuade a man to shoot him, and on one occasion had run away with so strongly expressed a determination to drown himself, that his companion would not leave him until he had placed him in the hands of a brother-in-law. He had for some time entertained feelings of extreme animosity against Dr. Buller; concealed the medicines given to him, and refused to take them, alleging that Dr. Buller wanted to poison him; a suspicion which he supported by an absurd test with a half-penny.

The following witnesses deposed to the condition of the prisoner after he left Penshurst, in August, 1854, for the purpose of seeking admission into the Middlesex Hospital, when he first became acquainted

with Mrs. Williamson. Their evidence is so important that it is here given in full, as it was sent to the Secretary of State after the trial. Substantially they made the same statements in court.

DECLARATION OF MARY ANN FLOWER.

I, Mary Ann Flower, head nurse of Forbes' Ward, Middlesex Hospital, aged 40 years and upwards, do solemnly and sincerely declare : That I have known Luigi Buranelli (now a prisoner in Newgate, under sentence of death,) ever since the 17th day of August, 1854, on which day I recollect being in the ward when a short man (apparently a foreigner) brought the prisoner to me, and said he had seen Mr. Shaw (the senior surgeon of the hospital), and he had requested that the prisoner should be admitted. The short man (who apparently was a friend of the prisoner) said he was very nervous and excited in consequence of his sufferings from fistula ; the prisoner said nothing, but seemed very low and desponding. His friend left, and I pointed out to the prisoner his bed in the ward. That same day the same man came again, with a female, who at the trial of the prisoner I recognised to be Mrs. Lambert—they brought the prisoner tea, sugar, &c.—She said she did not know what to do about leaving him, for she did not think he was fit to be left alone. The prisoner was crying ; I asked him what he was fretting about ? but he did not seem to know clearly what was the matter. He said the doctor in the country had killed him—that his wife's friends in the country had done him out of a great deal of property. I said to the female, "Well, he will not be left alone here ; there is always some one in the place." She then seemed satisfied, and went away with the foreigner. I noticed the next day that the prisoner was low and desponding and very strange in his manner, so much so, that I made the remark to my assistant nurse, Elizabeth Naylor, that I did not think the prisoner could be in his right mind. Afterwards, viz., on that same afternoon, about twenty minutes past three, on my coming up from the dispensary, my nurse Naylor said she had been looking for me, as that lady and gentleman had come again, and she had asked them into my room. I went in and saw the same foreigner and the same female. She asked me what I thought of the prisoner ? I said I thought he was very strange, and I asked her if she thought the prisoner was quite right in his mind ? to which she replied, "These foreigners are strange ; that little fellow (pointing to the man) is more like one of us."—She said that the loss of the prisoner's wife had preyed upon his mind, and that he had been defrauded out of a great deal of property in Italy. From that time to the 2nd of September the prisoner remained in the hospital, until he was discharged to make room for cholera patients—the female visiting him, and also a tall gentleman in a cloak, in the interim. During the whole of that time the prisoner was low and desponding, but particularly mild in his manners. He was labouring under a delusion that water was passing through the wound—he said frequently that the water was coming through into the bed ; there was not the least foundation for it. He was exceedingly grateful for all that was done for him—his manner was so strange that I should not have been at all surprised if I had heard he had destroyed himself. And I further solemnly and sincerely declare : That I recollect Mr. Henry, Assistant Surgeon of the hospital, coming to me about three or four weeks ago, but the exact date I do not recollect, when he asked me whether I remembered the prisoner Buranelli being a patient of mine ? when I narrated to him as nearly as possible what I have above stated, which was just the same that I had told to Mr. Vigers (the house surgeon) just after the murder took place ; the reason I told Mr. Vigers of the circumstances was because I remembered the prisoner's name was Buranelli. The prisoner on my going into the ward to attend the patients used often to call to me, and exclaim in broken English, "Me so wet sister, me swimming, do look," and this at last became so annoying that I used to avoid going into the ward when I had not time to spare from the other patients. At the trial of the prisoner, when I was sitting outside waiting to give evidence, Mrs. Williamson came and sat down by me—she entered into conversation with me about the prisoner, but I did not know who she was until she told me her name, although I remembered having seen her once at the hospital ; she asked me whether I was going to give evidence for him, and I said, "Yes I was ;" she then said he could never have been in his right mind, or he would not have talked to her as he used to do ; she said he used

to say to her, "Madam, I should like to take you up to the top of a high rock, and both throw ourselves off"—and she then said that she would answer him, "Thank you, but I should not." I then said to her, "Knowing this, I consider it your duty to state it on the trial;" and she said, "You need not tell me that, you must think how anxious I am to save him."—She said that on the morning of the murder, when he rattled at her door to get into the room, she did not know his voice at all, it was so altered, and she thought it was the sweeps, and that she did not recognise him until he told her his name. I recollect the day after the trial, Mr. Shaw, when visiting his patients in Forbes' Ward, asking me if it was frequently that the prisoner asked me about his bed being wet, and on my saying, "Yes," Mr. Shaw asked me if I thought it was as many as six times, and I then said, "If I were to say sixty times, Sir, I should not exaggerate, for it was a continual thing."

And I make this solemn declaration, conscientiously believing the same to be true: &c. &c. &c.

Declared before the magistrate, at Marlborough-street Police Court, the 18th April, 1855.

DECLARATION OF ELIZABETH NAYLOR.

I, Elizabeth Naylor, assistant nurse of Forbes' and Handel Ward, Middlesex Hospital, aged 51 years and upwards, do solemnly and sincerely declare: That I have known Luigi Buranelli (now a prisoner in Newgate under sentence of death) ever since the 17th day of August, 1844, on which day I recollect being in the ward when the prisoner was brought in by a short man, apparently his friend. The prisoner was low spirited—his friend left him, and I got him to bed. In two or three hours afterwards the same man and a female (with dark eyes, stout, and well-dressed, who I subsequently recognised at the prisoner's trial to be Mrs. Lambert) came into the ward, went to the bed and stood by the prisoner. She put in his locker tea, sugar, &c.; said he was a very excited and nervous young man, and she did not think he could be left in the hospital. On the Friday she came again with the same man, and said she did not think he could be left: I told her she had better see Sister Flower, and I took her into the Sister's room, and there left her. She used to come frequently with a tall man in a cloak. The prisoner did not act like a man in his senses, he seemed always bewildered and unconscious of anything—I used often to say to him, "Louis, what ails you?" he used to say, "My head is so bad, nurse." He used to fancy that water passed through his wound: there was never such a thing seen on the sheets; if there had, I should have seen it: many a time I have seen him shed tears against the window: he used to lay and cry, and was generally very depressed from the time of his coming in until he left the hospital, which he did to make room for cholera patients. Had I heard that the prisoner had destroyed himself, I should not have been at all surprised.

And I make this solemn declaration, conscientiously believing the same to be true, &c., &c.

Declared before the magistrate, at Marlborough-street, the 18th April, 1855.

DECLARATION OF GIOVANNI CHIALES.

I, Giovanni Chiales, of the Café de la Stella, Great Windmill-street, Haymarket, in the county of Middlesex, hotel and restaurant keeper, do solemnly and sincerely declare That I know and am well acquainted with Luigi Buranelli (now a prisoner in her Majesty's gaol of Newgate, under sentence of death): that I have known him for a period of about five years, from his having at intervals come to my restaurant during that space of time: that he always seemed to me a man of weak, feeble mind, and very changing in his disposition: that I noticed this more especially and in a very marked degree recently: that he came to my house occasionally shortly before the murder, and that on the Friday afternoon before the murder he was with me for some time: that he said he was very ill in his head, and was suffering from his fistula, that he had been ruined by the doctors, and that he wanted to go to France: that having a sympathy for him, and thinking that he was decidedly of an insane turn, and believing that a change of climate would do him good, I offered him money to assist him in going to France: that he refused my offer of money, and that he used to talk in such a rambling way, and was so changing in

his wishes and intentions, that I said to him, "Well, Buranelli, if you come like this, you had better not come to my house at all, for you are mad." That for some time previous to the affair in Foley-place, I had thought, and had often said that Buranelli was not right in his head. And I make this solemn declaration conscientiously believing the same to be true.

(Signed) GIOVANNI CHIALES.

Declared at the Police Court, Marlborough-street, this twenty-third day of April, 1855, before me :

(Signed) P. BINGHAM.

A Magistrate for the Metropolitan Police District.

DECLARATION OF ELIZABETH GURNEY.

I, Elizabeth Gurney, of No. 63, Newman-street, Oxford-street, in the county of Middlesex, widow, do solemnly and sincerely declare that I am 59 years of age and upwards; that I have known Luigi Buranelli (now a prisoner in Newgate under sentence of death) from the 26th or 28th day of December, 1854, and about that time he took lodgings at my house. That on Thursday, the 4th of January last, the prisoner, by his loud talking and violent conduct in his bedroom, having alarmed some of my other lodgers, I went up to his room and found the prisoner by himself lying on the outside of his bed, talking loudly, and the window opposite him wide open, although the evening was intensely cold: I asked him then whether he was cold, he said, "No, very warm," and laughed as if he were very much pleased. He then left the room, but returned again directly: I turned round to take away his tea-things, and he said, "What for you take that?" I told him I wanted it for my own use, upon which he took the teapot very abruptly and poured himself out a cup of tea, the prisoner during the whole time appearing unconscious of anything that was passing, but kept his eyes fixed upon me. I went into his room again later on the same evening, and he was writing—there were six or eight letters on the table which he had written. Upon my going into his room he pushed the letters on one side, and afterwards put them carefully together, and at last tore them to pieces and put them under the fireplace; he then looked at me in a most wild manner, and seemed to think I should read his letters. He did not pass any remark, but took up his pen and continued writing the whole night through. On the following morning (Friday), on my going into the prisoner's room, I found him lying, dressed, upon his bed, with the window wide open (apparently having been open all night), and the room perfectly covered with paper which the prisoner had destroyed. The prisoner, on hearing me enter his room, jumped from off his bed, instantly took up his pen and commenced writing: he then asked me to give him some ink, and on my going to the mantel-shelf for the ink bottle, he started from his chair, looked at me very hard, and slapped me rather forcibly on the shoulder. I asked him what he did that for? The prisoner only laughed, sat down, and resumed his writing for a few minutes; he then asked me to write an English letter for him, and I told him "I could not, for I could not see." I then mentioned to him that one of my lodgers, who had been with me for five years, would do it for him. He did not answer me, nor did he seem to understand me: he seemed quite unconscious as to what a lodger was; he only looked at me very hard, and said, "Five year, five year;" and in answer to my questions all the answer I could get from him was "Five year, five year." On the evening of the same day I was sitting in my parlour with my daughters when the prisoner knocked at the room door, and on my opening it, said, "Where is the yard, where is the place" (although prisoner has frequently been in the yard and walked up and down it). I then took a candle and showed him the yard, and on my standing at the door to allow him to pass, he stood still opposite me. I then went into the yard to show him across; he followed me, and on my standing still at the other side he stood still as well. I then returned into the house and the prisoner followed closely after me. My daughters had been watching the prisoner and me, and we met them in the hall. The prisoner's manner was so extraordinary throughout that we could not help laughing: he joined in the laugh, and went up stairs to his room—he looking over the balusters as he was going. About half an hour after this took place, I heard the prisoner come down stairs, walk across

the yard, and then returned and went to his room again, and this he continued to do until about a quarter to three on the Saturday morning, when he very hurriedly left his room, went down stairs, and out of the street door. I looked out of my window and saw him leaning against the railings, holding his head, in which attitude he stood for about five minutes: he then returned into the house and went to his room.—That during the whole time the prisoner lodged in my house he appeared quite unconscious of anything that was passing, nor did he seem to understand the meaning of any conversation that was addressed to him, nor indeed the meaning of the most common-place remarks; but his conduct was both melancholy and contradictory. Although it was intensely cold, frost and snow being on the ground, the prisoner had a fire only once during his stay with me, and then against his will. He would lie on the outside of his bed with the window wide open, and declare it was very warm; in fact, whenever I mentioned the weather he would insist upon its being very warm. He used frequently to complain about his head, putting his hand on his forehead and exclaiming, "Oh my head, my head." I also declare that I had no knowledge of the prisoner previous to the 26th or 28th December, and that his conduct whilst in my house, up to the day of the murder, was so extraordinary, that though no one spoke to me about doing so, I considered it my duty voluntarily to go down to this trial and say what I knew. And I make this declaration, &c., &c.

Declared before the Magistrate at Marlborough-street, on the 21st April, 1855.

MEDICAL EVIDENCE IN FAVOUR OF THE PRISONER'S INSANITY.

JOSEPH HOGG BALLER, Esq., Licentiate of the College of Physicians, *sworn, examined by MR. LE BRETON, for the prisoner.*

Q. You are a medical practitioner at Penshurst, in Kent, I believe? A. I am.

Q. Do you remember seeing the prisoner at Penshurst? A. Yes.

Q. What did he come to you about? A. I have attended him upon several occasions; the first attendance was about three years ago, when he was suffering from congestion of the liver and piles.

Q. Do you remember his losing his wife at Penshurst? A. I do.

Q. When was that? A. That was early in January, 1854.

Q. What effect had that upon him? A. He became extremely depressed and dejected; and I used to notice him wandering about very much by himself in a very low, desponding state.

Q. Showing symptoms of melancholia? A. Quite so.

By MR. JUSTICE ERLE. Q. Is there any difference between melancholy and melancholia? A. I believe not.

By MR. LE BRETON. Q. Did he work at his employment as before? A. I am not quite sure, but I think he did for a short time after his wife's death.

