magistrate's investigations. There was no opportunity of obtaining what might have been most essential information, regarding accused man's medical history before he went to Australia, and his alleged experiences during his military service. A longer interval would have had the advantage of mitigating the natural horror which the brutal details of the crime must have occasioned, and which could not have been devoid of influence upon all concerned in the case.

Rex *v.* Albert Spencer Banks.

This case was tried at the Somerset Assizes on October 26, 1928, before Mr. Justice Shearman.

The accused, a labour exchange manager, æt. 51, was charged with the murder of his wife and daughter by shooting them in their beds on July 28. The facts were not disputed, and the defence was that the crime was committed under the influence of a delusion.

The accused, an ex-quartermaster-sergeant of the Royal Artillery, had served twenty years in India. There was evidence that he had always lived on the most affectionate terms with his wife and daughter. In 1913 he had been in hospital for nineteen days, suffering from "delusional insanity," and in 1926 he was under observation for thirty days, on account of "mental disease." He appears to have been worried by some difficulties arising out of his duties. On July 28 he sent for a constable, and stated that he had killed his wife and daughter. At the police-station he made a statement to the following effect: "I believe I did kill her, but I cannot remember properly. When I woke up, it came across me in a flash that I had shot them in the night." Later, when asked if he would have legal assistance, he said, "No, no, he would only try to get me out of it. I don't want that. I want to be hanged."

Dr. J. M. Rutherford, of Brislington House, Bristol, said that Banks had a constitutional weakness, which rendered him liable to break down under any undue worry or strain. He had delusions of impending disaster. He got it into his head that the end of all things was coming, and that he must kill his wife and daughter for the sake of their happiness.

The learned judge instructed the jury that there was ample evidence upon which a verdict of insanity could be found. Immediately after the summing-up Banks asked that a statement, which he had given to counsel, should be read. This request was granted, and the statement was as follows: "Next morning, on waking after a good night's sleep, fully conscious of what had

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happened, I realized at once that the statement which I had made to the police was false, and I was horribly ashamed, because I deliberately killed my wife and daughter. But for the words 'malice' and 'aforethought' I would gladly plead guilty. There was no malice or forethought." The judge advised the jury that they need not be troubled with the words "malice aforethought."

A verdict of "Guilty but insane" was returned, and the accused was ordered to be detained during His Majesty's pleasure.

Rex *v.* Charlie Benson.

This case was tried at the Central Criminal Court on October 15, 1928, before Mr. Justice Finlay.

The accused, a motor-body builder, aged 25 years, was charged with the murder of Charlotte Alice Harber. The deceased woman had been married for six years, and had two children, the younger being an infant of about twelve months. In February, 1925, the accused came to lodge with the woman and her husband, although they only occupied one room. In August, 1926, the husband discovered that his wife and the accused were having improper relations, and ordered the latter to leave. After two days, however, the accused was allowed to return, but to a different room in the house. About October, 1927, the husband again ordered him to leave.

In April, 1928, the deceased woman, in the name of Mrs. Benson, engaged a room in Bayswater, and occupied this room with the accused. On September 5 they stayed at a boarding-house in the Euston Road. Next day the accused went to a constable at Coulsdon, Surrey, and said, "I want an ambulance; I have just killed my girl; I did it to prevent her going back to her husband." He then took the constable to a place where the body of the deceased was found, with a wound in the breast.

The defence was that of insanity. Counsel urged that passion had rendered the accused insane, in the legal sense of that word, at the time of the act. The accused's mother gave evidence of the existence of insanity in the family.

Dr. Watson, medical officer of Brixton Prison, was called, and stated that he had found no signs of insanity in the accused. He is further reported as saying that he "agreed that the accused might not have been able to distinguish, at the time, between right and wrong, because of his passion." (The newspaper report of Dr. Watson's evidence is, unfortunately, very scanty. It is probable that many details have been omitted.)

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