

matters. The judges, he believed, had more knowledge of the conditions of prison life than they were credited with, and he hoped that every judge and magistrate would make himself acquainted with the prison officials and the actual workings of our prisons. He was in general agreement with Mr. Justice Wills, than whom there was not a more humane and conscientious judge on the Bench.

RECENT MEDICO-LEGAL CASES.

REPORTED BY DR. MERCIER.

[The Editors request that members will oblige by sending full newspaper reports of all cases of interest as published by the local press at the time of the assizes.]

Rex v. Gibson.

This was a Scottish murder case, in which the plea of insanity was raised in bar of trial. Dr. Rorie, Dr. Tulloch, and Dr. Templeman were examined on behalf of the prisoner, and gave evidence of great length. They seem to have detailed the whole substance of their interviews with the prisoner, and were specially questioned by the judge as to the possibility of their being deceived by feigning on the part of the prisoner. Ultimately his lordship pronounced that the prisoner was insane, so as to be incapable of giving instructions for his defence, and ordered him to be detained to await His Majesty's pleasure. It will be seen that the Scotch practice differs from that in this country, inasmuch that the question of ability to plead is not tried by a jury, but by the judge alone.—Circuit Court, Dundee, March 30th, Lord Kinnair.—*Dundee Advertiser*, April 1st.

Rex v. Eddington.

Maud Amelia Eddington was indicted for the murder of John Bellis, and also for attempting to commit suicide. Prisoner had been engaged to marry the deceased, and there had been some love trouble between them. She bought a revolver and went to the shop in which he was employed, and exactly what happened is unknown, although a witness was present. Prisoner and deceased were close together and there was a scuffle between them, during which three shots were fired, of which two struck deceased in the head, so that he died shortly afterwards, while the third grazed the prisoner's temple. Her own account was that she went to the shop in order to shoot herself in the presence of the deceased, that he interfered to prevent her, and diverted the shots to his own head. The jury took this view and acquitted the prisoner, who then pleaded guilty to the charge of attempting to commit suicide. For this she was sentenced to fifteen months' hard labour.—Central Criminal Court, March 28th and 29th, Mr. Justice Phillimore.—*Manchester Guardian*, following days.

The sentence, nominally for attempting to commit suicide was, of course, really for shooting her lover. If she had done no damage by her shots she would have been bound over to come up for judgment when called upon; however, substantial justice was done, supposing the view of the jury was a true one; but a good deal of doubt is left in the mind of the reader of the report.

Rex v. Harrow.

James Harrow was charged with the murder of William Tastard and David Ewing. Insanity was pleaded in bar of trial, and the proceedings were similar to those in the case of Gibson, the medical witnesses giving evidence at great length, being closely cross-examined as to the possibility of fraud and malingering on the part of the prisoner. It appeared that the prisoner had long cherished the delusion that Tastard intended to stab him, and that he had had aural hallucinations corroborating him in the delusion. The Judge found him insane and unfit to plead.—High Court of Justiciary, Aberdeen, Lord McLaren.—*Aberdeen Journal*, March 30th.

Another of the numerous instances to which attention is repeatedly called of murders committed by lunatics who ought not to have been at large.

Rex v. Curry.

Maria Curry was indicted for the murder of her infant son. Prisoner, who was admittedly suffering from weakness and despondency, jumped into the London Docks with her child. The only medical interest of the case is that Dr. Scott, the prison medical officer, was allowed to give his opinion that the prisoner at the time she committed the act did not know its nature and quality.—Guilty, but insane.—Central Criminal Court, February 6th, Mr. Justice Phillimore.—*Times*, February 7th.

Rex v. McDonald.

Alexander McDonald, 32, seaman, was indicted for wounding Arthur Day with intent. Prisoner was a fireman on board the British ship "Insizwa." On November 20th, when on the high seas, he suddenly attacked Day with a heavy hammer. He then said to another member of the crew, "All right, chum, I have done it." He then went to the chief engineer and said "I have done it, I have killed my man; it is all through that shelf full of diamonds in the fore-castle." When brought before the magistrate on return of the ship the prisoner said, "I was breaking coal. It came into my head there was going to be a mutiny, and an officer seemed to say to me, 'Secure this man and I will secure the other.' I struck Day, not with the intention of hurting him. I moved him back from the fire and then gave myself up.—Guilty, but insane. Central Criminal Court, February 6th, Mr. Justice Phillimore.—*Times*, February 7th.

This case is very interesting, since it would appear to be an answer to the question of Dr. Clouston in a recent number of the JOURNAL. The man seems to have been a general paralytic, and the murder to have been one of the rare cases of murder committed in the early stage of general paralysis.

Rogers and another v. Rogers and others.

The trial of this case occupied six days, and, being a Welsh case, there was a great deal of hard swearing on both sides. On June 11th, 1899, the testator had a light stroke of paralysis, but in two or three days he was able to go about his business again. On June 29th he had another stroke. He was unconscious in the morning, but in the afternoon he made another will. On July 14th, 1899, he had an attack of acute mania, and thereafter was alleged to be unfit to transact business. At various times after June 29th he expressed dissatisfaction with the will made on that day, and early in July, before the attack of mania, he had written to the solicitor who drew it demanding the will back, but it was not sent. But on February 1st, 1900, he executed a draft will, and on February 22nd a fair copy of that draft, getting another solicitor to draw the will for him. On August 7th, 1900, he sent a letter to his solicitor, Mr. Richards, demanding the will, but Mr. Richards refused to deliver the document unless the testator came for it himself. Accordingly the testator went, and said that his family were making things so uncomfortable that he determined to destroy the will of February in their presence. He added, however, that he should make another will, and accordingly he called a few days later and gave instructions for a new will of the same character. This will he executed at the office of the Gas Company as he complained that he was being watched. On August 25th he had a third stroke, and died two days afterwards. In the course of the case Dr. Savage was called, and stated that, in his opinion, requisites for a valid will were:

1st. The memory of the testator should be sufficiently clear to recognise his relations and remember his property.

2nd. That no delusions should exist which might influence his capacity.

3rd. That the testator should have sufficient will-power not to be unduly influenced. This statement was approved and endorsed by the judge in his summing-up. The jury found against the will of August 21st, 1900, and that the testator was not competent to revoke the will of February 22nd, 1900, and they found in favour of this last will.—Probate Division, Mr. Justice Gorell-Barnes.—*Times*, March 14th, 15th, 21st, 22nd, 23rd.