Q. Then did he apply to you about an abscess that he had? A. He did.

Q. Do you know what time that was? A. That was in April, 1854.

Q. How did he behave then? A. I found him, upon examination, suffering from an abscess at the verge of the anus, which eventually terminated in fistula, for which I operated upon him.

Q. What sort of an operation was that? A. Of a very slight character; it was a fistula of a very trivial nature.

Q. How did he express himself to you about his symptoms? A. He appeared to be very anxious about himself, exaggerating everything; fancying he was going to die, and that it was quite impossible that he should recover from it.

Q. Did you reason with him about being operated upon? A. I did, and had some difficulty in getting him to consent.

Q. He became unusually irritable, did he not? A. After the operation, during the time of the healing of this little wound, he became very impatient, and very violent, and very irritable, and really eventually unmanageable.

Q. This was after the operation, during the healing of the wound? A. Yes.

Q. Did you apply dressings or bandages to it? A. I did.

Q. And what did he do? A. Every day or every night I found that he had removed them; and not only had he removed them and torn them away, but he had been pulling himself about; so that he broke any little adhesions that might have taken place, and thus prevented the wound from healing properly.

Q. Was the wound likely to produce much pain? A. No; some degree of soreness, but not pain. You will understand that the operation produced pain, but not else.

Q. What was the consequence of his tearing away those bandages? A. That it prevented the wound from healing as well as it would have done otherwise, and also protracted the healing.

Q. What did his conduct become after that? A. He still continued very violent and unmanageable, and ungovernable.

Q. Were the people in the house kind and attentive to him? A. Exceedingly so—remarkably so.

Q. Could they pacify him or keep him in order? A. I believe they did for a time; but he would break out again precisely in the same way.

Q. After that, did he place himself under some other person? I believe he went away from Penshurst, did he not? A. He went away from Penshurst. I should mention that he had a strange delusion with regard to this—that his water passed through this fistulous opening; which was perfectly absurd, because before he left me the wound was healed; and under any circumstances it would have been ridiculous.

Q. You considered that to be a mental delusion? A. Utterly—quite so.

Q. As a medical man, having observed these symptoms and these circumstances, what was your opinion of the state of mind of the prisoner? A. I considered his mind in a very unsettled and unsatisfactory state.

Cross-examined by MR. BODKIN. Q. I believe I understand you to say that the operation which you performed was one calculated to give great pain? A. Not great pain.

Q. Did you ever have it performed upon yourself? A. No.

Q. Did he not evince the symptoms that a man would who was suffering from pain? A. Yes.

Q. That is the way I suppose that you would judge of whether an operation is painful or not? A. Under some circumstances; but some persons can endure pain much better than others.

Q. He acted as a man who felt that the pain was very great? A. Yes.

Q. And was a person impatient under pain? A. He did not manifest so much impatience then as afterwards; at the time of the operation he was very unwilling to submit to it,—I had to persuade him.

Q. Did you open the abscess? A. Yes.

Q. And did you then find a fistulous opening communicating with the interior of the rectum? A. I did.

Q. Did you follow that? A. I did.

Q. Did you cut it out? A. I did.

Q. That is, you introduced the knife into the rectum, and cut out the diseased part? A. I introduced the knife into the wound, and my finger into the rectum, and then drew it through, and thus divided the parts intervening.

Q. You do not mean to represent that as being an operation that was not attended with considerable pain? A. I do, for this very reason, that it was a very small and a very trivial one—I mean the wound itself.

Q. There was an external abscess? A. Yes.

Q. You made a wound in that? A. Yes.

Q. Did you also make another wound in the fistulous communication with the rectum? A. I made a wound by cutting through.

Q. Then you cut from the abscess, inwards? A. I cut outwards.

Q. Then you cut the abscess last, did you? A. No; the abscess was opened first of all.

Q. Then you introduced the knife into the interior of the rectum, and drew it outwards? A. Not exactly that; I introduced the knife into the wound, and my finger into the rectum, and then drew it out.

By MR. JUSTICE ERLE. Q. Do you mean that you did not put your knife further in the second operation, than the wound for the opening of the abscess? A. I do so.

Q. You put your finger into the rectum; you put the knife into the rectum as far as you thought the fistula extended, and then drew the knife out, opening the fistula? A. Yes.

By Mr. BODKIN. Q. Then the proper thing would be to introduce something to make it adhere? A. A piece of lint.

Q. The ordinary operations of nature would interfere with that, would it not? A. To a certain extent.

Q. And would keep up a certain extent of irritation and pain, would it not? A. No; because if the lint was properly introduced, and kept in, it would prevent anything from passing in that way by the wound.

By Mr. JUSTICE ERLE. Q. How so, if the wound was in the rectum? A. The lint is introduced for the purpose of healing it up from the bottom.

By Mr. BODKIN. Q. Surely when an operation of nature took place, it must affect a wound so circumstanced? A. No, not if the lint was well introduced.

Q. Do you mean that an exudation from the body would not touch the lint? A. Yes, most assuredly.

Q. And remove it, in all probability? A. No.

Q. Well, it would be a source of irritation to a nervous person, would it not? A. Yes, it would.

Q. I think you say that he appeared to labour under the notion that water or fæces came by that wound? A. Water—his urine.

Q. And he tore off the bandages? A. Yes.

Q. And so retarded, to some extent, and of course aggravated his sufferings? A. He did so.

Q. I suppose you find patients very frequently irritable and impatient under pain? A. Yes, but he was unusually so.

Q. He was very much depressed in mind, was he not, by the loss of his wife? A. He was.

Q. And then brought down still lower by this attack of disease? A. Yes.

Q. Not in a good state to sustain an attack of this kind? A. No.

Q. You have said that you thought his mind unsettled; will you explain what you mean by that? A. I said so for this reason, that I found he was complaining again and again to me of this extraordinary and unfounded delusion with regard to his passing his urine in this manner.

Q. That was the reason, was it? A. Yes.

Q. How long was he under your care altogether? A. I think about three weeks or a month.

Q. And then you lost sight of him? A. Yes.

Q. Was he at Simmonds' when you were attending him? A. I think part of the time.

Q. Did he go anywhere else afterwards at Penshurst? A. I think not; I think he then came to London.

Q. Did he appear to be in better spirits when he left? A. No; he appeared very much the same.

Q. Did you see him just before he left? A. No, I think not for a fortnight before he left.

By Mr. JUSTICE ERLE. Q. The witness speaks of more than one operation; was that the case? A. Yes, the first operation was only the abscess; the next was the operation for the fistula, and at the same time removing a couple of small piles.

Q. What length of time was there between the opening the abscess, and the operation for the fistula? A. I think it was on the following day that I operated for the fistula.

Q. Then was there another?—Cook speaks of three operations. A. There was no further operation as far as cutting was concerned; there was the dressing.

MITCHELL HENRY, Esq., Fellow of the Royal College of Surgeons, *sworn, examined by Mr. LE BRETON, for the prisoner.*—

Q. What are you by profession? A. I am a surgeon.

Q. You are attached to the Middlesex Hospital, I believe? A. I am assistant surgeon at the Middlesex Hospital.

Q. Do you remember the admission of the prisoner at that institution? A. Yes.

Q. Upon what day was that? A. I referred to the book and found that it was the 17th of August.

Q. Did you visit him? A. I did.

Q. Was that soon after his admission? A. Almost immediately, either the same day or the day after.

Q. How did you find him? A. Exceedingly depressed.

Q. What was his bodily ailment? A. He had the remains of a small fistula.

Q. Was it at all of a serious nature? A. It was so trifling that it could hardly be said to exist.

Q. Did you ask him to allow you to look at it? I did.

Q. What did he say? A. He became exceedingly excited when the subject was mentioned, and showed great terror of any examination, or of anything being done that could at all give him pain.

Q. What further did you observe in his manner at that time when you first saw him? A. Great irritability, and great excitability, and extreme depression.

Q. In what condition was the sore place, or the diseased part? A. There was the remains of a fistula, a very, very small sore, which had not healed.

Q. Did you do anything to it? A. I did.

Q. What was that? A. I divided a very little bit of skin that was there.

Q. Did you tell him anything? A. I told him that his complaint was exceedingly trifling, and that he would get well immediately; in fact, that there was no occasion for his having come into the hospital.

Q. And upon that did he say or do anything? A. He put up his hands in an entreating manner, and exclaimed, in broken English, "My fistule, my fistule!"

Q. Did he upon that occasion, or the next time you saw him, tell you anything about water? A. I think that was the next time that I saw him—he stated that his water was in the habit of passing through this fistula.

Q. Did you make any examination upon that head? A. Very carefully.

Q. Was there any ground for it? A. Not the least.

Q. Did you reason with him about it? A. I examined him repeatedly upon subsequent days, and reasoned with him and showed him that it could not possibly be the case; I passed an instrument into his bladder, and showed him in every way that it was an impossibility.

Q. Did what you said produce any effect upon him? A. It did not appear to do so; and I saw subsequently more clearly that it produced no effect upon him, when he became an out-patient.

Q. When did he leave the hospital? A. He left on the 2nd of September.

Q. That was when the cholera patients were admitted? A. Yes, in consequence of requiring the beds for cholera patients.

Q. Did he then become an out-patient? A. He then became an out-patient.

Q. Whilst he was an out-patient, had he anything at all the matter with him? A. He had no bodily ailment.

Q. He was cured of that? A. He was cured.

Q. Of his bodily ailment? A. Yes.

Q. Did he still talk about the water passing through the fistula? A. Whenever he came that was the statement that he made, that his water passed through the fistula.

Q. You still argued with him about it? A. I took a great deal of pains, in consequence of his melancholy condition, and his apparently friendless condition, to show him that it was absurd.

Q. I believe your expression was that you might as well have talked to a stone wall? A. Yes, you might as well have talked to a stone wall.

Q. Having observed the prisoner for this length of time, what was your opinion as a medical man as to his mental condition? A. I could have no doubt that he was not of sound mind.

Q. Did you form any opinion as to his power of judgment? A. From that circumstance he had no power of judging, and believed in the existence of that which was an absurdity—which did not exist.

Q. Then you considered that there was clearly the existence of mental delusion? A. No doubt it was so.

Q. You did not see him again after he left the hospital, I believe; did you see him when he was brought in? A. I saw him very shortly after,—he was attending at the hospital as an out-patient.

Q. But I mean after he ceased to attend? A. Yes, I saw him in the hospital.

Cross-examined by Mr. BODKIN. Q. You say you have no doubt he was a person of unsound mind? A. I have said I had no doubt he was not of sound mind.

Q. Is there a distinction then between the two? A. I mean his mind was not sound in that particular.

Q. Is there any difference between a man being not of sound mind, and being of unsound mind? A. I do not know that there is, but I wish to be careful, because I have reflected carefully about what I had to say.

By Mr. JUSTICE ERLE. Q. Your words are "I have no doubt his mind was not sound in that particular, respecting his water?" A. I have no doubt that his mind was not sound, and that it was shown in that particular.

By Mr. BODKIN. Q. Your opinion of the unsoundness of his mind is based entirely upon that fact? A. Not entirely.

Q. Upon what else is it based? A. From his exceeding depression and melancholy, and from the circumstance that I never could get any connected story from him; I never could get from him any account of how he came to suffer from fistula, who had operated upon him, or any intelligible account at any time; his mind seemed incapable of connecting his ideas together.

Q. Was he not very much depressed? A. Exceedingly depressed.

Q. Did he not tell you that he thought he had been ill or unskilfully treated by the surgeon who had operated upon him? A. He said very little about that; I have an impression that he said something of the kind when first I saw him,—not that he had been ill-treated.

Q. I believe you wrote to Mr. Baller the surgeon, in consequence of what the prisoner told you? A. No; I wrote to Mr. Baller after the crime was committed, when I found who it was. I felt persuaded that it was my duty to say that which I knew; therefore I wrote to Mr. Baller.

Q. Did not the prisoner give you the means of inquiring about the fistula, and the operation, in consequence of which you wrote to Mr. Baller? A. He told me in answer to the question, that Mr. Baller operated upon him.

Q. He told you he had been operated upon by Mr. Baller; did he tell you that he did not think it was skilfully performed? A. No, he did not say anything about it.

Q. I thought you said he did? A. I said when he first entered the hospital my impression was that he spoke of his fistula,—that it had been operated upon, and no good had been done by it; but the question as to who had operated upon him, was put recently, when in the hospital with his wound; I then asked him who had operated upon him.

Q. Was he suffering under piles when he first came in? A. No, he was not.

Q. Do you mean to say there were not piles? A. There were not.

Q. Are you positive? A. Positive.

Q. Is fistula a disease likely to return? A. It frequently does return. I know that when I last saw him he was not suffering under fistula,—when I last examined him.

Q. When was that? A. That was just previous to the murder.

Q. You have not seen him since in Newgate? A. I have not.

Re-examined by Mr. LE BRETON. Q. In your opinion, looking at the state of the fistula, how had the operation been performed—could you judge? A. The parts were quite sound where the fistula was; it had been performed in the most skilful manner; it had evidently been very slight and the parts were perfectly sound, with the exception of that little hole of skin.

Q. Which you say was very trifling? A. The merest remains of a little sore.

JOHN CONOLLY, Esq., M.D., sworn, examined by Mr. M'ENTEE. Q. You have devoted yourself for a number of years, I believe, to the question of insanity A. For a great number of years.

Q. How many years? A. I am afraid more than thirty.

Q. Have you given your attention particularly to the subject of insanity during that time? A. For the last sixteen years I may say exclusively,—at least, I practise exclusively in that department of medicine.

