Medico-Legal Notes.

Rex *v.* Daniel Kenneally.

This case was originally tried at the Central Criminal Court. The accused was charged with the attempted murder of a fellow-workman named Broomfield. At the time of the offence, Kenneally is reported to have said "That man killed my father, and I have killed him. Am I right in doing so?" The father was not dead, and had had no quarrel with Broomfield. At the trial, Kenneally pleaded "Guilty" on the advice of his counsel, who appears to have thought that the facts were not strong enough to bring the case within the McNaghten criteria, or was, perhaps, unwilling to run the risk of the indefinite detention which follows a verdict of "Guilty but Insane." Under these circumstances, the Court had no option but to pass sentence, and this sentence was one of ten years' penal servitude. Against this sentence Kenneally appealed. Meanwhile, he had been certified insane in prison, and he has been, or is about to be transferred to a mental hospital.

The case came before the Court of Criminal Appeal on June 2. The sentence was reduced from ten to three years' penal servitude. The judges appear to have disliked the possibility that Kenneally might recover, and would then be liable to serve the remainder of his original sentence.

The case provides another example of the present peculiar state of the law relating to insane persons who are accused of criminal acts.

Rex. *v.* Edward Marjarem.

This case was tried at the Central Criminal Court, on May 22, before Mr. Justice Humphreys.

The accused, a labourer, aged 23 years, was charged with the murder of Edith May Parker, at Dartford Heath, on April 11, by stabbing her in the back. When arrested, he made the following statement, "I bought a butcher's knife for two shillings. I never

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spoke to them. I just got up and done it, and threw the knife away. I did not know it was so bad. I only thought I had wounded her. I forgot to add the motive, it was robbery, I was out of work, and wanted money."

The facts were not disputed, and the defence was that of insanity, stress being laid on the apparent absence of motive, for there appears to have been no attempt at robbery.

The police evidence was to the effect that Marjarem, on arrest, was remarkably cool, having regard to the serious nature of the charge, and that, on a previous occasion, he had given himself up for a murder in a shop at Reading.

Marjarem's mother said that he had an abscess on the brain at 5 years of age; that he was in the habit of picking up knives, and drawing them across his throat; that he had attacked her with a pair of tongs, and had thrown cups at her; that he had once tried to strangle his younger brother; and that, two years ago, he had attempted to commit suicide by coal-gas poisoning.

On the other hand, Dr. Watson, the Medical Officer of Brixton Prison, Dr. W. D. Higson, the Medical Officer of Maidstone Prison, and another medical witness, stated that Marjarem had shown no signs of mental disease during the time that he had been under observation.

Marjarem was found "Guilty," was sentenced to death, and has been hanged. The circumstances of the case suggest that he was a man of peculiar mentality, further details of which would be of much interest.

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