



# Mad-Doctors in the Dock: Defending the Diagnosis, 1760-1913

*Joel Peter Eigen*

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Shortly before she pushed her infant daughter headfirst into a bucket of water and fastened the lid, Annie Cherry warmed the pail because, as she later explained to a police officer, "It would have been cruel to put her in cold water." Afterwards, this mother sat down and poured herself a cup of tea. At Cherry's trial at the Old Bailey in 1877, Henry Charlton Bastian, physician to the National Hospital for the Paralyzed and Epileptic, focused his testimony on her preternatural calm following the drowning. Like many other late Victorian medical men, Bastian believed that the mother's act and her subsequent behavior indicated homicidal mania, a novel species of madness that challenged the law's criterion for assigning criminal culpability.

How did Dr. Bastian and his cohort of London's physicians, surgeons, and apothecaries?originally known as "mad-doctors"?arrive at such an innovative diagnosis, and how did they defend it in court? *Mad-Doctors in the Dock* is a sophisticated exploration of the history of the insanity defense in the English courtroom from the middle of the eighteenth century to the early twentieth century. Joel Peter Eigen examines courtroom testimony offered in nearly 1,000 insanity trials, transporting us into the world of psychiatric diagnosis and criminal justice. The first comprehensive account of how medical insight and folk psychology met in the courtroom, this book makes clear the tragedy of the crimes, the spectacle of the trials, and the consequences of the diagnosis for the emerging field of forensic psychiatry.

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