The trial lasted no less than eight weeks, a period which would, in this country, be ample for the original trial, the appeal proceedings, and the ultimate settlement of the disposal of the case. The whole procedure provides an example of the way in which things should not be done.

M. HAMBLIN SMITH.

REX *v.* MAY BROWNHILL.

THIS case, tried at Leeds Assizes, on December 1, 1934, before Mr. Justice Goddard, raised once again a question which has been the subject of our attention on previous occasions.

The accused woman, æt. 62 years, was charged with the murder of her son Denis, æt. 30, on September 17. The son was an imbecile, and his mother had cared for him devotedly during the whole of his life. She had been advised to have an operation performed upon herself. She was aware that this operation was of a serious character, and she feared that the son would be neglected in the event of her death. On the morning of September 17 she informed the family doctor that she had killed her son, saying, " I have just put Denis to sleep. I gave him 100 aspirins and then placed the gas tube in his mouth ".

The facts of the case were admitted, but the reports do not make clear the line which was adopted by the defence. It was not suggested that the charge was one which could be reduced to that of manslaughter, nor was any suggestion of insanity raised. In his summing-up, the learned judge is reported as saying: " The time may come when it may be the law of this country that an imbecile, an idiot, may be sent to a merciful death. That is not the law at the present time, and neither you nor I have the right to make laws. We have to take the law as it is, always remembering that in other and higher hands mercy may be extended. No person in this country has the right to take the life of another human being because he or she thinks it would be better for them to die." The jury returned a verdict of " Guilty ", adding the strongest recommendation to mercy. Sentence of death was passed.

It is easy to become sentimental over a hard case of this kind. But the questions involved are of great complexity, and there are many considerations which would require to be weighed before euthanasia of this kind could be legally sanctioned. Such a procedure would require most stringent safeguards. We may, however, venture to doubt whether any useful purpose is served by the solemn pronouncement of the death sentence in such a case as this, when everyone must be well aware that there is no prospect of the capital penalty being exacted. Two days later a reprieve was granted.

M. HAMBLIN SMITH.

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