not have been devoid of influence, although the jury might realize that there would be a strong probability of the death sentence being commuted.

Rex *v.* Frederick George Taylor.

This case was tried at Worcester Assizes on October 23, 1929, before Mr. Justice Acton.

The accused, æt. 32, was a metal caster. He was described, in the evidence, as having been an excellent husband and father, and as of exemplary character in all other respects. In the early morning of October 17 he attacked his wife and his two children with a chopper, and inflicted such severe injuries that they died soon after. He then telephoned to the police station, asking that an ambulance should be sent to his house, with a doctor "to put them out of their misery," adding, "I did not think they could live; I thought I had put them out first hit; I did not mean them to suffer at all." The facts were not disputed, and the defence was that of insanity.

Evidence was given that the accused had been depressed for some time before the occurrence, that he had complained of insomnia, and had worried, without any occasion, about not doing his work properly.

Dr. Edward Graham, medical officer of Gloucester Prison, said that Taylor appeared to have worried over a habit of masturbation, in which he had once indulged, and had the idea that he had contracted some form of venereal disease, which had caused him to lose his manhood, and had rendered him of no further use in the world. He also believed that he had infected his wife and children with the disease, that this would occasion intense suffering to them, and would cause them to be despised by other people. He took the view that "he was being punished for a very grievous sin." There was no evidence that he had ever suffered from any form of venereal disease. Dr. M. Hamblin Smith, medical officer of Birmingham Prison, stated that he had examined Taylor, and entirely agreed with Dr. Graham's findings. Both witnesses took the view that Taylor "knew the nature and quality of his act," but did not "know that the act was wrong."

The judge, in his summing-up, held that all the evidence pointed to the existence of insanity at the time of the act. A verdict of "Guilty but Insane" was returned, and the usual order for detention was made.

Rex *v.* Maggie Alexander.

This case was tried at Winchester Assizes on November 27, 1929, before Mr. Justice Charles.

The accused woman lived with her parents. She was charged with the murder of her child, by cutting his throat with a razor. When asked by her mother why she had killed the child, the accused said that she "thought he would be better off." That she had

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committed the deed was not disputed, the defence being that of insanity. There was evidence that she was subject to somnambulism, and that, previous to the date of the offence, she had suffered from acute mental distress. It appeared that she had been infatuated with a man; that her parents had told her that she must make an end to this connection, and that, unless she did so, she would have to find a permanent situation, and her child would be sent to an institution. There was also the history of her having been "thrown over" a few years before by a young man, just previous to the date which had been fixed for her marriage.

The most important medical evidence was that given by Dr. W. R. K. Watson, Medical Officer of Brixton Prison, who had had two long interviews with the accused. He had formed the conclusion that she was not insane. Her history led him to the opinion that she was subject to somnambulism. He regarded her statement that she did not remember the commission of the act as true; but he considered that this amnesia might be due to the repression of a painful incident. A woman walking in her sleep would not have her mind consciously functioning; she would not know the "nature and quality" of her act, or its "wrongness"; but her mental state would not amount to insanity in the medical sense of that term.

The judge, in his summing-up, said that the accused would not be responsible if she did not know what she was doing. If, however, she killed the child because she was unhappy, or because she feared that he was about to be taken from her, then she would be responsible. If the jury accepted the suggestion that the accused suffered from somnambulism, and if they considered that she committed the offence during a state of somnambulism, so that she would not know what she was doing, she would then be irresponsible. The jury must give the accused the benefit of any reasonable doubt which they might feel.

The jury returned a verdict of "Guilty but Insane," and the usual order for detention was made.

So far as can be judged from the newspaper reports, the defence of acute mental distress, occasioning irresponsibility, and of somnambulism, producing a similar effect, appear to have been set up as alternatives. It is, of course, impossible to say which alternative was accepted by the jury. Doubtless a criminal act committed in a condition of somnambulism falls within the McNaghton criteria. But such a condition does not amount to insanity; and, if the jury accepted the defence that the act was committed during a state of somnambulism, the case affords one more instance of the irrational character of the verdict of "Guilty but Insane."

Rex *v.* James Lucas.

This case was tried at the Central Criminal Court on November 18, 1929, before Mr. Justice Talbot.

The prisoner, æt. 32, a carman, was charged with the murder of Francis Marden on October 12, by cutting his throat in a street in

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