Carr to feign insanity. Assuming that Carr was lying, there was nothing in the case to suggest insanity.

The judge, in summing up, laid down the usual criteria for criminal "irresponsibility," and stated that Dr. Godfrey's evidence suggested no reason for supposing that Carr did not know what he was doing at the time of the act. In reply to a question from the jury, the learned judge said that even if the crime was committed on the spur of the moment, and was not premeditated, it would still amount to murder.

The jury found the accused "Guilty," and he was sentenced to death. The sentence has, however, been commuted to one of imprisonment for life.

Dr. Godfrey's evidence is of interest, as being another instance of the acceptance of the view that a strong desire "not to know" may produce an actual condition of "not knowing."

Rex *v.* Annie Stewart.

This case was tried at Liverpool Assizes, on April 15, 1929, before Mr. Justice Shearman.

The accused is a married woman, æt. 31. She was charged with the murder of her two sons, Norman and Gordon, æt. 7 and 5 respectively, by cutting their throats with a razor on March 13. A man named Senar was indicted with her on the charge of wilful murder. He had, originally, been committed for trial on a charge of having "counselled, procured and commanded" the accused woman to murder her children. At the Assize trial no reference was made in the indictment to this latter charge. During the trial the learned judge expressed the opinion that there was not sufficient evidence to convict Senar of wilful murder, and he was discharged. He appears to have been in the habit of meeting the woman, and he had been to her house in the absence of her husband.

Evidence was given that, on the day of the crime, the accused woman had borrowed a razor from a neighbour, alleging that her husband had broken his. Later the neighbours heard screams coming from the Stewarts' house, and Mrs. Stewart ran out in a state of wild agitation, and said that she had killed her sons. The husband stated that he had been married for ten years, and their married life had been "pretty good." He denied that he had ever struck his wife. She had fits of depression, and the death of her mother had preyed upon her mind. He did not know that his wife had attempted suicide when a girl of 16 years. Two days previous to the crime he and his wife had visited a cinema, and witnessed a film in which a woman was depicted as having lost her senses, and in which there was a representation of a blood-stained knife. (This is the second recent case in which an alarming film has been suggested as a possible influence in producing a murder.) Police-Sergeant Moore stated that after the murder the accused had said to him, "Oh, my poor children. I did love

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them so. I wanted to kill myself, but could not when I saw the blood. Don't let my husband see them."

A further statement made by the accused was read. It stated that she had been unhappy in her married life, and added, "He used to knock me about when mother was alive. I felt so unhappy this morning that I thought of doing myself in. I called Norman into the parlour, and first killed one, and then I killed the other. I called Gordon. He ran out and cried, and then I called him back again, and he came in. I then cut his throat. When I saw the blood I could not kill myself. I made three attempts to kill the children, but I could not do it. I do not remember doing it. I cut their throats with a razor." (Undue stress must not be laid upon the obvious inconsistencies in this statement, which was made, in any event, by a woman in a highly emotional condition.)

The defence was that of insanity. Dr. H. G. Cole, of Liverpool, stated that he had been called to attend the accused when she had attempted suicide in girlhood. Prof. J. W. McFall, Liverpool University, said he thought the intention of the woman was to commit suicide, but she "saw red," and cut the throats of her children. Dr. Robert Walmsley, of Liverpool, said the woman was suffering from depressive insanity, and would not know that she was killing her children.

On the other hand, Dr. J. M. Ahern, Medical Officer of Liverpool Prison, said that he was unable to find any sign of mental disease in the accused. Dr. W. R. K. Watson, Medical Officer of Brixton Prison, said that both from the legal and the medical point the accused knew what she was doing at the time of the crime. Both these latter witnesses have had long and extensive experience in cases such as this; and Dr. Ahern had doubtless had the opportunity of observing the woman during the time that she was awaiting trial.

The jury accepted the theory advanced by the defence, and returned a verdict of "Guilty, but insane." The usual order for detention was made.

In a criminal trial the jury is sworn to return a true verdict "according to the evidence." In cases which involve the consideration of "irresponsibility," the question turns upon the accused's knowledge of the "nature and quality" of the act charged, and of its "wrongness." Evidence upon these points can never amount to more than the expression of the opinion of the particular witness. When opposite opinions are expressed, as in this present case, the jury is entitled to select either alternative. It is not for us to criticize the jury's action, although it may appear bold to have rejected the view expressed by the two skilled witnesses called by the prosecution. When a mother kills her own children the jury is almost certain to feel that there is a strong presumptive probability of her mental abnormality at the time of the act. And there is another factor which must be duly weighed. The law in this country prescribes a definite and unescapable sentence for the crime of wilful murder. Had this woman been found guilty of murder she must have been sentenced to death. The fact could

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not have been devoid of influence, although the jury might realize that there would be a strong probability of the death sentence being commuted.

Rex *v.* Frederick George Taylor.

This case was tried at Worcester Assizes on October 23, 1929, before Mr. Justice Acton.

The accused, æt. 32, was a metal caster. He was described, in the evidence, as having been an excellent husband and father, and as of exemplary character in all other respects. In the early morning of October 17 he attacked his wife and his two children with a chopper, and inflicted such severe injuries that they died soon after. He then telephoned to the police station, asking that an ambulance should be sent to his house, with a doctor "to put them out of their misery," adding, "I did not think they could live; I thought I had put them out first hit; I did not mean them to suffer at all." The facts were not disputed, and the defence was that of insanity.

Evidence was given that the accused had been depressed for some time before the occurrence, that he had complained of insomnia, and had worried, without any occasion, about not doing his work properly.

Dr. Edward Graham, medical officer of Gloucester Prison, said that Taylor appeared to have worried over a habit of masturbation, in which he had once indulged, and had the idea that he had contracted some form of venereal disease, which had caused him to lose his manhood, and had rendered him of no further use in the world. He also believed that he had infected his wife and children with the disease, that this would occasion intense suffering to them, and would cause them to be despised by other people. He took the view that "he was being punished for a very grievous sin." There was no evidence that he had ever suffered from any form of venereal disease. Dr. M. Hamblin Smith, medical officer of Birmingham Prison, stated that he had examined Taylor, and entirely agreed with Dr. Graham's findings. Both witnesses took the view that Taylor "knew the nature and quality of his act," but did not "know that the act was wrong."

The judge, in his summing-up, held that all the evidence pointed to the existence of insanity at the time of the act. A verdict of "Guilty but Insane" was returned, and the usual order for detention was made.

Rex *v.* Maggie Alexander.

This case was tried at Winchester Assizes on November 27, 1929, before Mr. Justice Charles.

The accused woman lived with her parents. She was charged with the murder of her child, by cutting his throat with a razor. When asked by her mother why she had killed the child, the accused said that she "thought he would be better off." That she had

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