Medico-Legal Notes.

REX *v.* NORMAN BAILEY.

This case was tried at Stafford Assizes on July 7, 1932, before T. Hollis Walker, Esq., K.C., Commissioner of Assize.

The accused man, æt. 31, was employed by his brother in work with a motor lorry. He had been married for about eighteen months, and had one child, aged about four months. There appeared to have been quarrels between him and his wife; and on one occasion his wife had left him, but had returned about a week later. All the evidence was to the effect that he had been very fond of the child. On the evening of March 24 the wife left him in the house with the child. On her return she found the child dead, the cause of death being a fracture of the skull. The accused had gone to Rugby, from which place he wrote to his sister, asking her to send him some money, and stating that it was his intention to go to London and to join the French Foreign Legion. He was arrested at Rugby. Shortly after arrest, he made a written statement which, after mentioning certain quarrels he had had with his wife, continued: "I felt miserable and struck the child with a small poker. When I had done that I thought it would kill the child, but I am sorry to say under the circumstances that the child was not dead when I left the house; the rest is known."

The facts of the case were not disputed, and the defence was that of insanity. Evidence was given that three members of the accused's family had been patients in mental hospitals. Stress was also laid on the fact that the accused was of a "moody disposition," that he had twice attempted suicide, and that, on occasion, he would suddenly absent himself from home, once having gone to Torquay, and once to Liverpool.

Dr. W. F. Menzies, medical superintendent of Cheddleton Mental Hospital, was called for the defence. He had examined the accused on June 30. He had found no signs of insanity at that time. But the accused had detailed certain symptoms, namely sleeplessness, headaches, depression, inability to concentrate, short periods in which he did not know what he was doing, suicidal impulses at

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times, and a tendency to wander from home without knowing why, or caring where. These symptoms the witness regarded as being quite consistent with short attacks of melancholia with confusion; and he considered that the accused, at the time of the crime, was within the "McNaghten criteria."

Evidence in rebuttal was called by the prosecution. Dr. M. Hamblin Smith, medical officer of Birmingham Prison, had examined the accused on two occasions while awaiting trial. He had failed to find any evidence of insanity. With regard to the accused's wanderings from home, the witness did not consider that these could be regarded as "confusional fugues," for the accused's memory for the events which had occurred on these journeys was most precise and detailed. The taking of sudden journeys was not, in itself, evidence of insanity. The witness admitted that assuming the existence of a state of melancholia with confusion at the time of the crime, this would bring the accused within the "McNaghten criteria"; but he saw no sufficient reason for making this assumption.

Dr. J. G. Glynn Pigott, medical officer of Shrewsbury Prison, had had the accused under observation for more than three months, and had observed no symptoms of insanity.

The jury accepted the theory put forward by the defence, and found the prisoner "Guilty but Insane." The usual order for detention was made.

Establishment of a Criminal Investigation Clinic at New York.

We learn from the *Americal Journal of Psychiatry* for January, 1932, that a psychiatric clinic has just been opened in the Criminal Courts Building of the City of New York. Every prisoner convicted of a felony will be examined at the clinic, and a psychiatric report will be submitted before sentence is pronounced. The clinic is a part of the Department of Hospitals, of which Dr. J. G. William Greeff is the Director. The clinic will be under the immediate charge of Dr. Menas S. Gregory, who has for many years conducted the Psychopathic Division of Bellevue Hospital.

The establishment of this clinic is a notable step in the investigation of offenders. At the opening ceremony, Judge Collins declared the inauguration of the clinic to be the "greatest step in criminal justice in the history of the State of New York." Mayor

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