

evidence should be given of the commission of the offence, this terrible crime of secret poisoning would in almost every case go unpunished. With reference to the mistake that had been committed by Dr. Taylor, he said in his opening that this mistake had been committed; but the jury would recollect that it had been proved by competent persons that the test he made use of was a perfect test under ordinary circumstances, and it was only defeated by the presence of the chlorate of potass. He then called the attention of the jury to the fact of a certain quantity of arsenic being found in one of the evacuations of the deceased, and he said that one of the medical men who had been examined on behalf of the prisoner had admitted that under such circumstances he should have expected that a large quantity of arsenic had been in the body. A good many fanciful theories had been suggested on the part of the defence; and an endeavour was made to account for the presence of the poison by saying that it was contained in the bismuth that was prescribed by Dr. Julius. But the bismuth which came from the surgery of Dr. Julius was proved to be entirely free from arsenic; and in that which had been analysed by the witnesses for the prisoner, the quantity was quite infinitesimal, and could hardly be appreciated.

The LORD CHIEF BARON then summed up. After going through the general history of the case, he came to the medical testimony. He observed that the whole of the medical men who had been examined, who were all men of experience in their profession, concurred in expressing their opinion that the symptoms exhibited by this unhappy lady were unlike those of any known disease, and were more ascribable to the administration of an irritant poison than to any natural disorder. The counsel for the prisoner had made a great deal of the mistake made by Dr. Taylor, and he had a perfect right to do so. It appeared, however, that it was clearly a mistake; and that it was owing to a new discovery in science that chlorate of potass would dissolve copper. They must, therefore, give to this fact no more effect than it really deserved; and he certainly considered that the learned counsel for the prisoner had no right to ask them to dismiss Dr. Taylor's evidence altogether, in consequence of this mistake. Dr. Taylor had frankly admitted his mistake; and if it really arose from a new fact in science, he thought it would be rather too much to say that upon such a ground Dr. Taylor's evidence should be altogether rejected. His Lordship then proceeded to comment upon the evidence for the prisoner. Many witnesses, he said, were called, and their evidence appeared to be to the effect that according to their opinion and experience the symptoms were not consistent with a case of slow arsenical poisoning, and that a great many symptoms which were almost invariably exhibited in such cases, were absent. A good deal of their testimony also went to show that chlorate of potass would not have the effect of eliminating the arsenic from the system more rapidly. With regard to this latter portion of evidence, after the discovery that no arsenic was contained in the bottle No. 21, it appeared to him that it was of no value whatever, except so far as the learned counsel had a perfect right to use it to attack the evidence of Dr. Taylor. Another portion of the evidence went to show that the deceased might have died of some natural disease; but none of the witnesses went so far as to say that she actually did die of such disease. Those witnesses also expressed their opinion that in death from arsenic or antimony some portions of these substances would be found in the body, and particularly in the liver. All the evidence, however, the jury would recollect, was merely the evidence of scientific men, the result of reading and study; and, although such evidence was undoubtedly receivable, still the jury must consider how far it ought to weigh against that given by witnesses who saw the patient while living, and who had the opportunity of personally observing all the symptoms. One of the witnesses called on behalf of the prisoner for the purpose of casting a doubt upon the existence of poison, admitted that he had not taken the measures that were necessary to arrive at a correct result, and the only reason he gave for this was that he had not the time. It appeared that no answer whatever had been given to the main point in the prosecution—that no medicine whatever had the slightest effect upon the malady under which the deceased was suffering. The medical evidence was, of course, very important; but the jury must, in addition, look at all the other facts in the case, and particularly to the conduct of the prisoner, and his motives for committing the crime. Even supposing that there were no medical testimony at all in the case, they would still have a very grave question to decide with reference to the guilt or innocence of the prisoner.

The jury, after an absence of forty minutes, returned a verdict of "Guilty."