Q. Have you been present during the whole of this trial to-day in court? A. I have.

Q. Have you heard the evidence of all the witnesses who have been examined?
A. Every one.

Q. From hearing that evidence, what is your opinion of the state of mind of the prisoner at the bar?

[This question was objected to.]

Q. Have you formed any opinion with regard to the state of the prisoner's mind?
A. Yes, I have.

Q. What is that opinion? *A.* The opinion is—I agree with the last witness—that the prisoner was not of sound mind at the time when these circumstances that have been mentioned occurred—especially the delusion, which is perfectly inconsistent;—a man cannot be of sound mind and have an absolute delusion.

By MR. JUSTICE ERLE. *Q.* You agree that the prisoner was not of sound mind in respect of the delusion of his water passing through the place where the fistula had been? *A.* Yes, I conceive that is a delusion utterly inconsistent with soundness of mind.

By MR. M'ENTEE. *Q.* What other facts would you draw this inference from?

MR. JUSTICE ERLE. *Q.* Are there any other grounds upon which you found that opinion? *A.* An apparent change of character: from being a very mild and inoffensive person, to becoming sometimes excited, sometimes melancholy; his thoughts often dwelling upon suicide, and eventually, from inadequate causes, committing a great crime.

By MR. M'ENTEE. *Q.* From all those circumstances you give your opinion about his state of mind? *A.* That would be my medical opinion if such a case was laid before me in any shape.

By MR. JUSTICE ERLE. *Q.* Have you formed in your mind any notion of what is an adequate motive for a great crime? *A.* No, I speak only of the absence of an adequate motive.

Q. But if a person speaks of the absence of an adequate motive, it seems to me to require that the person who uses that term, meaning it, should have a notion of what is an adequate motive? *A.* I conceive that a stronger mind than that of the prisoner may be driven to crime by a combination of circumstances; but they must be much more severe and trying, it appears to me, than those to which the prisoner was subjected.

Q. Have you any measure for the intensity of love? *A.* I do not profess to have any.

Q. Would the pain of rejected love be in proportion to the intensity of it? *A.* It is very difficult to answer questions of that kind.

Q. I am obliged to put it to you, because your opinion is founded upon certain assumed facts; and it is my duty to ascertain what facts are assumed by you as the ground of your opinion? *A.* If I might explain myself, I should say that, supposing the deceased person, the man who was murdered, had murdered the object of the prisoner's love, or some violent offence of that kind was given.

Q. If the object of attack was the person who had prevented the continuance of an attachment, would that be a ground of hostility and revenge? *A.* I should think not at all, in a person whose mind continued sound. It might be a subject of great offence and continued pain, but not to lead to murder and outrage.

Q. Will any degree of attachment, and separation from the object of it, form a motive for revenge? *A.* No doubt it might, and in different ways in different minds.

Q. Is there anything of a tendency to assassination in different people? *A.* No doubt.

Q. Is the Italian temperament more swayed to fatal revenge from jealousy than more northern people? *A.* I believe it is generally considered so.

Q. So that, as to the facts certainly proved, your opinion would rest upon the delusion with respect to the water passing through the fistula? *A.* That I think quite a decided proof of unsoundness of mind.

This closed the evidence on both sides ; but it should be understood that the testimony of Mr. M'Murdo and Drs. Mayo and Sutherland was given after the evidence for the defence had closed, it being adduced for the purpose of rebutting the evidence of Dr. Baller, Dr. Conolly, and Mr. Henry. It was anticipated that Mr. Shaw, who had been subpoenaed by the Treasury, would also have been called on this side, but at the last moment it appeared that the prosecutors declined to place him before the jury ; and as the case was closed, the counsel for the defence could not then call him. They could only remonstrate against the cruelty of the proceeding, but in vain.

Mr. M'Enteer then replied for the prisoner on the whole case. He was followed by Mr. Bodkin, the prosecutor ; after which the Judge charged the jury, who retired for about a quarter of an hour, and returned with a verdict of *guilty*.

This seems the proper occasion on which to mention the damning effect produced by the observations addressed by the Judge to Dr. Baller, who had employed the term *melancholia*, as to whether there was any difference between *melancholia* and *melancholy*. It is only those who were present at the trial that can properly appreciate the thrill of horror that passed through the minds of persons unaccustomed to such scenes, when this inquiry was followed by a merry laugh. When was a judge's jest thrown away? Alas for truth! ridicule is often a more potent weapon than the tongue of the ablest advocate. It was also sad to hear the repeated disagreement between the Judge and one of the prisoner's counsel. On one occasion, his Lordship told that gentleman, in reference to one of his questions addressed to a medical witness, that the witness could not understand what was meant, that he (the Judge) could not understand what was meant, and that he was sure the counsel himself did not know what he meant.

Who would give much for a prisoner's chance after this?

Pass we now to what occurred after the fatal verdict had been given, and after the dreaded sentence had been pronounced, which, by the way, was unaccompanied by the slightest comment or observation from the Judge.

Mr. Shaw immediately addressed a communication to Sir George Grey, the Secretary of State, stating the circumstances connected with the suppression of his evidence at the trial ; and in conjunction with Dr. Conolly and Mr. Henry, he also signed a memorial urging that the execution of the unhappy man might be stayed until certain documents could, without delay, be laid before the Secretary of State, which it was believed would greatly extend and strengthen the evidence of his insanity. A reply was received, to the effect that it was impossible to interfere or delay the execution on a general statement of this kind. In the meantime, however, the most active steps were taken. The whole of the evidence of the various witnesses was collected and attested before different magistrates, and then laid before those medical men whose knowledge of the subject of insanity would be likely to carry weight with the Government and with the country. These various gentlemen made themselves masters of the facts,—no very easy

matter, considering the mass of documents to be read—and on the 23rd of April, the following memorial, together with the evidence in full, a synopsis of it for easy reference, a short explanatory letter, and the statement of Mr. Shaw, which we also reprint, was sent to Sir George Grey. An interview with the Secretary of State had previously been requested by these gentlemen, but was refused.

“ Memorial to Sir George Grey, Bart., M.P., Secretary of State for the Home Department, in favour of Luigi Buranelli.

“ We, the undersigned Physicians and Surgeons, having carefully examined the evidence hereunto annexed, relative to the case of Luigi Buranelli, now lying in Newgate under sentence of death for murder, do hereby express our solemn and matured opinion that the prisoner was insane at the time he committed the crime.

“ We do further affirm that had we been consulted on the evidence now disclosed, as to the condition of the prisoner’s mind before the act was perpetrated, we should have had no hesitation in subjecting him to medical treatment for mental disease.

“ We, therefore, are confident that had the prisoner been in a different rank of life, such steps would have been taken respecting him as would in all probability have prevented the commission of the murder; and, accordingly, we earnestly pray that the extreme sentence of the law may not be carried into execution in the case of a person whom we believe to have been a lunatic when he perpetrated the act for which his life has been declared forfeited.

(Signed)

“ JOHN CONOLLY, M.D., Consulting Physician to the Hanwell Lunatic Asylum, &c.

“ WILLIAM BALY, M.D., F.R.S., Physician to the Millbank Prison, Assistant Physician to St. Bartholomew’s Hospital, &c.

“ FORBES WINSLOW, M.D., D.C.L., &c.

“ ALEXANDER SHAW, F.R.C.S., Surgeon to the Middlesex Hospital, &c.

“ MITCHELL HENRY, F.R.C.S., Assistant Surgeon to the Middlesex Hospital, &c.”

On Friday evening, the 27th instant, a reply was received, stating that the law must take its course.

The only hope now that the idea of the man’s insanity had been utterly repudiated and set at nought was, that a public appeal to the Home Secretary relative to the indecency of executing an unfortunate creature who had been deprived on his trial of such material evidence as that of Mr. Shaw, might be attended with some effect. Accordingly, Mr. Bright brought the subject before the House of Commons in a short but able speech on that same night, but met with no encouragement from Sir George Grey. On the Saturday morning, a further attempt was made to influence the Home Secretary, and a gentleman who holds the highest medical position in this country had an interview with him, and again brought under his notice the fearful responsibility incurred in executing a criminal respecting whose insanity such overwhelming evidence existed. All, however, was in vain. No doubt a painful but a mistaken sense of duty closed the doors of mercy, and the unhappy man was doomed to die.

Still one ray of hope remained. The suppression of Mr. Shaw’s evidence, simply because it was favourable to the prisoner,—for, from his long-continued observation of the man, before and after the murder,

he considered him "insane, and incapable of distinguishing right from wrong,"—seemed a circumstance so subversive of justice, and so contrary to our English notion of fair play, that, on Sunday night, the opinion of an advocate, not less distinguished for his learning than for his humanity, was taken as to any legal point that might be urged. Law and equity are not always, however, synonymous—and here, though equity was on the side of humanity, it was found that strict law could give no aid. Sick at heart, men not readily moved, and whose profession popular opinion sometimes believes to deaden the feelings, turned sorrowfully away. The Judge had already refused an interview to one of their number, on the ground that he had "no further power in the matter, and therefore considered it his duty to decline holding any communication whatever respecting it;" still, respect for the pure and unbiassed administration of justice might perhaps influence him, and, as a last effort, he was sought. Alas! he had gone to his country seat, and a very few hours afterwards Buranelli had ceased to live.

Of the manner of his death the public were duly informed by the following account, which appeared in the evening papers of the day of the execution, the 30th of April:—

"The fatal moment having arrived, the mournful procession was formed. The frame of the wretched man trembled violently, and at first he could not proceed without the assistance of Father Gavazzi, who walked by his side reading a chapter from the Bible, to which he audibly and fervently responded, from the cell to the scaffold, where he took his final leave of the sheriffs and the officials, the chapel bell of the prison sending forth its terrible knell, which acted as a signal to the crowd outside. The shouts and cries of the crowd of 'Hats off,' 'Hats off!' rang terrifically in the culprit's ear, and he trembled very much. Father Gavazzi assisted him up the steps, when he recovered his firmness, but on reaching the platform made a sudden stop, and gazed intently upon the sea of human faces before him, and trembled violently. Father Gavazzi spoke words of encouragement to him, and pointed out the crowd and the position he was to take under the fatal beam; he then mechanically, but in a trembling manner, gazed up earnestly at the chain and fatal beam for a few seconds; when he had withdrawn his gaze, he bowed to the crowd facing him and then to those on his right. Calcraft then placed the cap over his head, and adjusted the fatal noose, Father Gavazzi conversing with him to the last, which from his standing at the back of the wretched man, instead of the front, as the more practised and rev. ordinary does, caused the unfortunate man to turn his head. Father Gavazzi then left the platform, Calcraft shook hands with the wretched man, descended the steps, and withdrew the fatal bolt. Would we could add that the wretched man was in an instant banished into eternity; but it was otherwise; the sufferings of the unfortunate culprit were fearful in the extreme, and certainly such a painful and frightful picture of death caused by hanging has never been witnessed. After the drop fell, the wretched man became fearfully convulsed, and from the incessant and almost audible breathing and heaving of the chest for several minutes, the impression became general that Calcraft had failed to adjust the noose properly, and the indignation of the mob became furious. Cries of 'Shame, shame!' 'It is murder!' groans and hisses; and still the wretched man breathed and struggled on, his chest rising and falling the whole time. In this horrible state did the wretched man hang suspended for five minutes, before death put an end to his fearful sufferings. The indignation of the mob continued for some time. On hearing the tumult, Mr. Sheriff Alderman Muggeridge stepped forward to see what was the matter, when he felt horrified at the sufferings of the wretched man; but from inquiry that subsequently took place, it appears that Calcraft was not to blame. The Sheriffs were, however, very much annoyed,

and sent for a surgeon to be present when the body was cut down, and to examine whether the rope had been properly adjusted.

"At nine o'clock, Calcraft ascended the scaffold to cut down the body, when he was received with a perfect storm of indignation, and groaning and hissing, until he disappeared from the scaffold, having cut down the body,—the Sheriffs not allowing the rope to be removed until the body was seen by the surgeon. On examination of the neck by the surgeon, he said it had been properly adjusted, but the severe struggles might be accounted for by the extreme lightness of the body."

It may serve to show the difficulty of reaching the *exact truth* in all public matters, to observe, that the alleged "extreme lightness of the body" was a mere myth. Buranelli was a stout heavy man, considerably above the average weight.

The opinion entertained by Dr. Sutherland must have been a very tenacious one; for, previous to the execution, two interviews were had with that gentleman, in which, after Mr. Shaw's testimony, of whose nature he was ignorant when he gave his evidence, had been made known to him, Dr. Sutherland was urged to write to the Secretary of State, stating that he thought Mr. Shaw's evidence important, and that it ought to have been laid before the jury, and that the case was not entirely free from doubt. Acting, doubtless, under a strong sense of duty, Dr. Sutherland declined doing anything of the kind.

It is not the least of the extraordinary circumstances connected with this case, that no opportunity was given to Mr. Shaw, or to Mr. Henry, or to any one who had appeared on behalf of the prisoner, to be present at the post mortem examination which was made very shortly after the execution; but, in due time, the following paragraph appeared in the public journals. After the execution, "a post mortem examination of the body was made by the medical superintendent of St. Luke's Hospital" (the asylum to which Dr. Sutherland is physician), "when the brain and its membranes were found to be perfectly healthy, thus confirming the opinion of the jury as to the sanity of the man, and his consequent responsibility for the crime into which his nature had impelled him." Strange notions of the value of post mortem examinations in the brain of the insane must be entertained by those who are responsible for the paragraph; and stranger notions too of professional etiquette by those who could make that examination in the absence of all who had previously been in attendance on the prisoner, or had striven to arrest his fate.

