Islington. The prisoner was employed in the service of the railway company. Marden and a friend named Warden met the prisoner, and spent about an hour with him, gambling by tossing coins in the street. Warden won a few shillings; the prisoner stated that he had lost £2 5*s.*; the deceased man must have won over £2. The prisoner asked Marden for the price of a drink. Marden refused this, but gave him a penny for his bus' fare. The prisoner walked away. Five minutes later Warden heard a noise, turned round, saw blood coming from Marden's throat, and saw the prisoner just behind Marden, who then collapsed with a large wound in his throat. The prisoner walked away, and half an hour later arrived at the house of his brother-in-law, looking "dazed," and said he had "been in a bit of a row," but gave no particulars. When a police officer came to arrest him the prisoner said, "I know nothing." Later he said, "I remember putting my horse away, and I don't remember anything more." On the day after his arrest the prisoner had a fit at the police-station.

Evidence was given to the effect that the prisoner had always been a quiet, hard-working man, and had never exhibited any tendency to violence. He had an operation for mastoid disease while in the army, and developed epilepsy after this. He had been treated at St. Bartholomew's Hospital, where he had once had a fit. He had been treated for epilepsy by other doctors. Dr. M. Finucane expressed the opinion that the prisoner had an attack of *petit-mal*, followed by post-epileptic automatism. The prisoner, in his own evidence, stated that he remembered nothing of the meeting with the two other men, or of the gambling, or of the attack on Marden.

So far as can be gathered from the newspaper report, the prosecution did not contest the epileptic theory. The prisoner was found "Guilty but Insane," and the usual order for detention was made.

Rex *v.* James McGough.

This case was tried at Manchester Assizes, on November 26, 1929, before Mr. Justice McNaghten.

The accused, a labourer, æt. 58, was charged with the murder of Charles Holden, with the murder of John Allen, with inflicting grievous bodily harm upon Thomas Forshaw, and with wounding John Partington. All these four men were fellow-workmen of of McGough's, who was also charged with attempted suicide.

The evidence was that on July 2 McGough was with Holden. Half-an-hour later Holden was found with his head battered in. McGough returned, and beckoned to Forshaw. On the latter's approach, McGough gave him a terrific blow with a bar, on the back of the neck. After this, McGough attacked Partington. Allen was found lying in a pool of blood, with a fractured skull and four wounds on the head. A police-constable found McGough on the floor, with a wound in the throat. McGough said, "All right; I won't hurt you." When taken to the hospital he said, "They

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will never plague anyone else; I have taught them a lesson." It was denied that McGough had ever been annoyed by fellow-workmen.

The defence was that the offences were committed during a post-epileptic state. Medical evidence was given in support of this view. Dr. F. C. Logan, of Prestwich Mental Hospital, said that the pressure of McGough's cerebro-spinal fluid was much increased.

The accused was found "Guilty but Insane," and the usual order for detention was made.

The apparently indiscriminate and motiveless violence in this case is very suggestive.

Easton *v.* Potts and Johnson.

The Plaintiff, Mrs. Jane Easton, brought an action against Dr. W. A. Potts, of Birmingham, and Dr. A. V. Johnson, of Aldridge, Staffs, for alleged negligence in certification. The Master had refused an application by the defendants that the action should be stayed, and Mr. Justice Finlay had affirmed this decision. On December 18 the matter came before Lord Justice Scrutton and Lord Justice Greer in the Court of Appeal.

Lord Justice Scrutton, in giving judgment, stated the facts of the case. In 1926 Mrs. Easton was staying with a friend in Staffordshire. This friend, as also the plaintiff's sister, who was sent for, took a serious view of the plaintiff's mental condition. The defendants were called in; they certified the plaintiff, and she was removed to an institution. There was evidence that she had a delusion to the effect that people could, by means of hypnotic influence, have carnal knowledge without touching each other, and that a man whom she saw for the first time had done this some time before. She also had the idea that everyone had some kind of aura of smell, and stated that she could smell one of the doctors prior to his entering the room.

The Lord Justice said that the jurisdiction which the Court was asked to exercise presented great difficulty. The liberty of the individual must be protected. On the other hand, it was equally important that doctors should be protected in the performance of a public duty imposed upon them by the law. Recent cases had shown that doctors might be unwilling to certify persons who should have been under care and control. In this particular instance no jury ought to find that the plaintiff was not reasonably certified. Both the Judge and the Master had found that there was no lack of honesty on the part of the defendants. The only question was whether the defendants had acted with reasonable care. He decided that they had done so, and that there was no evidence upon which a jury could reasonably find otherwise.

Lord Justice Greer concurred. The appeal was, accordingly, allowed, and the action was stayed.

The decision may serve as an antidote to the effect of certain recent cases, which have, undoubtedly, occasioned disinclination on the part of doctors to sign certificates.

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