Rex *v.* John Christopher Higgins.

John Christopher Higgins was tried at the Supreme Court, Auckland, New Zealand, before Mr. Justice Stringer, in February, 1924. The newspaper report which has reached us is very incomplete, inasmuch as it contains very little information as to the actual facts of the crime charged against the accused, and we have been unable to obtain such information. But it would appear that Higgins went to the local school one morning and fired several shots with a revolver at the schoolmaster and some of the children, two of the latter subsequently dying of their wounds.

There was ample evidence that Higgins had for many years suffered from delusions of persecution, believing that the neighbours were constantly watching him, hearing all that he said, and poisoning his domestic animals. And at the trial the whole question was whether, at the time of the act, the accused came within the strict limits of the McNaughton dicta. On this point the medical evidence was not unanimous. Drs. Bull, de Clive Lowe, W. E. Williams and E. B. Gunson were of opinion that Higgins did not know the "nature and quality" of the criminal act with which he was charged. On the other hand, Drs. StL. H. Gribben (in charge of Tokanui Reformatory), T. G. Grey (Superintendent, Nelson Mental Hospital) and N. W. Murray considered that although suffering from chronic, systematized, delusional insanity, he knew what he was doing when he did the shooting, and also knew that he was doing wrong. Dr. R. M. Beattie (Superintendent, Auckland Mental Hospital) was of the same opinion as to Higgins's knowledge at the time of the act, but would not on the evidence before him make a diagnosis of insanity. He, however, admitted that Higgins might be insane.

The judge, in summing up, said that it was clear that Higgins suffered from delusional insanity. But he refused to express any opinion on the question of "responsibility," saying that this was entirely a question for the jury to decide. A verdict of guilty was returned, and Higgins was sentenced to death. The Executive Council, however, reprieved him,and commuted the sentence. We have no information as to whether he has been removed to a mental hospital or is still in prison.

The accused man had been insane for a long time. There was evidence that he had, on at least one occasion, threatened violence to others. But he was allowed to remain at liberty until he had actually committed a criminal offence. And the case is a good example of the difficulties which may arise from the application of the McNaughton formula. It has often been pointed out that

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on a strict application of this formula, very many inmates of our mental hospitals would have to be held " responsible " for any criminal act which they might commit. In practice much depends upon the direction in which public sympathy (as represented by the jury) runs. In many cases, such as that of the murder of a child by its mother, this sympathy is for the accused, and the McNaughton rule is interpreted very loosely. In such a case as that of Higgins, the natural indignation at the murder of two school-children turns the scale in the other direction.

Occasional Notes.

Committee on Dietaries in Mental Hospitals.

THE Report of the Departmental Committee appointed with the approval of the Minister of Health by Sir F. J. Willis, Chairman of the Board of Control (England and Wales), to consider the dietaries in the county and borough mental hospitals, has been issued, and can be had from His Majesty's Stationery Office.

In reviewing the Board of Control's Report for 1919 we said: ". . . there is no question in our opinion that the dieting of the insane is a matter of the greatest importance in their treatment. The primary importance of vitamines is unquestioned, nor should the question of calories be neglected. But mankind cannot live on vitamines or calories alone, or both combined, if due regard is not paid to the appetite, cookery, digestibility, personal diathesis. Mass-feeding and *ad hoc* drastic weekly purging has no regard for the well-recognized tendency to neuro-vascular abdominal disturbances and colitic affections in those suffering from mental diseases and the neuroses"; and again, " It is a subject worthy of careful investigation and experiment, and economic factors such as cost, or the farm account, though important, are secondary matters."

Although the Committee in considering the dietaries were primarily to inquire into " what changes, if any, are desirable, and whether a minimum dietary should be fixed," their work has covered much wider ground, and embraced the supply, preparation, cooking and distribution of food, administrative improvements in kitchen control and equipment, finance, and other very important germane matters. In fact, in many respects the Committee's lines of investigation were those we have urged on the Board, and we are glad they have taken this wide view of their reference. Their report is all the more valuable for being comprehensive. No aspect of the

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