It may be satisfactory to the reader to be assured that every statement in the preceding narrative is strictly accurate, the result of much labour, and derived, so far as the evidence is concerned, from the shorthand writer's notes, and in other respects from the accumulated testimony of those present at the trial.

APPENDIX,

Containing the Document forwarded by ALEXANDER SHAW, Esq., the Senior Surgeon of the Middlesex Hospital, to Sir GEORGE GREY.

In August last I was applied to by M. Battoni, an Italian, for a letter of admission into the Middlesex Hospital, for Buranelli, then residing at Penshurst, and whom he represented as suffering from a very bad fistula, which caused his urine to escape from behind. He had undergone an operation which, it was alleged, had been badly performed. I fancied that the case must be one of fistula in perineo, or perhaps recto-vesical fistula. Accordingly I furnished him with a letter, and on the 17th of August Buranelli was admitted into Handel's ward under Mr. Henry, then acting for Mr. De Morgan, whose week it was for receiving new cases.

Soon after his admission Mr. Henry told me that the patient was altogether mistaken about his complaint—that it was nothing more than a superficial fistula in ano—and he wished me to examine it along with him, as the patient was in a state of the greatest misery about it.

We had much trouble in getting the patient to submit to an examination; he exhibited signs of terror beyond what is usual, and behaved like a child; but we at length got a satisfactory examination.

All that I could see was, on the left side of the anus, a flaccid fold of the skin penetrated by a sinus, the length of which was about half of an inch, and so small that the probe seemed to fill it. Its internal opening was at the *verge* of the anus, and there was no branch-sinus leading more deeply. So completely superficial was it, that I took it to be (and I think I expressed myself at the time to that effect) the remains of an external pile, which having suppurated and broken, left the flap of skin hollow, or perforated by a sinus.

I inserted my finger into the anus, and felt all the parts above the sphincter, and the sphincter itself, in a perfectly sound condition. After the examination, Mr. Henry divided the sinus or bridge with a bistoury, and so thin were the parts cut through, that there was scarcely more bleeding than from the scratch of a pin.

During the patient's stay in the hospital, which was till September 2, I used to observe him in going my round of the ward, and found him always in a very melancholy mood. When in bed he would urgently beg me to look at his fistula, a request with which I once or twice complied, but usually declined, for when I did look at the anus, the wound was scarcely discernible, and I was assured he was going on quite well. The "Sister" often told me that she had never before seen such a childish man. And certainly his manner, when he was out of bed, indicated a lowness of spirits and timidity, greater than I have ever witnessed out of a mad-house.

At this time I had not been made acquainted with the full extent of his delusion about his disease, and the view that I took of him was, that he was hypochondriacal to an exaggerated degree. At length he was discharged in order to make room for cholera patients, at the time of the influx which commenced on the 1st of September. I then learned that he was reluctant to leave the hospital; upon which I remember remarking to the pupils, how strange that a man with an imaginary disease, should have a greater terror for a complaint which had no existence, than for such a formidable and real one as cholera.

I did not see more of him, and do not remember hearing more of him, till he came under my care on the 7th of January, 1855, for his self-inflicted wound after the murder. During that attendance, which lasted for twenty-two days, I did not perceive any new indications of unsoundness of mind. But I ought at the same time to say, that I did not subject him to any examination with the view of testing his mental condition. When I first visited him, he recognised me and called me by name. While operating upon him, he repeatedly asked for chloroform, a request with which I would not comply, as blood trickled down his throat, and I feared that from the insensibility and stertor produced by the inhalation, spasm of the glottis and suffocation might take place from the irritation of the blood falling upon the glottis. Besides that, he continually kept crying, "Let me die—let me die." Subsequently, his voice and manner showed great meekness and respect,

and were it not that he was obviously grieved at surviving the wound, I would have said that he was remarkably grateful for every attention. From the inflammation and suppuration which followed the injury, he must have suffered much pain, especially during the first week; yet I remarked when I probed the wound (with the view of ascertaining whether any of the wadding of the pistol lodged within reach) that he showed none of the extreme timidity and shrinking from the touch, which he had done when his supposed fistula had formerly been examined; he did not wince or withdraw his head, so much as an ordinary patient would have done. To show he retained the delusion about the water flowing from his fistula, I was present when Mr. Henry first saw him after his readmission for the pistol-wound; and that gentleman said abruptly—"Well, how is your fistula?" Buranelli, partly raising his head from the pillow, answered with great animation and an air of triumph—"Oh, you will see: I am going to die: you will open my flesh: and you will see that I am right. Aha!"

The conviction which I now entertain, that, when Buranelli committed the murder, his mind was not sound, rests mainly on his delusion concerning the urine passing through the fistula.

It is proper for me to state that it was not till I heard that Mr. Henry had formed a strong opinion that the man was insane, that I had a full account of the delusion, or considered it with due attention in reference to the question of insanity. But before I went into court on the day of the trial, I had made up my mind; and had I been examined, I would have said, that the idea of the patient about his urine, was an *insane delusion*—that it passed the bounds of an illusion from hypochondriasis, and was an evidence of insanity.

And here I may be allowed to remark, that it falls to the lot of the general physician and to the general surgeon to be consulted on cases of hypochondriasis quite as often, if not oftener, than to the physician of the insane; and as I have had abundant opportunities of witnessing the varieties of that disease, I do not consider it presumptuous to place my opinion against that of physicians following the special department of practice referred to.

First, as to the large quantity of urine supposed by the patient to flow from the fistula. From the evidence of Flower, the sister or head nurse of Forbes' and Handel's wards, corroborated by that of the nurse in Handel's ward, both women in whose veracity I have implicit confidence, and who were in hourly attendance upon him for sixteen days, it is clear that the patient imagined that the quantity of water which escaped from him from behind was very great. The expressions used were, that he thought he was "swimming" in his water—or that he was "swamped in his bed;" the witnesses further said, that when they removed him out of bed and showed him that the sheets were perfectly dry, he did not seem to be convinced; and in the course of a very short time afterwards he would repeat the same complaint, alleging that he was again swimming in his water: and the same thing went on during the whole day—to such an extent that Sister Flower, upon being questioned after the trial, said that it was not six times only during the day, but more probably sixty times, that he repeated the complaint, and requested to have a dry sheet to replace the wet one. Indeed, she added, he so completely tired her out (and the sister is distinguished for her painstaking and kindness) that she was often unwilling to go into the ward on account of the trouble he gave her; and this she mentioned to the matron at the time. It cannot therefore be questioned that the patient must have imagined that a most unusual and inordinate quantity of water must have been made to cause all this supposed wetness.

Again, as to the way in which the patient imagined that this large quantity of urine was passed, and the time of its passing; it was evident that he had the idea that it was flowing constantly and uninterruptedly from the supposed fistula; when he awakened out of sleep, he thought he was swimming in water; and when lying quietly in bed awake, he thought the same. There was nothing to show that he had the notion, which would doubtless have occurred to a rational mind, that the urine would escape in greatest quantity when he was voluntarily engaged in emptying his bladder; he never stated that it flowed most profusely from the fistula at these times. Moreover it never seemed to have occurred to him that from his making so much water by the fistula, there ought to have been a perceptible diminution in the quantity passed in the natural way.

The chief circumstance therefore in the patient's delusion, which influenced me in considering it a symptom of insanity, and not a mere effect of hypochondriasis, was, that in none of the many points relating to it, could his reason or common sense, or the evidence of his senses, be brought to correct his mistaken notions—when he both saw and felt that the sheets of his bed were dry, he persisted in thinking that they were wet—when he was assured that no communication between the bladder and fistula existed, and that there was no opening near the anus for the escape of urine, and when with his own finger he might have verified that assurance—he continued, nevertheless, week after week and month after month, to assert the contrary, and to be in a state of miserable despondency on account of it, when he might have known that if there were any foundation for his idea, the urine would have flowed most copiously during the act of micturition, which he did not pretend to be the case; and that owing to the continual discharge of water, as he supposed, from the fistula, there would have been a marked diminution in the quantity evacuated in the natural way. When none of these facts induced him to relinquish the idea, it showed that his intellect was incapable of following the simplest train of reasoning in regard to his malady. This confirms the evidence of Mr. Henry, who on being asked by Mr. Bodkin his reasons for thinking that Buranelli was not of sound mind, stated that he did not appear able to command his thoughts so as to give a consecutive or collected description of his complaint, either as to how it had commenced, when he had been operated upon, or what grounds he had for imagining his disease to be so bad as he represented it. And in my humble opinion, it establishes beyond question that the delusion was the result of a *diseased* mind—a mind affected with *insanity*, and liable to disordered associations, the connexions of which no sane person could trace or explain.

And here I beg to make an observation on the evidence of the medical witnesses for the prosecution. These gentlemen expressed the opinion that the prisoner was affected with "*hypochondriasis*" and was in a sane state of mind. When questioned as to the delusion about passing the urine by the fistula, they affirmed unhesitatingly that it proceeded alone from hypochondriasis—a complaint consistent with the sound mind which they supposed the patient to possess—Dr. Mayo said it was a *sane* delusion: Dr. Sutherland said it was not a delusion, but an *illusion*. Now, upon being asked to describe the nature of the disease called "*hypochondriasis*," both the latter gentlemen gave a correct and unobjectionable explanation of it; they said that it consisted in the patient having a complaint of a slight and trivial kind, which the morbid sensations of the sufferer magnified into a grave and alarming one, causing great depression of spirits and deep despondency about its cure. I could not, however, agree with Dr. Sutherland, who upon being asked by the counsel for the prosecution, with an object which was patent enough, whether hypochondriasis was a disease of the *brain* or not, answered it was not; adding, that the disease was seated in the *stomach*; which organ, he continued, sent up erroneous or false sensations to the brain, thereby producing despondency of spirits: now, if that opinion has any meaning at all, it signifies that the stomach, besides the powers of digestion, has an office like that of the sensorium, viz., a power of judgment and comparison, and of forming either correct or erroneous impressions, independently of the brain—a function which I believe no physiologist of past or present times ever before attributed to it. But the important point to which I am desirous of directing attention is this—that in the definition of hypochondriasis, the witnesses agreed in asserting that in order to give rise to the "*sane delusion*" or the "*illusion*" which characterised it, a *real malady*, trifling it might be, but having an existence, was a necessary condition. In Buranelli's case, the witnesses found that real malady, sufficient in their minds to explain his "*illusion*," in the circumstance that one of the witnesses had observed a *serous exudation* from the fistula: the presence, they said, of that serous exudation was enough to account for his exaggerated ideas about his sheets being constantly wet, and his swimming in his water, on the supposition that he laboured under hypochondriasis.

Now it appeared to me, sitting in court, that when such vast importance obviously attached to the serous exudation, much greater pains should have been taken to establish its existence by stronger evidence than that adduced. What did the statement rest upon? It rested wholly and exclusively on the evidence of Mr. M'Murdo. That gentleman said it was not until the very day of the trial, that

he had paid any attention to the fistula; he was not aware that the patient ever said anything to him about his urine passing through it; and he did not examine him on the subject till that time. When he did examine him, he found indications of piles, the remains of a superficial fistula, from which, he added, a slight exudation of serum was perceptible. In that statement consisted the whole evidence of a serous exudation from the fistula.

The first remark I would make is this: admitting Mr. M'Murdo's observation to be correct, or even supposing that the discharge of serum was greater in quantity than he expressed—that water flowed in drops, or in a stream, still I humbly believe that it had no application to the case. At the time in question when the patient was confined in Newgate, there was no evidence to prove that the delusion about the passing of his urine by the fistula continued. And even if it had continued, was there not time between the period of the patient's having been seen by Mr. Henry, and his being examined by Mr. M'Murdo, for the fistula to have broken out afresh, and a serious exudation, which had not existed before, to be produced?

Before the medical witnesses had any right to draw so important a conclusion as they did from the serous exudation, they ought unquestionably to have inquired whether it existed or not during the time of the prevalence of the delusion—that is, more particularly when the patient was under the care of Mr. Henry. Now that gentleman's evidence gave no support to their assumption; he affirmed positively that shortly after dividing the small bridle of skin (improperly called a fistula), the wound completely healed. For four months he had repeated opportunities of seeing the state of the parts, and he was ready to assert, that for ten weeks at least no breach of surface whatever in the neighbourhood of the anus was visible, and that if any moisture were present, it was not more than might naturally have been expected from the perspiration in the locality. And I may add, on my own part, that from what I saw of the alleged fistula, and could predict of the issue of the trifling operation which I witnessed, I have no doubt of the perfect truth of Mr. Henry's statement. Accordingly, it follows that at the period of the patient's case when he ceased to speak of the urine flowing by the fistula, and the delusion appeared to have left him for some time, Mr. M'Murdo observed once, and once only, a slight serous exudation from the remains of the fistula; but that during the long space of time when Mr. Henry attended him, and the delusion was at its utmost, preying on his mind and making his life miserable, no serous exudation existed! Where then were the grounds for Dr. Mayo, and Dr. Sutherland, maintaining that the patient was merely doing what hypochondriacal patients who are not mad are doing every day; that he was really sensible of a serous exudation which kept the parts about the anus moist, and that he simply exaggerated that sensation, for which there was a foundation, into the idea of there being a large quantity of fluid which kept him swimming in his bed? I am strongly of opinion that this attempt to prove the patient's case one of hypochondriasis, with the mind at the same time quite sane, altogether failed: however much I respect the gentlemen who made it, I believe they arrived hastily and inconsiderately at that conclusion; and I think it was unfortunate for justice that the authority of their names should have been given to support an erroneous view, which must have had a powerful influence in leading the jury to find the prisoner guilty.

