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 Brownsell. 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 sunstroke. 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

woman, "I have got pneumonia. If I have I shall die, and if I am going to die you must die with me." Shortly afterwards he committed the acts for which he was indicted.

Dr. Anger said that when the prisoner was admitted into the Royal Infirmary (apparently on June 10th, immediately after the crime) he was in a dazed condition, and did not realise where he was or anything that had happened. In this condition he remained for the next twenty-four hours.

Dr. Price, of Walton Gaol, said that prisoner had been under his observation since June 20th. During that time he had been perfectly sane, but confessed to an utter want of knowledge as to what had passed during the period from 10 p.m. on June 9th to 8.30 on Sunday the 12th.

Dr. Wiglesworth had visited prisoner on July 23rd, and found that he was quite sane. Witness considered that prisoner was not capable at the time of the tragedy of understanding the nature and quality of the act he had committed.

His Lordship told the jury that the prisoner appeared to have been for a time not a human being at all. No conduct such as was ordinarily associated with humanity offered a parallel to what occurred on June 10th. It appeared that from the time he awoke on that morning until he came to consciousness again he acted like a wild beast rather than a man, and as if he was not in possession of his faculties. If the jury considered that this was so, it was their duty to find that the prisoner was not responsible for his actions. Guilty, but insane.—Liverpool Assizes, August 1st, 1898 (Mr. Justice Ridley).—*Liverpool Daily Post*, August 2nd.

A good instance of the complete freedom which a large-minded judge assumes when the facts are strongly in favour of the insanity of the accused. It does not appear from the report that the judge considered himself bound in any way to refer to the rule of law. He allowed a wide latitude to the medical witnesses, and charged the jury in terms which left that rule on one side.

Reg. v. Norris.

Prisoner, a solicitor æt. 35, had lived happily with his wife for nine years. On the early morning of February 13th he shot her with a revolver while she was asleep in bed. He then cut his throat in four places. Indicted for shooting with intent, &c. It was proved that prisoner had always been on affectionate terms with his wife, and that they had never had a quarrel; that he had been much overworked for a long time, that he had complained lately of sleeping badly, of bad dreams, and that "he could not distinguish between his dreams and his thoughts when awake." He had always been a strict teetotaler.

The judge told the jury that there was only one verdict that they ought to find, and that was that owing to overwork and not having sufficient change the defendant's mind became unhinged, and that he did what he did in a fit of temporary insanity, and did not know what he was doing, and that he was not responsible for his actions at the time. It was only a passing fit of brain exhaustion, and he hoped that with change the defendant would soon recover, and that he would go back to his business as good a man as ever. "Guilty, but insane,"—Central Criminal Court, March 11th, 1898 (Mr. Justice Grantham).—*Times*, March 12th.

Another instance of the freedom assumed by a judge who forms a strong opinion on the depositions.

Reg. v. Woolford.

The prisoner, æt. 29, of no occupation, was seen kneeling outside the church door at Heckfield, dressed in a torn shirt only, and praying aloud. Some neighbours saw him and tried to induce him to come home; but he became very excited and violent, and seizing a ladder, tried to batter down the church door. He fought and shouted, got away, ran along the Reading road, assaulting a bicyclist in his way, ran on to a farmhouse, jumped the hedge, and seeing a child in the garden, knocked her down and knelt on her, beating her about the head and face with his fists, and so injured her that her life was for some time in danger. It was proved that the prisoner was subject to epileptic fits, and the medical evidence was that he