Medico-Legal Notes.

REX *v.* HARRY TUFFNEY.

THIS case was tried at the Central Criminal Court on September 20, 1934.

The accused, a mechanic, æt. 36, was charged with the murder of Edith Kate Longshaw, by striking her on the head with a chopper on June 30. On that day he went to a police station and said, " I have had my head over a gas-ring since 4 o'clock, but it is no use. I have killed my girl. Here is the key of the bedroom door ". Later he made a statement, in which he said, " I did this because she was going to live with a man. I sat on the bed and struck her once with the chopper. It was instantaneous death. I tried to gas myself for four hours, but I suppose the gas would not do because I had drunk too much whisky ". The facts do not appear to have been disputed, and the defence was that of insanity.

Evidence was given that there was a history of insanity in Tuffney's family. A letter to his sister was read, in which he said that he was " not insane ", that he had intended to marry the deceased woman, but that he had found a letter from another man with whom the woman had arranged to live. The letter continued, " I made up my mind that if I did not have her nobody else will. For her to decide to live with this other man, I am going to bar it ".

The accused stated, in evidence, that he had found two letters of the kind mentioned above. He and the woman drank some whisky, and he suggested that they should gas themselves. They went to bed, but he got up about 3 a.m. and saw a chopper lying under the bed and took hold of it. Then " a blankness " came over him. When he " came to " he was lying over her. He then attempted to gas himself. He intended to kill her with the chopper, but doing so did not " seem wrong " to him.

Suggestions were made as to alleged peculiar incidents in Tuffney's previous history, one of these being that he had attempted to kill a former wife, from whom he was later divorced. His sister stated that she had seen him in prison, when he had " rambled in his speech ". Dr. George Douglas Morgan said that Tuffney was, in his opinion, suffering from mental disease, and might have been in a state of temporary insanity when the act was committed. On the other hand, Dr. H. A. Grierson, Medical Officer of Brixton Prison, said that he had found nothing to indicate that Tuffney had suffered from insanity. The jury rejected the defence of insanity. Tuffney was found " Guilty " and sentenced to death.

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Defences based upon the second part of the McNaghten criterion (knowing the " nature and quality " of the act, but not knowing that it was " wrong ") are always difficult to establish. In the present case the reported evidence of such a mental state does not appear to have been very convincing.

M. HAMBLIN SMITH.

A CASE of some interest is reported as having been tried at a petty sessional court in the south of England on September 14, 1934. The accused person was a single woman, æt. 50 years, of good social position and education. Having regard to the termination of the case, it is desirable to preserve anonymity. She was charged with the theft of £45 from a friend; the latter had placed that sum, mainly in bank-notes, in a drawer, and had been visited shortly after by the accused. Some days later the accused cashed two of the stolen bank-notes at a hotel in a distant town. When interviewed by the police, she appears to have given more than one explanation of her possession of the money, but she later stated that she had yielded to a " sudden temptation ".

For the defence it was stated that the accused, who was not in straitened circumstances, suffered from a morbid condition of mind, owing to which she, from time to time, gave way to stealing. The condition was known to her family. Restitution of the money would be made. She was willing to enter a mental hospital as a voluntary patient. A doctor stated that he had, for some time, regarded the accused as suffering from a " mental twist ", but he had no previous knowledge of acts of stealing. A morbid impulse to steal, otherwise termed " moral insanity ", was not uncommon in women. He thought she would improve under treatment.

The accused was bound over for twelve months, on condition of placing herself under medical treatment.

That cases of such morbid impulse do occur is, of course, well known. But it is patent that they must be dealt with most cautiously. In this particular instance, as in other similar cases, the existence of the trouble is stated to have been known to the patient's friends. But no steps are taken until the matter is rendered urgent by legal proceedings. M. HAMBLIN SMITH.

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