Having thus stated my conviction that the delusion and "melancholia" of the patient were the results of insanity, it only remains for me to add that the various incidents in his conduct brought out in evidence at the trial, or which have transpired subsequently, appear to confirm that view.

I attach much importance to the fact taken notice of by Dr. Conolly—viz., the marked change observed in the prisoner's disposition after what he himself termed his "many troubles," on which he brooded, commenced: from having been of a mild, amiable temper, he became after that time depressed, ungovernable at times, his thoughts occupied about self-destruction, and entertaining insensate suspicions and vindictiveness towards Dr. Baller. If we look upon him in his first character, that is, as possessing a sound mind, and of being of the good disposition and temper, to which so many excellent persons who knew him formerly testified, it does appear incredible, judging according to the general experience we have of the motives which commonly impel criminals to commit such acts, that the comparatively slight provocation he experienced could have actuated him not only to murder Mr. Lambert,

but to try to murder Mrs. Lambert, and after he had satisfied his revenge, to attempt to sacrifice his own life with his own hand.

Whatever may be thought of the ill-will which Mr. Lambert's conduct may have inspired, it is to be remembered that no attempt was made by the prosecutor to show that Mrs. Lambert had done anything to excite the prisoner's murderous passions. And as to Mr. Lambert, all that could be said was, that having been acquainted with Buranelli for many years, and uniformly kind and liberal to him, and having allowed him to live under his roof as a lodger, paying a very moderate rent, he at length obliged him to quit his house. The reason why he so obliged him was a representation made by another inmate, Mrs. Williamson. That female lived apart from her husband, and no attempt was made to investigate her character; but it appeared that she had allowed Buranelli to be criminally connected with her; and on the pretext, not very intelligible, of her being pregnant by him, she resolved to cast the prisoner off, and requested Mr. Lambert to dismiss him from the house. Now, it is important to bear in mind that Mrs. Williamson was mistress of her own actions, was independent of the Lamberts as she was of her husband, and that she might have continued to receive and cherish Buranelli as the parent of their future offspring had she entertained the slightest affection for him, or had not some other reason, which did not transpire, for getting him driven from the house. From the account given by Mrs. Lambert of the parting interview between the prisoner and her husband, it was evident that there could not have been any strong feeling of animosity between them, for some friendly discussion took place about the settlement of their accounts, and they all shook hands on leaving. In short, it is quite clear, according to the relation in which the parties stood to each other, and judging by common experience of the course of human passions, that it was against Mrs. Williamson, and not against Mr. Lambert, far less Mrs. Lambert, that we should have expected Buranelli, had he possessed his reason and been responsible for his actions, to have expended his wrath. Yet it did not appear that on the fatal day he could have had any intention of shooting that woman; for when after perpetrating the murder below he rushed upstairs, it was with one pistol alone in his hand; and when he shook Mrs. Williamson's door, and she inquired of him about Mr. Lambert, he replied by calling out that he was *dead*, and that he (Buranelli) was an *assassin*—the surest means of terrifying her and preventing her from admitting him. I concur, therefore, in the opinion given by Dr. Conolly in his examination, that for the commission of such a great crime—an attempt at double murder and suicide—there were not adequate motives; and that the act must have been prompted by insanity.

In conclusion, I repeat, that had I been called upon on the trial, to which I was summoned as a witness by the agents for the Treasury, to give my opinion of the state of the prisoner's mind when he committed the murder, I should have said that I considered him insane, and incapable of distinguishing right from wrong.

MEDICO-LEGAL OBSERVATIONS ON THE CASE.

It would appear altogether superfluous, after carefully perusing the preceding narrative, to encumber it with any lengthened medico-legal criticism. The facts demonstrative of Buranelli's insanity stand so prominently forward in the history of his life, are so obvious, conclusive, and transparent in their character, that it would be offering an insult to the understandings of our readers if we were to make more than a cursory allusion to them. There are, however, a few points in the case which we cannot, without doing violence to our sense of duty, pass entirely over. We refer particularly to the adverse medico-legal evidence that decided the fate of Buranelli. We are bound to subject this evidence to a strict and rigid analysis. Before, however, entering upon this division of the subject, we would, in general terms, refer to some of the more salient facts of Buranelli's history, which we conceive to throw considerable light upon his subsequent conduct and to particularly illustrate the state of mind leading to the act of crime for which he suffered the penalty of death. It is evident that soon after the loss of his wife, Buranelli's character underwent a marked and important change. He became in many respects an altered man. This fact was obvious to all his friends, and was made the subject of frequent comment among those who felt interested in his welfare. His mind was palpably unhinged, and his conduct, to a certain extent, corresponded with this mental change. Contemporaneously with this difference in his character, he became the subject of profound mental depression; in fact, to what is termed "melancholia." His mind was clearly disordered, his feelings perverted, and his sensitiveness, owing to the state of his brain, became morbidly acute. To the most casual observer the man's mind was affected. Previously to the manifestation of the mental alienation to which we refer, the evidence of those competent to give an opinion on the subject establishes beyond a doubt that Buranelli was a cheerful, industrious, well-behaved, kind-hearted, and sober man. His conversation and actions won the confidence, esteem, and respect of all who were brought into association with him, and persons much his superiors in station of life became greatly attached to him. Dr. Baller affirms that Buranelli was always considered to be a "mild, inoffensive, and respectable man." Such was his *healthy character*, as many could testify, prior to the occurrence of the domestic affliction to which we have previously adverted. In the spring of last year his wife died shortly after or during her confinement. Buranelli appeared to feel the shock of her death severely. He soon afterwards became, according to the evidence of Dr. Baller, "melancholy and extremely depressed, and his

disposition much altered." He was irritated at trifles, often greatly dejected, and frequently morose. Like most persons afflicted with melancholia, he courted solitude, "wandering about by himself." As we should *à priori* have expected, the suicidal idea about this period haunted his mind, he frequently spoke of self-destruction; and it is said, that on one occasion, with a view of carrying his threat into execution, he made an effort to purchase some laudanum. Failing in this, he endeavoured to persuade a man to shoot him; not succeeding in effecting his death in this manner, he left his home with the firm intention of drowning himself. A friend, observing his deep dejection, and suspecting from his conduct and conversation that Buranelli was about committing an act of violence upon himself, had the good sense and humanity to keep him under close surveillance until he could be transferred to the safe custody of his brother-in-law. Shortly after this Buranelli had to undergo a trifling surgical operation. "After the operation," says Dr. Ballar, "he became very irritable and impatient, removing the lint, and tearing away whatever dressings were applied to the wound. Eventually his conduct became so violent and his temper so ungovernable, that no one could do anything with him." About this time clear, positive, and unmistakeable delusions were developed. He firmly and stoutly maintained that his bed was constantly swimming with water. He repeatedly asserted this to be the fact, with all the tenacity usually accompanying the delusive ideas of the insane. It was useless to attempt to reason or laugh him out of his absurdity. Although he saw that his bed was dry—that the sheets and blankets had not a drop of moisture attached to them, he persisted in maintaining that he was swimming in a pool of water. At this period no sane man questioned Buranelli's insanity, if the existence of symptoms of acute melancholia, accompanied by a positive delusion, at all established the presence of the disease. Dr. Ballar, who attended Buranelli, and who performed the trifling operation for fistula, was extremely kind and attentive to him during his illness. Did he appreciate this kindness and speak of Dr. Ballar as a sane man would do? Instead of entertaining a grateful recollection of the skill and attention of his physician, he harboured feelings of bitter animosity against him, and entertained the wildest delusions with respect to his conduct. He said that he had treated him like a brute, and had tried to poison him. So strongly impressed was Buranelli with this idea of poison, that he carefully concealed the medicine Dr. Ballar ordered for him, and positively refused to take it. This delusion with regard to Dr. Ballar continued to influence Buranelli's mind up to the time of the murder, as would appear from the following entry which was discovered in his memorandum book after his committal:—"I have been assassinated

by Dr. Baller, of Penshurst, of Kent. Open my flesh after I am dead, and you shall certify how I have been treated. Yes, open my lacerated flesh, and you will be astonished. If I have done wrong, it is the law that must punish me, and not the doctor, nor the priest."

Need we proceed any further with the analysis of Buranelli's history? Have we not advanced sufficient evidence to carry conviction to every right-thinking, humane, and enlightened mind? If Buranelli was not insane, what was his state of mind at the time to which we refer, and what terms are we to use to designate it? If an experienced medical man had been consulted professionally in a case manifesting such symptoms, and a question arose as to the treatment necessary not only for the *cure* but the *safety* of the patient, what course of procedure would he have prescribed? Here was a man whose ideas and actions had undergone a complete change as the result of a great shock to the nervous system, consequent upon the severest affliction to which a human being can be exposed. Associated with these marked alterations of character (alone symptomatic of mental disorder) he became subject to profound mental depression, accompanied with a disposition to suicide. Whilst in this state of morbid mind delusions arose, one having regard to himself, and the other referring to his medical attendant. Do our readers for one moment imagine that if any physician conversant with this phase or form of mental derangement and brain disease had been consulted as to Buranelli's condition and treatment, he would have hesitated for a single instant in coming to a decision? Certainly not. Without any doubt he would have said, not only that the mind was clearly deranged, but that the patient, in consequence of his suicidal propensity, was unsafe to be at large. Would any medical gentleman have refused to sign a certificate of insanity in Buranelli's case, if he had been consulted as to the propriety of the step? We do not think he would for a moment have hesitated in complying with the request.

After his admission to the Middlesex Hospital, he came under the combined observation of Mr. Shaw and Mr. Henry, the surgeon and assistant-surgeon to that institution; and they perceived what others had the sagacity to notice, viz., palpable mental derangement, with clear and unquestionable delusions. So obvious was his unhappy state of mind whilst under treatment in the Middlesex Hospital, that the nurses frequently spoke of him as the lunatic—the insane man. It is not necessary for us to recapitulate the evidence that Mr. Henry gave at the trial, or the facts detailed in Mr. Shaw's able statement. To that evidence and statement we particularly call the earnest attention of our readers. Mr. Shaw's detail of facts should settle the question, if it

stood alone unsupported by other evidence, and remove all doubt as to Buranelli's insanity.

Having made these preliminary remarks, we now proceed to address ourselves specially to the scientific medico-legal evidence upon which the whole case hinged. But before doing so we would refer to an important feature in the trial, and one which we conceive, in a great measure, decided the issue in the hands of the jury : we allude to the unjustifiable suppression of Mr. Shaw's evidence. This gentleman was well acquainted with the facts of Buranelli's case. He had often seen him and observed his state, and was in a position to give valuable and material evidence to the court. Although Mr. Shaw was subpœnaed by the Crown, was under subpœna for three days, and was present during the whole of the trial, he was not called, under circumstances which trumpet-tongued speak for themselves. The prosecutors had subpœnaed him under the erroneous idea that his opinion of the state of Buranelli's mind was opposed to that of his colleague, Mr. Henry ; but when on a private examination conducted whilst he was in court, they found that he was convinced of the unfortunate prisoner's insanity, they not merely neglected, but refused to place him in the witness-box ! They were urged by the prisoner's counsel to do so, but absolutely declined, alleging the technical excuse that *his name was not on the back of the Bill of Indictment !* Will it be credited that the names of the medical witnesses, Drs. Mayo and Sutherland, and Mr. M'Murdo, whom the Crown did call, because it suited them to do so, were also *not on the back of the Bill of Indictment ?* Who is to blame for this serious and censurable omission ? For what purpose was Mr. Shaw served with a subpœna, if his evidence was not deemed essential to the elucidation of the truth ? Does not this look like a wilful *suppressio veri* ? In a case like the one we are considering, where human life was at stake, was it just or humane to withhold his testimony from the jury ? In every point of view, it is a source of deep regret that Buranelli was deprived of the advantage of Mr. Shaw's valuable evidence. The three medical witnesses who appeared in behalf of the Crown against the prisoner, and consequently in opposition to the plea of insanity, were : Mr. M'Murdo, Dr. T. Mayo, and Dr. A. J. Sutherland.

