

daily violated in hundreds of instances throughout the country, but the difficulties of obtaining evidence are great, and the difficulties of obtaining a conviction are much greater. The British public, with its usual logical acumen, looks with approval upon the detention of lunatics in unlicensed houses, where they are under no sort of supervision, and are in charge of ignorant lodging-house keepers, and regards jealously their detention in institutions for lunatics that are legally so constituted, and in which the welfare of the patients is secured by a myriad of minute and stringent regulations.

*Reg. v. Weaver.*

Charles Weaver, 39, butcher, was indicted for the murder of Annie Brownell. On indictment counsel for the prosecution asked his lordship whether, in view of the report of Dr. Law Wade, a jury should not be empanelled to say whether the prisoner was fit to plead. This was accordingly directed, and Dr. Wade proved that prisoner was suffering from various delusions.

The Judge: Do you think he is capable of understanding the proceedings taking place with regard to him at the present time?—Not fully so as to conduct his defence. Is he able to understand, as a reasonable and intelligent man would, the nature of the proceedings he is called upon to plead, and to give such instructions as are necessary for his defence?—I don't believe he is. The Judge instructed the jury to say whether the prisoner was at that moment in a condition to understand the character of the proceedings and reasonably to instruct counsel for his defence. The jury found that he was not, and the trial did not proceed.—Somerset Assizes, June 9th, 1898 (the Lord Chief Justice).—*Western Gazette*, June 10th, 1898.

The report shows the character of the questions that a witness must be prepared to answer when the ability to plead to the indictment is the issue tried. The case is of interest from the peculiarly brutal character of the murder committed by a lunatic who had been known for months to be suffering from delusions of persecution, but who had never been considered dangerous, and had been allowed to be at large and to pursue his calling of butcher. It is another illustration of the duty that lies upon medical men who are cognisant of insanity to spread the knowledge that a person suffering from delusions of persecution is always a potential homicide.

*Reg. v. English.*

Archibald English, 43, cook, was indicted for shooting at Henry Pearce, with intent, &c. Dr. Scott, medical officer of Holloway, said that in his opinion the condition of the prisoner's mind at the time was not such as would enable him to distinguish between right and wrong, and that he would be incapable of appreciating that he was doing wrong. "Guilty, but insane."

Dr. Scott said that the prisoner was no longer insane. The judge said that he was bound by statute to make an order for the prisoner to be detained during Her Majesty's pleasure, but his friends could present a petition to the Home Secretary for his discharge.—Central Criminal Court (Mr. Justice Hawkins).—*Times*, December 16th, 1897.

An unusual instance of the recovery of a prisoner between committal and trial, illustrative of procedure.

*Reg. v. Murphy.*

Francis Rowland Murphy, 33, labourer, was indicted for the murder of his two daughters, attempting to strangle his infant son, and wounding Gertrude Hester, the woman with whom he lived. It was proved that the couple lived happily together, that the prisoner was an affectionate father, that several of his relatives were in asylums, that he had had a severe blow on the head necessitating an operation and the removal of part of the skull, and that he had suffered in America from sun-stroke. At the time of the murder he was suffering from influenza and bronchitis, and after a very restless night passed in choking and coughing, he said to the