brought to bear upon the Home Secretary by means of questions in Parliament with this object. The Home Secretary did not interfere, however, and the girl was hanged.

We are clearly of opinion that the verdict, sentence, and action of the Home Secretary were right. A more deliberate and cold-blooded murder has seldom been committed for a more sordid motive. The deed was planned with cunning and carried out with merciless cruelty. Of evidence of insanity on the part of the prisoner there was not a shred. It was said that she had several insane relatives, but this was denied by her father; and, even if it were the fact, it is utterly out of the question that every person with an insane heredity should be held immune from punishment. Such a practice would be intolerable, as well as most unjust. That a medical man could be found to express an "emphatic" opinion of the prisoner's irresponsibility is much to be regretted, but it is satisfactory to find that no alienist could be found to endorse that opinion.

Reg. v. *Kershaw.*

Robert Kershaw, accountant, was charged with shooting at Agnes Kershaw, his daughter, with intent to murder. Prisoner came into the room in which his daughter was sitting, and saying "Are you my daughter?" shot her in the face with a pistol. It was proved that the prisoner at the time was under the influence of drink, that he had long been addicted to drink, that he had for years cherished against this daughter a hatred, which appeared to have begun by seeing her portrait, among those of other art students, taken in a room in which were nude statues. Dr. Bevan Lewis, who had examined the prisoner five weeks after the crime had been committed, was of opinion that there was no evidence of insanity at the time of the examination, but that at the time of the crime the prisoner was suffering from acute alcoholic delirium. The judge told the jury that before they found the prisoner of unsound mind they must be satisfied that the symptoms were not those of ordinary drunkenness. Guilty. Seven years' penal servitude.—Leeds Assizes, May 13th, Mr. Justice Bucknill.—*Times*, May 15th.

It is settled law that drunkenness is no excuse for crime. Drunkenness is temporary insanity voluntarily induced. The same description applies to delirium tremens and to *mania a potu*. Yet it would be manifestly unjust to punish for a crime committed in delirium tremens, and it is manifestly not unjust to punish for crimes committed during drunkenness. Cases of crime committed in intermediate states must be judged upon their individual merits. In this case there is no doubt that the criminal was an habitual drunkard, and that he was not completely sane at the time of the crime, his sanity being impaired by his drunken habits. Had the shot been fatal, it scarcely admits of doubt that the prisoner would have been found insane. Under the circumstances a sentence of seven years penal servitude appears to be full measure, pressed down, and running over. Although the prisoner did undoubtedly deserve a severe punishment, it is submitted that he should not have been punished with full severity as a completely sane person.

Reg. v. *Sutton.*

Henry Sutton, 18, marine, was charged with shooting a comrade named Davis. The prisoner, who had been in the service a year, was on sentry duty on a bright moonlight night. On the guard coming to relieve him he fired at them four shots, one of which hit Davis. When arrested he was sober, and said that he did not know why he fired the rifle, nor even how he came to load it. He had no right to load the rifle without orders. At the trial he gave evidence that a day or two after the event all recollection of the details had left his memory, and he still remembered nothing about it. For the defence it was suggested that there had been a story current in barracks about a ghost, which was said to have been seen near the place where the prisoner was stationed, and that when he saw the guard he fired the rifle in terror, thinking that he saw the ghost. The judge pointed out that although the prisoner immediately after the act said that he knew he was firing at the relief party, but did not know why he did so, no plea of insanity was raised nor any such defence set up. The jury found the prisoner guilty, but recommended him to mercy on account of the ghost scare, and the prisoner was released upon

his own recognisances.—Winchester Assizes, June 27th, Mr. Justice Wright.—*Times*, June 28th.

Probably the view of the jury was the correct one. The prisoner had his mind saturated with the ghost story, and seeing the relief approaching, he betook himself in panic to his weapon. The plea of insanity was not raised, but the case is important because the prisoner pretended that he lost all recollection of the circumstances a day or two after they took place. Such a forgetfulness is incredible, and was no doubt assumed in order to raise a presumption that he was irresponsible at the time. Such pretended forgetfulness is not at all uncommon, and may, when less clumsily assumed than in this case, mislead a medical man. It is well to bear in mind that the statements of a prisoner accused of crime, even if they support an hypothesis of insanity, are not necessarily true.

Reg. v. *Hough.*

Alice Hough, 39, married, was charged with the murder of her child. She was found standing with it in a sheet of water. Both were taken out, but the child was dead. Prisoner had been an habitual drunkard for years, and had had several attacks of delirium tremens. The judge expressed the opinion that the case had not been presented in a satisfactory manner. He had drawn attention to it in his charge to the grand jury, and had expressed the hope that steps would be taken to put proper evidence before the court as to the mental condition of the prisoner. This had not been done, and they were left to make the best of the imperfect material before them. He deprecated in the public interest such treatment of a serious charge. Guilty, but insane.—Manchester Assizes, July 12th.—*Manchester Guardian*, July 13th.

Interesting as showing that the practice of placing, by the prosecution, of evidence of the prisoner's mental condition before the court is so well established, that a judge severely comments upon the omission.

Cathcart v. *Cathcart.*

The husband of the well-known Mrs. Cathcart sought a divorce on the ground of desertion. The proceedings were protracted, and occupied the Court of Session for three days. The only matter of interest to our readers is that Lord Low expressed a strong opinion that Mrs. Cathcart, when she left her husband, was of unsound mind. Since that date, however, a jury had found that she was sane, and in spite of this she had resisted all the entreaties of her husband to rejoin him. Although, therefore, he intimated that he would not have granted a divorce for a desertion for which the defender was not responsible owing to her unsoundness of mind, yet, as this desertion had been endorsed and continued by her after her restoration to sanity, she lost the benefit of her irresponsibility at the time of the desertion, and lost also her case. Judgment for the pursuer.—Lord Low.—*Scotsman*, June 17th, 28th, and 29th.

re *Jackson.*

In an inquisition upon a lady named Miss Eleanor Jackson, it was proved that she alleged that people were hostile to her, and wanted to get hold of her property, and that under the influence of these delusions she was in the habit of writing letters to the Queen, the Lord Chancellor, the police, and various other persons. The jury found that the lady was incapable of managing her affairs, but was not dangerous to herself or others, the result of which verdict was that she was at once placed at liberty.

If juries persist in placing at liberty persons with delusions of persecution, it is certain that before long a tragedy will be placed to the charge of Section 98 (2) of the Lunacy Act, 1890.

Reg. v. *Allman.*

Prisoner, a nursemaid aged 15, was charged with causing the death of her employer's child, aged four. Some time before the death with which the prisoner was charged, her employer had lost another child, who was found drowned in a deep pool on the farm in which he lived. The prisoner was not suspected of having any part in the death of this child, but when the second child was found drowned in the same pool, she was questioned, and as she made several statements