Mr. M'Murdo's evidence is not material ; he confined himself to the result of his own personal observation. He alleges that he saw no insanity in the prisoner during his confinement in Newgate. Drs. Mayo and Sutherland also visited Buranelli, in order to ascertain his state of mind, and on the day preceding the trial they saw and examined him. At this part of the case we are bound to pause. How often do our readers imagine these physicians saw Buranelli, and for what length of time did they examine him ? In a case of this grave import-

ance, in which an attempt was made to obtain an acquittal on the ground of insanity ; in a case where the life of a fellow-creature was dependent upon the nature of the medical evidence, one would have conceived that, in justice to the prisoner, he would have been subjected to the severest and most searching of medical scrutinies, and that with this object in view repeated visits would have been paid to him by those delegated by the Crown with the authority of testing his sanity and responsibility. In civil cases, in which the question at issue is one of mere mental competency to manage property, the medical witness is not contented without instituting several carefully-executed examinations of the party alleged to be of unsound mind. Although the mental aberration may be easily perceived, more than one visit is generally paid to the party, so important is it considered, even in these comparatively speaking simple cases of a civil character, thoroughly to investigate the state of the mind. It is manifestly unsafe and palpably unfair to those whose capacity is made the subject of litigation, to restrict the examination to one interview. If such a careful and jealous mode of examination is indispensable in mere *civil* cases *à fortiori*, how imperatively necessary is it for the scientific witness in cases of a *criminal* character to investigate fully, carefully, repeatedly, and at great length, the state of mind of those alleged to be insane, and who are on the eve of being tried for the commission of a capital crime? Drs. Mayo and Sutherland examined Buranelli only on ONE OCCASION—viz., on the day preceding his trial, *a period of nearly three months after the murder*, and then only for ONE HOUR AND A HALF! Our readers will hardly credit this statement, but the fact is upon record. We ask those practically acquainted with the phenomena of insanity, we appeal to men in the habit of seeing the insane ; we put it to those accustomed to examine doubtful, difficult, and obscure cases of lunacy, whether they would in a case like Buranelli's have been satisfied with *one* examination, and that examination of an hour and a half's duration? Even if the insanity of this unhappy lunatic had been self-evident, we maintain that no scientific medical witness ought to be satisfied with such a superficial investigation of the case. Supposing insanity to be feigned for the purpose of escaping punishment, could that be detected in *one* examination? Drs. Mayo and Sutherland, on visiting a prisoner even on two or three consecutive occasions, might find him apparently in a paroxysm of violent mental aberration ; but on a third visit the mask may be dropped, and the case be obviously one of feigned disease. If we are to follow the example set to us by these physicians, great criminals may easily escape the hand of justice, and persons decidedly insane and irresponsible be handed over to the tender mercies of the public executioner. There are cases of insanity,—of undoubted lunacy,—of dangerous

mental derangement, that we would defy even experienced men to detect even in three or four carefully-executed examinations. We have known persons of whose insanity there could be no doubt, set for a considerable time at defiance men of great skill and intelligence. This disease, particularly in some of its more subtle forms, cannot be discovered as easily as many are led to conceive by what they find recorded in books. Delusions do not always manifest themselves even when the chord is touched. Hallucinations and illusions are often designedly concealed, with the view to sacrifice of life. Then how jealous we should be in our examination of these difficult cases! what caution is necessary before pronouncing an opinion! how carefully we should tread upon such dangerous ground!

We again record it as our deliberately-formed opinion, and we do so as a grave caution for the future, that Buranelli ought never to have been executed upon the evidence of two physicians who had only subjected him *to one visit of an hour and a half's duration, and that visit occurring but one day before his trial!*

Having made these prefatory remarks, we proceed to the consideration of the medico-legal evidence of Dr. Mayo, who was the first scientific witness called. It will be perceived by his testimony that he entirely repudiated the idea of Buranelli ever having had what he termed an insane delusion.

"It was not," says Dr. Mayo, "*in my eye strictly an insane delusion.*" That is, Buranelli's repeated assertion that there was a "slight dribbling of serous fluid from an old wound," his firm belief in the idea that his "bed swam with water," were not properly, in Dr. Mayo's estimation, insane delusions. What does Dr. Mayo mean by the term "insane delusion?" Surely there cannot be a sane delusion? A delusion, in the right acceptation of the term, is a *pathological* result. We are aware that the phrases "delusion," "illusion," and "hallucination," are used by some medical men loosely and unphilosophically. This is much to be regretted. It is as absurd to talk of a "sane delusion," a "healthy illusion and hallucination," as to speak of healthy bronchitis, healthy indigestion, healthy cough. "Sane delusions" and "healthy illusions" are pure phantoms of the imagination, conveying no accurate or scientific idea to the mind. A man cannot be sane and insane at the same time. If a delusion exists, if a person believes something absurd and extravagant to exist which has no existence apart from himself, the idea being palpably a creation of his diseased imagination, he is to all intents and purposes insane and of unsound mind. If a man's senses deceive him, if he arrives at erroneous conclusions, if his mode of ratiocination from acknowledged premises is absurd, and even extravagantly outrageous and illogical, he

cannot properly be said to labour under "sane delusions." The basis of an insane delusion, says Dr. Mayo, is "false perception." There are many false perceptions that cannot properly be designated as delusions. If all persons whose perceptions are false are to be considered and treated as insane, where should we find the asylums in which to confine them? Buranelli was under a clear delusion when he maintained that his "bed was swimming with water," there not being the slightest fact to warrant such an impression. But, says Dr. Mayo, there were circumstances that justified the idea,—*viz.*, "the slight dribbling from the wound." Now, unfortunately for Dr. Mayo's theory, there was not the semblance of any dribbling from the wound. Mr. Shaw and Mr. Henry, gentlemen of great veracity, of high honour and integrity, and both competent to the right exercise of their senses, closely and minutely examined Buranelli's surgical state, and they affirm that there was no dribbling of the kind described by Dr. Mayo, and that the notion that Buranelli entertained about the "bed swimming with water" was an entire creation of his distempered fancy. But we will, for the sake of argument, assume that Dr. Mayo was correct in his physical view of Buranelli's condition, and that there really existed a small wound from which a little fluid exuded, what does it prove? Buranelli's sanity and mental soundness? Certainly not. If a man has a slight sore on the foot, and he allows his mind to morbidly dwell upon the fact until he firmly believes that his leg and body are in a state of mortification, and that death must inevitably ensue as the result of his physical malady, if no argument can convince him of the absurdity of his ideas, and he acts under the influence of this impression, surely no right-thinking person would hesitate for a moment in pronouncing the mind not only unsound, but under the dominion of positive and clearly-manifested delusions? And if in such a case the patient attributed his physical state, not to the operation of natural, internal, and external agents, but to the baneful influence of a physician who had treated him with great skill and invariable kindness; and if, in addition to this insane belief, he harboured the idea of destroying the life of his benefactor, what conclusion would be inevitable in the event of the question of sanity and responsibility being raised in a court of law, and the life of the culprit depended upon the issue?

Such was Buranelli's case, as we shall presently demonstrate. But to proceed with our analysis of Dr. Mayo's evidence. It is an admitted fact that in numerous cases of insanity, the delusions, when they exist, may be traced to actual facts and circumstances. Insanity often exhibits itself in a morbid exaggeration or perversion of facts. Dr. Mayo would deny any impression, however extravagant and absurd,

to be delusive and symptomatic of insanity, that was justified by positive physical or moral conditions. This is a serious and grave error. Dr. Wood, when referring to this point, in a sensible letter published in a contemporary, observes:—

“A wrong impression may, assuredly, be the result of an unsound state of mind, whether it has some trifling foundation, or is without any ground whatever. Mental unsoundness is not a positive quantity which can be demonstrated; it is a comparative condition which can only be determined by observation, aided by the weight of evidence, which often requires to be very nicely balanced; and if we persist in setting up a fanciful standard by which to judge all cases, we shall always see the same conflicting testimony offered by medical witnesses which has brought so much discredit upon all professional evidence.”*

If we are to understand by the term “wrong impressions” delusive ideas, then we affirm that this is the right view of the matter. If we adopt Dr. Mayo’s test of delusion and insanity, we shall be obliged to ignore many cases of positive and dangerous mental derangement. As we should regret to convey a false impression of Dr. Mayo’s evidence on this important point, we prefer quoting his own words:—

“Q. If a man fancied that he passed water in enormous quantities, and that his bed was swamped, and if it was proved that he did not do it, and he was shown that the sheets were not wet, would not the two specifics for your delusion exist?—
A. I have already explained that there is a form set apart, called *hypochondriasis*, which begins with certain grounds; *now the false perception, which is a real delusion, has no grounds*; but the hypochondriac starts upon perhaps most trivial grounds, and the molehill grows into the mountain, and the expression of swamping perhaps takes place: that is a totally different thing from what I mean by a delusion.”

It would appear from the above that it was evidently the object of Dr. Mayo and Dr. Sutherland to lead the jury to believe that Buranelli, according to the received acceptation of the term, suffered from *hypochondriasis*, and not insanity; that his delusions about his bed, &c., were only exaggerations of physical disease, merely illustrations of acute morbid nervous sensibility, leaving his mental faculties unimpaired. Grave and fatal mistake! We maintain that there were none of the well-known and generally-recognised symptoms of *hypochondriasis* about the case. If there were in the early period of Buranelli’s strange and eventful history facts to justify such a diagnosis, who endowed Drs. Mayo and Sutherland with the ability to trace the boundary line between *hypochondriasis* and insanity? Does not the one state often almost imperceptibly merge and blend into the other? And if there had existed the faintest shadow of a doubt as to the question whether the line of demarcation had not been overstepped, the unhappy prisoner should undoubtedly have had the benefit of it.

Dr. Mayo was compelled to admit, in answer to a question, “whether

* “Medical Times and Gazette,” May 11.

hypochondriasis did not occasionally merge into insanity?" that such was the fact; but he adds, when pressed upon the point as to the blending of hypochondriasis with insanity, that there existed an "*immense difficulty in drawing lines.*" How was it, then, that with an apparently right appreciation of the "*immense difficulty in drawing lines,*" he had the courage—shall we say rashness?—to make the effort, and that, too, in a case where the life of a fellow-creature rested upon the accuracy of his conclusions?

Mr. Mitchell Henry, in a series of communications addressed to the "*Medical Times and Gazette,*" has with much acuteness and ability criticised the medical evidence of Dr. Mayo. We quote the following passage in confirmation of our view of the matter:—

"Dr. Mayo affirmed that, in the conversation he had with the prisoner, he saw no symptom of aberration whatever, and then proceeded to observe: 'I should conceive, considering the nature of the delusion—which was not in my eye strictly an insane delusion, considering the extreme excitability and the sensitive state of his mind, that all his peculiarities might be accounted for, without supposing anything more than hypochondriasis.'

"This phrase, 'might be accounted for,' appearing very indecisive, the Court repeated the answer, substituting *would be* for *might be* accounted for; but Dr. Mayo appeared to feel that this mode of putting his opinion was too strong, and reiterated: 'All the symptoms that looked like insanity might be accounted for by that' (hypochondriasis). A little later on, however, with diminishing caution, he proceeds to say: Hypochondriacs 'more frequently exaggerate a symptom, and I imagine that to be the case in this instance; they may generally be traced to some trifling foundation. I certainly do not consider that persons exaggerating in that way can be at all properly classed with those of unsound mind;' and then he adds, 'you would extend a very dangerous excuse if you did.'

"Next, in cross-examination, Dr. Mayo still insisting that the prisoner only exaggerated an actual symptom, although it had been sworn that there was no real foundation whatever for the idea that possessed his mind, is therefore asked, 'Then you would consider that a man who said his bed was swamped, although it was repeatedly shown that there was not a drop of water of any kind in his bed, and that delusion being still persevered in, day after day, was not under delusion?'—and to this he feels obliged to reply, 'It would be a very strong case, I admit; there is no question about it.'

"Again, however, Dr. Mayo repeats that Buranelli had no delusion, properly so called, and gives the following reason for his opinion:—'I have already explained that there is a form set apart, called hypochondriasis, which begins with certain grounds: now a false perception, which is a real delusion, has no ground; but the hypochondriac starts upon, perhaps, most trivial ground, and the molehill grows into a mountain, and the expression of 'swamping' perhaps takes place; that is a totally distinct thing from what I mean by delusion.'

"'A real delusion has no ground.' Surely this assertion is incorrect. I am assured that, on the contrary, most delusions are exaggerations of actual circumstances, and not wholly new creations of the mind; although it does not follow that we can always penetrate into the lunatic's brain, and ascertain what those circumstances have been. A casual look of a passer-by is exaggerated into studied and systematic insults; a word of remonstrance from a friend is magnified into boundless cruelty and oppression; a trifling departure from strict morality is augmented into unheard-of wickedness and crime, and each of these delusions has commenced in a 'molehill,' and grown into a 'mountain.' Often, too, we may not learn what it is that set the patient's imagination at work until after his recovery he tells us of some chance event that we had quite forgotten.

"Lastly, the witness is asked as to the probable effects of the loss of blood and

the seclusion the prisoner had undergone, in quieting his mind and restoring it to a healthy state—the object having been to show that Buranelli might have been insane when he committed the murder three months before, although Dr. Mayo could not detect insanity when he visited the prisoner a few hours before the trial. The replies are very remarkable: ‘The prisoner has the constitution not of our clime: he has the Italian pulse, but a very small one, and a nervous constitution; and I should very much doubt whether bleeding would suit him under any circumstances, at least they must be very extraordinary circumstances. I carefully felt his pulse.’

“Is this what Dr. Mayo means by ‘philosophical empiricism?’ It seems hardly possible to study this medical evidence without fearing that Buranelli was sacrificed to a love of terms and an assumption of exact discrimination such as no human being possesses.

“The key to Dr. Mayo’s evidence is, I think, to be found in the following extract from his recently published lectures. The medical witness is summoned in courts of justice ‘in order to enable the judge and jury to arrive at certain practical conclusions, by virtue of his applying certain terms to which, as we have observed, a given meaning has been annexed, or negating their application to the person under trial or examination, according as the matter be civil or criminal.’ The terms to be applied here apparently were hypochondriasis and insanity, the one having responsibility attached to it, the other irresponsibility; and accordingly, ‘philosophical empiricism,’ and as Dr. Mayo elsewhere expresses it, ‘adventurous speculations,’ duly enabled him to reconcile inconsistencies and to enunciate exact laws to the jury where in the very nature of things exactness is impossible.

