setting up much mental turmoil, there was physical suffering, and of a kind which at times was very severe and distressing.

It is quite conceivable that in time he would reach a stage when the mental and physical suffering was too severe to allow him to hold himself in check any longer: The internal turmoil caused by this repression forced an exit, and showed itself in the picture which he presented—one of restless melancholy and despair.

As a result of this his physical health, already considerably reduced, became more impaired; normal functioning of his tissues and of the "various systems" was no longer possible, and he became an easy prey to poisons from the intestinal bacteria or to toxins or auto-intoxications. Now in the grip of mental suffering and physical disease he remained helpless and tortured, until Nature, aided by appropriate medical treatment, brought him relief.

It is therefore quite easy to recognize in this case the importance of the repression, and to believe that conceivably it may have acted as an important causal factor.

I have to thank Dr. G. Rutherford Jeffrey, Medical Superintendent, Bootham Park, York, for permission to publish the above case.

Medico-Legal Notes.

Rex *v.* Charles Boyle.

This case was tried at the Glasgow High Court of Justiciary, on June 30 and July 1 and 2, before Lord Ormidale.

The accused man was charged with the murder of his mother and of two children of a neighbour, on May 31. He was 22 years of age, and was a cripple from infantile paralysis. He had been an inmate of Stoneyetts Mental Institution, after having attempted to commit suicide by drinking ammonia. He had escaped from the institution, and it does not appear that any special steps were taken to recapture him. Later he had attempted to commit suicide by drowning. From 1919 onwards he had been frequently convicted of assault and of other offences. He had cut the throats of his three victims, and then gave himself up to the police, stating that he wished "to get the rope," as he had not the courage to "do himself in." There was evidence that he had been drinking on the day of the crime, but on the other hand, several police officers stated that they observed no signs of drinking in him when he came into custody.

The defence was that of insanity, it being suggested that he had

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committed the crimes while in a condition of psychic epilepsy. Alternatively, it was put forward that his mental condition was so unsound that he was only partially responsible for his actions.

Prof. Glaister, of Glasgow, had examined the accused on two occasions, and expressed the view that he was sane, holding that any abnormality at the time of the crimes was due to the effects of alcohol. The *post-mortem* evidence indicated that the assaults had been of an exceedingly brutal character. Prof. Glaister recognized the existence of the condition known as psychic epilepsy. defining it as " a staggering of the brain function for a short period." He agreed with counsel for the defence that it was difficult to understand the mentality of a man who murdered his mother and two children who were strangers to him. Similar evidence was given by Dr. Anderson, and by Dr. Garry, the Medical Superintendent of Duke Street Prison, Glasgow.

The defence called Dr. James H. MacDonald, Medical Superintendent of Hawkhead Mental Hospital. He had examined the accused on June 25. He considered that the previous history of the accused, as detailed above, gave indications of psychic epilepsy. He had found that the accused had a clear recollection of the events of the afternoon of the day of the tragedy, but that his recollection of subsequent events was blurred until the time when he was charged at the police station. He considered that the attack on two children whom he did not know was the act of an insane man, and he doubted if the effects of drink were alone sufficient to account for it. Had he seen the accused on the evening of the crime he thought he would have certified him as insane.

The balance of the medical testimony would appear to have been decidedly against the defence of insanity. And counsel withdrew that defence, and advised the accused to plead guilty to culpable homicide, setting up the defence of partial responsibility. This was accepted by the prosecuting counsel, who stated that this plea did not depend upon the question as to whether the accused was drunk at the time of the crime, intoxication being no defence in the eyes of the law.

The judge took the view that the prosecution had exercised a proper discretion in accepting the alternative plea. He considered that the accused could be held to be only partially responsible for his actions, and passed sentence of 15 years' penal servitude.

The case is of some interest as showing that the idea of a " limited responsibility " will, under certain circumstances, be accepted by lawyers.

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