The prisoner, on being asked in the usual form whether he had anything to say why judgment of death should not be passed upon him, addressed the court for about twenty-five minutes. He admitted that he had acted illegally in marrying the deceased; but swore that he was perfectly innocent of having administered anything wrong to her. He said his wife was aware of the attachment between him and Miss Banks, and that it was arranged that she should never trouble him nor make any inquiries after him, and he was to visit her when he pleased. With regard to the letter addressed to his wife that was found in his possession, he had written to her every week since they had been separated. During Miss Banks's illness, he was always anxious to have additional medical advice; and he declared before God, that it was himself who advised that Dr. Todd should be sent for. The doctors deceived him with regard to the state of the lady, and they always said that she would recover. Dr. Todd had no opportunity of examining the state of the lady, for he was not in her bed-room more than four or five minutes, and as to the extraordinary expression of countenance that he has spoken of, it was very likely occasioned by her seeing three men, one of them a strange doctor, in her bed-room. With regard to the finding of half a grain of arsenic in the motion, all he could say was, that she had fifteen motions on that day, and if there was nearly half a grain in that one evacuation, there must have been at least four grains of pure arsenic in her body, and yet none whatever was discovered. It had been urged against him that no one knew what became of the food that was not consumed by the patient. He used to eat what she left. He denied entirely that there was any secrecy or concealment; the bed-room door at both the lodgings was constantly open, and the landlady, or any one else, could see what was going on in the room. Besides this, he used to go out six days out of seven, and he always went two or three miles to post his letters. He declared most solemnly before God, that he never desired to prevent Miss Louisa Banks from seeing her sister, and as to the supposed motive for committing the offence being to get the deceased's money, he could have had that at any time. She gave him her dividend, and she had such confidence and affection for him, that if he had asked her for the money, she would have let him have it immediately. Besides this, he had no want of money. He had £400 in his possession, besides the amount at his banker's, when he was taken into custody. He also wished to state, with regard to his wife, that he had no property with her, and that they had lived together happily a great many years, travelling about and living in Paris, and also at different places in Germany. He had always acted honourably, and paid everybody, and although his conduct had been raked up for thirty years, nothing had been found out against him, and this singular charge would never have been made but for the ill-feeling that Dr. Julius entertained towards him.

The LORD CHIEF BARON then pronounced sentence of death: upon which the prisoner exclaimed in a firm voice, "I declare Dr. Julius to be my murderer. I declare I am innocent before God."

The trial lasted five days.

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Westminster Hospital School of

MEDICINE. The INTRODUCTORY ADDRESS of the Session 1859-60 will be delivered by Dr. RUSSELL REYNOLDS, on Monday, the 3rd of October, at 8 p.m.; and after the Address, a *Conversazione* will be held, and the Prizes distributed which were awarded during the past Session.

The Westminster Hospital was Instituted A.D. 1719, and Incorporated by Act of Parliament A.D. 1836. It contains 175 Beds, and affords relief to about 20,000 Out-Patients annually.

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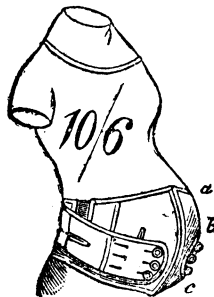
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WINTER SESSION 1859-60.

LECTURES.

The Introductory Lecture will be delivered on Monday, October 3rd, at Three o'Clock, p.m., by Dr. COCKLE.

General Anatomy and Physiology—Dr. Richardson.

Descriptive and Surgical Anatomy—Dr. Halford and Mr. Lawson.

Chemistry—Dr. Thudichum.

Principles and Practice of Medicine—Dr. Cockle.

Principles and Practice of Surgery—Mr. Spencer Wells & Mr. Adams.

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Instruction in Pathological Anatomy is given by the Lecturer on Physiology.

Further information may be obtained at the School, 1, Grosvenor Place; or Dr. RICHARDSON, 12, Hyde Street, Manchester Square, W.; or at the Residences of the different Lecturers.

St. George's Hospital Medical School.

SESSION 1859-60.—The WINTER COURSE OF INSTRUCTION will commence on SATURDAY, October 1st, with an INTRODUCTORY ADDRESS by Mr. H. C. JOHNSON, at 2 p.m., at the Hospital.

Physicians—Dr. Page, Dr. Bence Jones, F.R.S., Dr. Pitman, and Dr. Fuller.
Assistant-Physicians—Dr. Barclay and Dr. John W. Ogle.

Obstetric Physician—Dr. Robert Lee, F.R.S.

Surgeons—Mr. Caesar Hawkins, F.R.S., Mr. Cutler, Mr. Tatum, and Mr. H. C. Johnson.

Assistant-Surgeons—Mr. Prescott Hewett and Mr. George D. Pollock.

Dentist—Mr. Vasey.

Lecturers—Medicine—Dr. Pitman.

" Surgery—Mr. Tatum.

" Anatomy—Mr. Pollock and Mr. Gray.

" Physiology—Mr. A. Johnson.

" Chemistry—Dr. H. M. Noad.

The Hospital contains 350 beds.

Clinical Lectures are given by the Physicians and Surgeons of the Hospital during the Winter and Summer Sessions, and Clinical Instruction is given in the Wards by the Physicians and Surgeons, and on the Diseases peculiar to women by the Obstetric Physician.

A Maternity Department, for the delivery of married lying-in women at their own homes, is established at the Hospital, under the superintendence of the Obstetric Physician.

The Surgeons' Perpetual Pupils are eligible to be Assistant House-Surgeon for Six Months, and House-Surgeon for Twelve Months (without additional Fee), when properly qualified for the Office. Pupils of the Hospital are eligible to the office of Obstetric-Assistant, when duly qualified, at a salary of £100 per annum.

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A Prize of Twenty Guineas, for general proficiency in Medical Studies, will be offered to Students who enter to the Hospital Medical School for the Session 1859-60. The Examination will take place in July.

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