“Dr. Mayo’s evidence in this case seems to me irreconcilable with the principles laid down in his ‘Lectures.’ He there argues strongly against the plea of what is called moral insanity, and affirms that ‘the true criterion of irresponsibility is where the insanity involves intellectual as well as moral perversion;’ and he speaks further of ‘the mischievous neglect of the intellectual criterion’ in such cases. How Dr. Mayo can resist the evidence of ‘intellectual perversion’ in Buranelli is amazing. Delusion the most extreme, involving not merely himself, but the perpetual wetness of the bed in which he lay; his whole acts regulated by that intellectual delusion; his journey to London to get cured of it; his contemplated journey to Paris because the doctors here could give him no relief; his letters written just before the murderous act, breathing vengeance against the supposed author of his delusion; and a dulness and stupidity of intellect so extreme that in the letter I addressed to the sheriffs, long before there was any one to assist in the defence of insanity, I thus expressed myself: ‘I can conscientiously say that such was my opinion of his mental capacity, and so greatly did his powers of judgment appear to be impaired by his delusion, that under no circumstances should I have employed him, even in the most trifling business of every-day life.’

“I stated distinctly on the trial that, during the four months he was under my observation before the murder, ‘I could never get an intelligible account from him’—‘his mind seemed incapable of connecting his ideas together;’ and the correctness of this assertion was borne out by all the other witnesses.”

Having directed attention to the weak points in the evidence of the first scientific witness, Dr. Mayo, and, as we flatter ourselves, having established that, upon such evidence, Buranelli ought not to have been hanged, we proceed to the ungracious task of subjecting the testimony of Dr. Sutherland to the critical ordeal. We sincerely regret to find Dr. Sutherland following closely in Dr. Mayo’s wake, and doing his utmost to excel him in the extravagance of his medico-legal opinions. It is evident that Drs. Mayo and Sutherland had carefully compared notes before going into court, and that the Counsel for the Crown was conversant with the nature of the evidence they were prepared to give. Dr. Sutherland’s testimony was, in its most material parts, a mere

echo of Dr. Mayo's metaphysical flights of fancy; for he not only adhered with great tenacity to the theory of hypochondriasis propounded by the former witness, and out-Heroded Herod by rashly attempting to draw a distinction between the *illusion* of hypochondriasis and the *delusion* of insanity, but also enunciated a new and startling hypothesis respecting the nature and seat of hypochondriasis. Dr. Sutherland was asked the following questions:—

Q. Where is the seat of hypochondriasis? A. In the nervous system.

Q. Is it not in the mind? A. *It is seated generally in the stomach; it is the effect of the nerves of the stomach conveying false notices generally through the system to the brain.*

Q. May not hypochondriasis proceed to mental disease? A. Yes.

In the first answer Dr. Sutherland points to the nervous system as the seat of hypochondriasis; but he appears subsequently to have imbibed more enlarged views of the locality of the affection, and refers the disease to the *stomach*, asserting that it is the effect of the gastric nerves conveying false notices to the brain! Strange pathology! Still stranger physiology! According to these novel views it would appear, in the words of Mr. Shaw, "That the stomach, besides the power of digestion, has an office like that of the sensorium, *viz.*, a power of judgment and comparison, and of forming either correct or erroneous impressions, independently of the brain—a function which no physiologist of past or present times has ever before attributed to it." Dr. Sutherland is subsequently asked the subjoined interrogatories:

Q. If you find in combination with hypochondriasis *suicidal notions* and tendencies, and *general depression and melancholy*, would you not consider that evidence of a mind not sound? A. It would go a long way to constitute mental unsoundness.

Q. What would it require? A. DELUSION.

It would appear from this answer that Dr. Sutherland considers delusion to be *the test* of insanity; for he maintains that *hypochondriasis, combined with a suicidal tendency, and associated with general depression and melancholy, are no evidences of mental unsoundness unless delusion be present!* Dangerous and fatal doctrine! We much question whether Dr. Sutherland will find a single British, American, German, or French psychologist who will agree with him in this opinion. Surely Dr. Sutherland must often have seen acute and dangerous cases of insanity and mental unsoundness unassociated with any form of delusive impression? Everyone practically acquainted with the phenomena of insanity, and experienced in the treatment of the insane, will easily call to mind instances of insanity in which no delusion could be detected; acute suicidal melancholia often exists without

the shadow of a delusion. In these cases of mental depression suicide is often committed. But this is not the only novel view of insanity propounded by Dr. Sutherland in the course of his evidence. It would appear that he repudiates the idea of insanity unless the actions alleged to be symptomatic of mental derangement *are motiveless in their origin*. "The acts I have heard of," says Dr. Sutherland in reply to a question respecting the prisoner's alleged insane conduct, "I do not consider to be *motiveless*, and THEREFORE *the result of insanity*." Does he believe that the insane always act without motive? Persons confined as lunatics,—undoubtedly insane, manifestly of unsound mind,—often act under the influence of the same feelings, motives, and passions that are known to affect the actions of sane, rational, and healthy minds; and they act too with a degree of self-possession, cunning, and ingenuity of contrivance that would do credit to men of strong intellect and great intelligence. But the salient point in Dr. Sutherland's evidence is embodied in his hazardous attempt to make a distinction between the "*illusions the result of hypochondriasis*," and the "*delusions the effect of insanity*."

In reply to the question—Was not Buranelli under the influence of a delusion when he persisted in asserting that his bed swam with water, after he was repeatedly assured that there was not the slightest foundation for the idea? Dr. Sutherland said, "No, he was not;" and when asked to explain the nature of the impression on Buranelli's mind, he rejoined, that it was "*an illusion of hypochondriasis, and not a delusion of insanity*." In justice to Dr. Sutherland we are bound to confess that the term illusion is often used by eminent authorities to characterise the impressions conveyed to the brain by external agents. Illusions and hallucinations are considered to be rather psycho-sensorial, or as purely psychical in their origin; the former, according to Baillarger who makes the division, being the result of a double action of the imagination and the senses, and the latter arising from the involuntary exercise of the memory and the imagination. A psycho-sensorial hallucination, or illusion, is defined by Baillarger to be a sensorial perception independent of all external excitations of the sensuous organs. Psychical hallucinations are perceptions purely intellectual. "The illusions," says Briere de Boismont, "which occur in a healthy condition, are corrected by reason." This eminent authority subsequently admits that "illusions, as well as hallucinations, have their seat in the brain." He again observes that "*illusions in sane persons are corrected by observation and judgment, and have besides no influence upon their general conduct*." What Drs. Mayo and Sutherland term "*sane illusions*" and "*healthy hallucinations*," we should designate *as mere errors or deceptions of sense*. As long as the judgment retains the

power of correcting the false impressions made through the sensuous organs upon the brain, the notices thus conveyed to the mind cannot, in scientific phraseology, be called either "illusions," "delusions," or "hallucinations;" but they become so when they are extravagant and unreasonable in their character, and the judgment ceases to operate in rectifying the false ideas, and the conduct of the individual is evidently influenced by them. This we feel assured to be the only safe principle to guide us in the use of these important medical terms, particularly when giving evidence in courts of judicature. It is an abuse of language to call the incidental and transient deceptions of any of the senses, either illusions, delusions, or hallucinations, or symptoms of insanity.

Esquirol says, "Illusions are not rare in a state of health, *but reason dissipates them*. A square tower, seen from a distance, appears round; but if we approach it, the error is rectified. When we travel among the mountains, we often take them for clouds. Attention corrects this error. To one in a boat the shore appears to move. Reflection immediately corrects this illusion. *Hypochondriacs have illusions which spring from internal sensations. These persons deceive themselves, and have illusions respecting the intensity of their sensations and the danger of losing their life; but they never attribute their misfortunes to causes that are repugnant to reason. They always exercise sound reason, unless Lypemania (melancholy) is complicated with hypochondriasis.*" If this great man had seen Buranelli, could he have given a more accurate description of his case than that contained in the latter part of the preceding quotation? Did not Buranelli attribute his misfortunes "to causes repugnant to reason," when he stoutly maintained in opposition to repeated attempts to prove the absurdity of his impression, that his "bed swam with water?" Again, when he persisted in asserting that his kind physician, Dr. Baller, had endeavoured to poison, and in fact had murdered him, and was the origin of all his misfortunes, did he not, in the words of Esquirol, trace his imagined ailment "to causes repugnant to reason?" There was no foundation for his delusion respecting the bed, and there was not the most remote justification for his delusive impressions respecting Dr. Baller. Admitting this, and we cannot see how it can be denied, then Buranelli, according to the doctrine enunciated by Esquirol, was unequivocally insane. If Dr. Sutherland rightly described the case of Buranelli as one of hypochondriasis, was not melancholy complicated with it, and did he "exercise sound reason?" There can only be one answer to these questions. Buranelli's case was, indisputably, one of suicidal melancholia with delusions. It was also apparent to all who had anything to do with him, that he was totally incompetent to the "exercise

of sound reason" on any matter connected with the state of his physical health, or in relation to the circumstances surrounding him. Adopting as our standard Esquirol's view of the point in dispute, Dr. Sutherland committed a grave error when he termed Buranelli's impressions the "*illusions of hypochondriasis*," instead of the "*delusions of insanity*;" for, according to the great French authority, *these apparently false impressions of the senses, commonly called "illusions," cease to be such "when they are associated with melancholia, and sound reason ceases to exercise its influence over the patient."* But apart entirely from a psychological consideration of the point, we affirm that no medico-legal witness is justified in attempting to draw such refined and subtle distinctions, when giving evidence in cases of criminal insanity. In a court of justice the terms "illusion" and "delusion" should always be used synonymously, and the greatest caution should be exercised not to mislead and confuse the jury by the use of pedantic phraseology, or by attempting to draw, whilst in the witness box, precise psychological distinctions between words conveying a recognised popular signification. We think Dr. Sutherland is fairly open to criticism on this point. For illustration, he was asked the following questions:—

Q. Is not the idea of the bed being swamped with water a *delusion*? A. An *illusion*.

Q. What is the difference? A. An *illusion* is *objective*.

Q. Is a *delusion* *subjective*? A. It may be, but the judgment must be involved.

In addressing students from the academic chair, the terms "*objective* illusions" and "*subjective* delusions" may be admissible and in good taste; but they are entirely out of character and unjustifiable in a court of justice. Apart altogether from this view of the matter, we would ask Dr. Sutherland if *illusions* as well as *delusions*, using these terms to describe symptoms of insanity, are not often "*subjective*" as well as "*objective*" in their origin? How often do we see cases of palpable insanity arising from what Dr. Sutherland designates as "*objective*" influences, or causes affecting the organism, deranging the general health and brain, and disordering the manifestations of the mind?

Having freely criticised the evidence of the two principal physicians who appeared as witnesses in behalf of the prosecution, we consider this a favourable opportunity for the consideration of the important question whether, under circumstances analogous to those previously detailed, professional and scientific men are justified at all in giving evidence; whether by so doing they are not arrogating to themselves an amount of knowledge of the human mind, and sagacity in detecting its delicate aberrations, unattainable by finite intelligences. Was not the position of

the medical witnesses who opposed the plea of insanity in the case of Buranelli, after a grave question had been raised as to his state of mind, a very questionable, if not a false and dangerous one? It may be urged that evidence of this character is often admitted in our courts of law in civil cases. Such is undoubtedly the fact. A medical expert may speak with some confidence upon questions of disputed testamentary capacity, basing his opinion upon facts deposed to by others. If he draws a wrong conclusion from acknowledged data, the mischief that ensues is not great or necessarily irremediable; but in a criminal case, when the life of a fellow-creature is dependent upon the medical testimony, when an unguardedly-expressed opinion, a false conclusion, an erroneous inference, may consign a person but ill-prepared to meet his God to a painful and humiliating death, how frightfully hazardous and fearfully perilous—how awfully responsible is the position of the medical witness! How can he, without being endowed with the attributes of DEITY, speak authoritatively and positively as to the state of mind alleged to have existed some months previously, of which he could have no personal or practical knowledge? The witness who by his evidence *supports*, under the circumstances assumed, the plea of insanity, is in an essentially different position. If a *primâ facie* case of mental derangement be established in favour of an accused person, the testimony of a scientific expert, although necessarily speculative, is legitimate and admissible. His object is to save human life, by affording the prisoner the benefit of any doubt that may have been raised as to his sanity and responsibility when the overt act of crime was committed. The witness may, with the best intentions, come to a rash and unjustifiable conclusion, and if such should be the case, no serious injury to society ensues if, as the result of his evidence, a fellow-creature is rescued from the hands of the public executioner. On the other hand, if in a criminal case a medical witness incautiously or inadvertently gives a wrong opinion, a monstrous act of injustice and cruelty may be perpetrated, *for which there can be no remedy*. A scientific witness has no right, if called upon, to give such evidence, from the conviction that he cannot do so without recklessly trifling with human life. It is utterly out of the power of any human being, whatever may be the extent of his experience, the amount of his acquirements, and the degree of his sagacity, to depose to the *sanity* of a person under circumstances similar to that of Buranelli's, without having had an opportunity, at the time of the commission of the alleged criminal act, of testing his mind. If there had existed no facts in connexion with the case to excite suspicion or raise a doubt of his sanity, the medical witness would, in our opinion, be guilty of an act of bold presumption if he were to swear that any man who committed a crime some months previously was mentally sound

and responsible at the moment. When we consider how suddenly symptoms of homicidal insanity develop themselves, how transient and evanescent these attacks are, that a man may be wildly delirious and irresponsible in the morning, and sane, rational, and responsible in the afternoon, how can a medical witness speak with satisfaction on the subject? If we were asked, if Rush and the Mannings were of perfectly sane mind when they committed the brutal murders for which they justly suffered the extreme penalty of the law, we should certainly decline committing ourselves to an opinion, *if* the lives of these miserable criminals rested upon the answer we gave to the interrogatory. The witness may entertain an opinion, and a strong one, upon the point, but he could give no evidence *on oath* which would be at all safe or justifiable.

