

(No. 78.)



1878.

---

TASMANIA.

HOUSE OF ASSEMBLY.

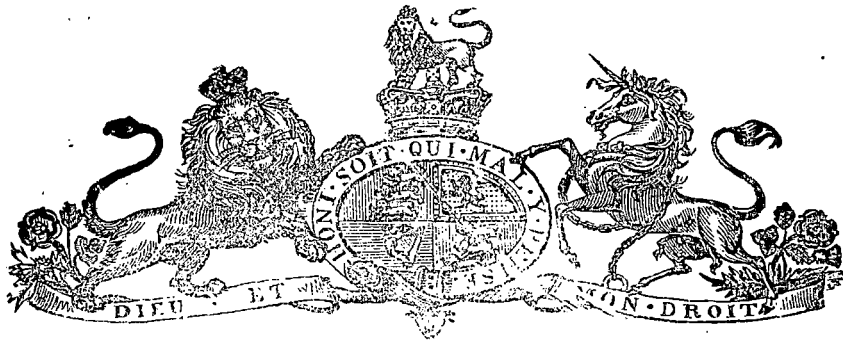
---

REGINA v. WINTER:

EVIDENCE.

---

Laid upon the Table by the Colonial Treasurer, August 27, 1878; and ordered by the House to be printed, September 5, 1878.



REGINA *v.* WINTER.

---

AT THE RECORDER'S COURT, 28TH MAY, 1878.

PROCEEDINGS before the Court and a Jury empannelled to try if Charles Wilfred Winter, arraigned on a charge of Felony, was mute of malice or by the visitation of God.

EVIDENCE.

LONSDALE HOLDEN : I am Acting House Surgeon at the Hospital, Launceston. I visited the Gaol yesterday and examined the prisoner for the purpose of determining if he was insane or not. I could not give a definite opinion as to his sanity without having him under observation for an extended time; but, as far as my observation went, I thought he was not insane. I interrogated him, felt his pulse, and examined his eyes and head. I could not detect signs of insanity. I am acting for Dr. Murphy.

ALFRED JONES : I am Superintendent of the Penal Establishments at Launceston. Prisoner has been in my charge since 24th April on the charge of Forgery. At first he could speak perfectly well. He could converse freely enough. There was nothing to show he was out of his mind. At first he complained of his food, and then would not eat at all. He complained of pains in his head. On last Thursday week he was very violent and had to have a straight waistcoat put on him, and afterwards to be handcuffed. There is nothing to induce me to believe he is out of his mind.

WILLIAM MILLER, Under-Gaoler, Launceston : Prisoner has been under my charge since 24th of last month. There is nothing to induce me to believe he is insane. I have heard him speak frequently up to eight or ten days ago. Up to that time he conversed rationally. After that he had fits. I believe they were counterfeited. After this he took it into his head not to eat, and went without food for two days. I said to him, "Winter, you are not mad; why don't you eat your food." He then ate his food; but the same evening he became very violent, and we had to overpower him and put a straight jacket on him. He was not violent after this. From all these causes I believe the prisoner is scheming. I have seen many madmen, but they did not act like him.

Found to be mute of malice.

My original Minutes.

JOHN WHITEFOORD, *Recorder.*

14th August, 1878.