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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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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