But how different is the position of the medico-legal witness, who enters a court of justice and swears to the sanity and responsibility of a criminal in favour of whom the plea of insanity is urged; and how grave and solemn is his responsibility *if that plea of extenuation is supported by evidence that should, if properly weighed and dispassionately considered, carry conviction to the mind*. Apply this principle to the medical witnesses whose evidence hung Buranelli. It may be urged in defence of Dr. Sutherland, that when pressed upon the point, he positively declined to give an opinion as to Buranelli's state of mind on the 7th of January. When asked, whether he thought the prisoner of sane mind when he committed the murder, he said, "*I do not like to give an opinion about that. I think that is a question for the jury to give an opinion of, not me.*" Does not this answer of Dr. Sutherland expose him to the suspicion of wishing to say something *ad captandum* to the jury? He was in the position of a Crown witness, subpoenaed for the special purpose of enlightening the jury on the very point which they were empanelled to try, and solemnly sworn to consider. The question at issue was not whether Buranelli was a sane man on the day when Drs. Sutherland and Mayo visited and examined him, *but was he so on the 7th of January?* If Dr. Sutherland refused to speak of his mental condition on that day, for what purpose did he enter the witness-box, and uselessly obstruct by his irrelevant evidence the course of justice? Instead of throwing any light upon the point which the jury had in reality to decide, instead of dissipating the cloud hanging about the subtle question before the judge, he, by the character of his evidence, mystified the court, and raised doubts where all would otherwise have been clear and beyond cavil and dispute. Dr. Sutherland certainly refused to say that Buranelli was sane and responsible on the 7th of January, but the whole *tendency* of his evidence led irre-

sistibly to the conclusion that he considered the prisoner sane and responsible on the day of the murder. If such was not his opinion, why did he battle with the strong evidence urged in favour of Buranelli's insanity, and why endeavour to persuade the jury that the clear and obvious delusion under which the prisoner had for so long a period laboured, was not a *delusion* of insanity, but the *illusion* of hypochondriasis? Surely there was no necessity for such refined distinctions? If he believed he was incompetent to give an opinion of Buranelli's condition of mind, then why not have left the point at issue entirely in the hands of the jury, and at once refused to answer the questions previously put to him? In such a position he might with perfect propriety have said, that having declined giving any opinion as to Buranelli's mental state on the 7th of January, from the belief that the question was one for the consideration of the jury, and not for himself, he must respectfully decline to reply to any other interrogatories having an *indirect* bearing upon the prisoner's condition of mind when he committed the crime. Such an answer would have harmonized with the reply to which we have alluded, and there would have been some consistency in his conduct; but instead of taking this course, he, by his replies, did his utmost to knock from under the unhappy culprit the only prop that supported him, and to divide the fragile cord upon which his life was suspended. It would have been well for the poor miserable wretch who has gone to his last account, if the medical witnesses who appeared for the Crown had left the matter entirely to the consideration of the jury; but, in the face of their strongly expressed opinion, could any other verdict have been returned? Dr. Sutherland was asked, whether he had heard detailed by the witnesses the acts and aberrations attributed to the prisoner, and which were considered as indicative of his mental state; and assuming them *to be true*, would he refer them to unsoundness of mind? What was Dr. Sutherland's answer? Did he say, "I cannot, with any satisfaction to my mind, give a reply to the question; I must leave that point in the hands of the jury. I cannot, without being endowed with superhuman powers of penetration, say 'yes' or 'no' to the interrogatory?" If such a rejoinder had been made, it would have been in unison with his emphatic refusal to give any opinion on the subject. What was his answer? "*No; I cannot consider the acts to have been the result of motiveless impulse.*" It would appear, from Dr. Sutherland's answer, that he entertained an opinion, and a very *strong* one, of Buranelli's state; and we must confess that he travelled out of the record to give the precise kind of reply likely to forcibly impress the jury with an idea of Buranelli's sanity on the fatal day. Was it necessary

for Dr. Sutherland to refer at all to the act not being a "*motiveless one*"? That profoundly subtle point had not been mooted during the trial, but Dr. Sutherland *volunteers* a statement in reference to it. *Cui bono*? Did he do so with the view of benefiting the unhappy prisoner?—was it for the purpose of removing any doubts that might exist in the mind of the jury?—or did he benevolently wish to enlighten the Judge?

Dr. Sutherland having abdicated his functions as a witness by admitting that he was not competent to throw any light upon the question in reality before the court, it occurs to us that there was only one course for him to pursue, and that was to retire altogether from the case.

With these remarks we conclude our criticism of the medico-legal testimony adduced against the plea of insanity advanced in favour of Buranelli, as well as the detail of facts illustrative of his state of mind for some time antecedent to the murder of Mr. Lambert. We will shortly recapitulate the evidence which, according to our judgment, is demonstrative of Buranelli's mental derangement and moral irresponsibility:—

1. THE SUDDEN AND GREAT ALTERATION OF CHARACTER FOLLOWING THE DEATH OF HIS WIFE, AND SUCCEEDED BY
2. GREAT DEPRESSION OF SPIRITS; FONDNESS OF SOLITUDE; IRRITABILITY OF TEMPER; VIOLENCE OF LANGUAGE; MENTAL STATES ENTIRELY OPPOSED TO HIS NATURAL AND PREVIOUSLY MANIFESTED CHARACTER.
3. HIS SUICIDAL FEELING AND PROPENSITY, VIEWED IN ASSOCIATION WITH HIS ACUTE MELANCHOLIA. HIS HAVING ASKED A PERSON TO SHOOT HIM. HIS SEVERAL ATTEMPTS AT SUICIDE.
4. HIS DELUSIONS RESPECTING DR. BALLER, OF PENS-HURST, WHO HAD TREATED HIM WITH GREAT SKILL AND KINDNESS. THE DELUSIONS CONSISTING IN A FIRM BELIEF THAT DR. BALLER HAD ATTEMPTED TO POISON HIM; HAD TREATED HIM WITH GREAT CRUELTY; HAD LACERATED HIS FLESH, AND, IN FACT, MURDERED HIM! HIS DESIRE TO MURDER DR. BALLER, UNDER THE INFLUENCE OF THESE DELUSIONS.
5. HIS DELUSION THAT MR. LAMBERT WAS, TO A CERTAIN EXTENT, A PARTICEPS CRIMINIS IN DR. BALLER'S ALLEGED CRUELITIES.

6. HIS INSANE DEPORTMENT AND PHYSIOGNOMY WHEN ADMITTED INTO MIDDLESEX HOSPITAL, UNDER THE CARE OF MESSRS. SHAW AND HENRY.
7. HIS DELUSIONS RESPECTING HIS BED, AND THE CONDITION OF AN OLD WOUND. HIS BELIEF THAT HIS BED "SWAM WITH WATER." HIS PERSISTENCE IN THIS ASSERTION IN OPPOSITION TO REPEATED ATTEMPTS TO PROVE THE UTTER GROUNDLESSNESS OF HIS IMPRESSIONS. HIS DELUSION, VIEWED IN COMBINATION WITH HIS GENERAL APPEARANCE, WHICH CONVEYED TO ALL THE NURSES AND OFFICIALS OF THE HOSPITAL THE STRONG BELIEF THAT HE WAS NOT IN HIS "RIGHT MIND."
8. THE CHARACTER OF THE LETTERS AND MEMORANDA FOUND IN HIS POSSESSION, THEY BEING PRIMÂ FACIE EVIDENCE OF INCOHERENCE AND INSANITY.
9. THE CRIME ITSELF. THE INADEQUACY OF THE MOTIVE LEADING TO ITS COMMISSION. THE ASSOCIATION OF MR. LAMBERT WITH THE DELUSION RESPECTING DR. BALLER.
10. THE ATTEMPT AT SUICIDE AFTER THE ACT OF HOMICIDE. SUICIDAL AND HOMICIDAL INSANITY GENERALLY BEING ASSOCIATED WITH, AND RESULTING FROM, THE SAME MORBID STATE OF BRAIN AND MIND.

In concluding these cursory comments on the case of Buranelli, we cannot refrain from expressing a sincere hope that we have in the preceding pages placed upon record the particulars of the trial and execution of the last lunatic that will suffer death upon the gallows. Such a barbarous proceeding can do no good, but, on the contrary, much mischief to the best interests of society, and is perfectly valueless when viewed as a means of preventing crime,—the only valid and reasonable excuse that can, with any semblance of justice, be assigned for the act. When speaking of the irresponsibility of the insane, and the object of punishment, the great Lord Coke says, "the execution of an offender is for an example, *ut pœna ad paucos, metus ad omnes perveniat*;" and that justly eminent jurist adds, "but so it is not when a madman is executed, but should be a miserable spectacle against law, and of extreme inhumanity and cruelty, *and can be no example to others.*"*

We are aware that an opinion is current in certain quarters,

* Coke, Inst. 6.

among some distinguished advocates and physicians, that insanity, even if clearly established, should not exempt a criminal from the extreme penalty of the law. We do not for one moment believe that so unchristian and monstrous a doctrine is tolerated by the more enlightened members of the legal and medical professions. There are undoubtedly among both bodies, men who entertain extreme and ultra views respecting crime and punishment,—men not deficient in natural sagacity and not uninfluenced by feelings of humanity, who, being educated in the spirit and prejudices of the old school, consider the Throne, the Seat of Justice, and the State in danger if any undue mercy is exhibited towards those who violate the sacred majesty of the law!

Not hang a lunatic, they exclaim, who has committed the crime of murder! Not hand over to the tender mercies of the public executioner an insane person who has imbued his hands in the blood of a fellow creature! If doctrines like these are promulgated,—if such principles are allowed to interfere with the legitimate administration of justice, who will answer for the safety of society, the security of the state, or the life of the sovereign? Thank God we have the happiness of living in an age when such obsolete doctrines can exercise no influence upon the understanding, the humanity, character, and conduct of those placed in positions of great legal trust and responsibility. Futile arguments and vain threats like these were, in more cruel and barbarous epochs, urged in defence of the rack, the thumb-screw, and other benevolent modes of prolonging human suffering. When Sir Samuel Romilly proposed the abolition of the punishment of death for stealing a pocket-handkerchief, the Commons of England consulted the Recorder and the Common Sergeant, who assured the House that such an innovation would endanger the whole criminal law of England; and when the same excellent man afterwards proposed to abolish the disgusting and disgraceful punishment for high treason, the Attorney-General of the day said, “Are the safeguards, the ancient landmarks, the bulwarks of the constitution, to be thus hastily removed?” It was in consequence of this singularly ludicrous manifestation of fear that Mr. Ponsonby was induced indignantly to exclaim, “*What! to throw the bowels of an offender into his face one of the safeguards of the British constitution?*” In the spirit of Mr. Ponsonby, we ask, is it necessary for the vindication of justice,—is it essential for the safety of the statute-book,—is it required for the maintenance of the law and the dignity of those delegated with its administration, that a “miserable spectacle,” like the execution of Buranelli, with all its associated horrors, attendant and unmitigated evils, should again occur in a civilized and Christian land? God forbid that another opportunity

should be afforded of witnessing so repulsive and disgusting a scene as that which accompanied the cruel death of this miserable lunatic. It spoke well for the humanity of the mob who at an early hour had congregated at the foot of the gallows, when they gave unmistakable utterance to their feelings of deep execration, horror, and disgust at the sufferings of the unhappy man. Can a more terrible image be conjured to the imagination than that of a public executioner, who, in consequence of his inexpertness in the adjustment of the rope, found it necessary during the convulsive struggles that ensued to hang by the legs of a criminal lunatic, for the purpose of expediting his death! Out of evil, we pray to God that good may arise.

The execution of Buranelli, in the teeth of a strong protest, made a few days before his death, and in opposition to facts which, if they did not conclusively demonstrate his lunacy to the satisfaction of the Judge and the jury, undoubtedly involved the matter in grave doubt and difficulty, establishing beyond all dispute a strong *primâ facie* case in favour of his insanity and irresponsibility, is a matter, as we have previously observed, deeply to be regretted and sadly to be deplored. May the INTELLIGENCE, the HUMANITY, the SCIENCE, the CIVILIZATION, the JUSTICE, and the CHRISTIANITY of this great and justly renowned country never again be sullied or outraged by a repetition of so revolting an exhibition!

It would appear, from a paragraph which has been industriously circulated in the columns of the daily press, that after Buranelli's execution, one of the officials of St. Luke's Hospital performed a *post mortem* examination of his brain. It is alleged that no disease was detected! What did the pathologist expect to discover? What does the alleged absence of organic alteration establish? Does it prove Buranelli's mental soundness on the 7th of January? No man, with any pretensions to scientific knowledge, would gravely countenance such an absurdity. For what purpose was the examination made? Was it to satisfy the Judge, to remove all doubt from the mind of the jury, or to act as a kind of salvo to the consciences of the medical men who swore to Buranelli's mental soundness? If the *post mortem* investigation was made with any such *bonâ fide* intentions, why was not the compliment paid to Mr. Shaw and Mr. Henry of asking them to be present? They were deeply concerned and interested in the case, having had Buranelli for some time under their joint care in Middlesex Hospital, and in common courtesy they ought to have assisted at the examination after death. We make these remarks without for one moment wishing to convey the impression that we entertain the opinion that the inspection was not properly and scientifically made, and the result accurately reported. We also hear that Drs. Mayo and Sutherland carefully measured, after death, Buranelli's skull! *Cui bono?*

LONDON:
SAVILL AND EDWARDS, PRINTERS, CHANDOS STREET,
COVENT GARDEN.

