Medico-Legal Notes.

REX *v.* PERCY CHARLES ANDERSON.

THIS case was tried at Lewes Assizes, before the Lord Chief Justice, on March 7, 8 and 9, 1935.

The accused, a motor mechanic, æt. 21, was charged with the murder of Edith Constance Drew-Bear, whose body was found in a water-tank on a golf-course. It was alleged that, after firing some revolver shots into the girl's body, he had killed her by strangulation. On the evening of the alleged crime he boarded an omnibus, dripping wet and without his jacket, waistcoat and shoes. He was stated to have told the police that he had quarrelled with the deceased girl because she accused him of smiling at another girl. The statement continued: "Then I got a pain through my head. I started swimming for my life. I cannot remember any more from the time I sat down with my young lady until I found myself in the sea." The facts of the case appear to have been admitted, and the defence relied upon an allegation of "insanity".

Dr. E. W. Lindeck, police surgeon, of Brighton, gave evidence for the prosecution. Cross-examined, he said that it was possible to have an epileptic condition which produced a complete "black-out" of the memory. A state of maniacal excitement might replace the ordinary epileptic fit. Persons in such a state might commit acts of most brutal violence, and be oblivious of the injuries sustained by others or by themselves. There was a condition known as masked epilepsy. A feature of this was that the person so affected might commit acts of ungovernable fury, and subsequently perform a number of other acts automatically; he would be unconscious of what he was doing and of why he was doing it. Judging from the published reports, Dr. Lindeck did not connect such an epileptic condition with the accused man.

Sir Bernard Spilsbury described the injuries sustained by the dead girl. There were five bullet-wounds. A scarf had been tightly tied around the neck, passing twice round, and a second scarf had been placed over the first and fastened loosely with a pin. He found no evidence, in the injuries, of maniacal attack.

Dr. J. Nicholl, medical officer of Lewes Prison, stated that he had found no evidence of insanity during the time that Anderson had been under his observation. Dr. H. A. Grierson, senior medical officer of Brixton Prison, had examined Anderson. He agreed that conditions of masked epilepsy and of epileptic equivalents occurred. But, beyond the man's own statement, he found no reason to think that Anderson suffered from epilepsy.

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Anderson, giving evidence, repeated in substance what he had stated to the police, maintaining that he had no recollection of what happened after the deceased girl had spoken to him about the other girl. " A blankness seemed to come over him." He had taken off his shoes, jacket and waistcoat when he found himself in the sea.

Anderson's mother stated that her sister had died in an epileptic fit. Anderson was the youngest of eleven children. He had lately " been very queer about the eyes; they were glassy, and dark and staring ". (Vague assertions of this kind are not infrequent in such cases.)

The Lord Chief Justice summed up strictly on the lines of the McNaghton criteria. He laid stress upon the legal assumption that every man is presumed to be sane until the contrary is proved. The onus of establishing insanity lay with the defence. One or other of the two propositions in the McNaghton criteria must be " clearly proved ". The learned judge called attention to the fact that, after recovery from the alleged blank period, the accused man made no inquiry after the deceased girl, although everyone else supposed that the couple were on most friendly terms.

The jury returned a verdict of " Guilty ", and sentence of death was passed.

The case is of interest and importance. It is, of course, not disputed that epileptic conditions exist, in which crimes of violence may be committed, with subsequent amnesia. But such a defence must be treated with the utmost caution, unless there is evidence, independent of the crime, for believing that the accused person does, in fact, suffer from epilepsy. Otherwise, such a defence might be set up in any crime; and such a defence has been rather frequently, and perhaps too frequently, raised during the past few years.

M. HAMBLIN SMITH.

REX *v.* JAMES ROBERT VENT.

THE accused in this case was charged with the murder of a woman named Clementina Balchin. When arrested, he made a statement to the police, in which he gave a full account of the crime and ascribed it to jealousy. When arraigned at the Central Criminal Court, before Mr. Justice Talbot, he pleaded " Guilty ". Evidence was given by Dr. H. A. Grierson, senior medical officer of Brixton Prison, that Vent was sane and fit to plead. The plea was accepted, and sentence of death was passed.

A plea of " Guilty " in a murder case, although not unprecedented, is not usual. The subsequent proceedings were still more curious. Vent applied for leave to appeal against his conviction, and this application came before the Court of Criminal Appeal on March 4, 1935. The grounds of appeal had been settled by Vent without legal assistance. In them he stated that his reason for committing the crime was that he was out of work and miserable,

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