it; it was his own fault." In summing up the judge drew attention to the evidence as to the prisoner's lack of intelligence, and pointed out the provocation received might have affected him more strongly than it would a person of ordinary mental calibre. Guilty of manslaughter. Three years' penal servitude.—Carmarthen Assizes, Mr. Justice Bucknill.—*Times*, Nov. 11th.

This case is notable for the recognition, still too rare, although it is gradually increasing of the principle of partial or limited responsibility. It is natural, and it is pleasing to find this principle recommended by a judge so enlightened and so well grounded in psychology as Mr. Justice Bucknill.

Reg. v. *Jennings.*

Robt. Jennings, 60, labourer, was indicted for the murder of his wife. The jury was first impanelled to try whether he was fit to plead, and decided in the affirmative. Prisoner was seen holding his wife under water. The man who witnessed the occurrence got the woman out of the water and ran for assistance. Another man came up and prevented the prisoner from further injuring his wife, and there was a struggle between them. Other men came up and prisoner fetched a gun, which he pointed at them, and they ran away. Prisoner then took his daughter and carried her towards the water, but stumbled over the body of his wife, and the daughter escaped. He then jumped into the water and pulled his wife after him, and held her head under water. Guilty, but insane.—Cambridge Assizes, Mr. Justice Ridley.—*Times*, Jan. 1st, 1900.

Reg. v. *O'Byrne.*

Thomas O'Byrne, 29, labourer, was indicted for the murder of his brother-in-law, James Pullan. Prisoner and deceased had a trifling quarrel, in the course of which prisoner leaned over a table that stood between them and stabbed the deceased in the chest with a small knife, of which he died. Pullan said, "Oh! Jim, I did not think you would do that." Prisoner replied, "I am sorry; I should not have done what I did." Both were in drink at the time. His lordship's charge to the jury is well worthy of being recorded: A state of drunkenness deliberately produced was no defence for any crime whatever. When, however, the existence of a certain intent—that is of positive mental activity—was of the essence of an offence, and drunkenness disabled a prisoner from forming any intent at all, it clearly disabled him from commission of that particular offence, simply because a material element in it was lacking. It was for the jury to decide whether the prisoner was in such a condition as to intend to commit serious bodily harm on the deceased. It was worthy of notice that the police officer who arrested the prisoner did not charge him with the offence because of his drunken condition. Guilty of manslaughter. Liverpool Assizes.—Mr. Justice Kennedy.—*Times*, Dec. 4th.

The jury did not share the very humane and enlightened view of the judge, but found prisoner guilty. The problem of when, and under what circumstances, and how far drunkenness, or rather the effects of drink, are an excuse for crime, is an extremely difficult one. It is admitted that ordinary drunkenness is no excuse, and it is admitted that delirium tremens and the permanent insanity due to alcohol do form valid excuses. The difficulty arises in cases of brief debauchery, which occupy an intermediate position. In dealing with these cases the charge of the judge in this case will be of great assistance.

A curious case has occurred at Manchester, in which a man was indicted for the murder of his wife and acquitted. Subsequently he confessed the crime, but of course he could not be again tried. He was, however, brought before the magistrates by his own physician, and while under arrest he appeared to be insane. Having been already acquitted of the crime the magistrates had no jurisdiction over him, and he was discharged and re-arrested at once as a lunatic wandering at large.—*Manchester Guardian*, Feb. 13th.

Charleston v. *Steward.*

Jessie Charleston sued David Steward for breach of promise of marriage. Among other grounds of defence was that several relatives, both on the father's and mother's side, had suffered from insanity. There was no suggestion of insanity

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