

It seems to be a pity that such a waste of time and money should take place in these cases, but, at the same time, we are inclined to believe that it is better that, from time to time, important questions of this kind should be fully discussed, for, we believe, there is a very widespread feeling produced by this inquiry, that the process should be modified in some way. We always recognize that there are certain cases in the borderland which, though they may be insane, do not necessarily require asylum treatment, and the verdict of a jury has to be accepted as a solution of the question under consideration.

It is rather a serious matter that a patient, with a litigious turn of mind, should be once more free to pursue her course, and we fear that no amount of legal advice will induce her to forget the past, and endeavour, by rest and quiet, to restore her faith and confidence in her nearest relations and the public in general.

The Duncan Case.

The trial of Duncan for a homicidal assault upon his wife on May 12th, 1891, offers several points of considerable interest. It is necessary, first of all, to give a brief history of his antecedents. Early in 1854, when a lad of 15, he had two falls on his head, the first of which was severe. It occurred at school while wrestling with another boy. They fell on a stone step or flag in front of the school, Duncan coming down on his head in violent contact with the stone, and the other boy upon him. He was taken to a surgeon. He was stunned, suffered from headache for some weeks, and was at home for about two months. It was not long before a marked change in his character was observed. From being a most considerate and thoughtful boy, he became indifferent and careless, although he did well in his studies. His feelings towards his father, of whom he had always been fond, altered. He said it made him nervous to sit in the same room with him. He became unsettled in all his actions, shut himself up from society, and avoided speaking to people whom he met in the street. He had terrible fits of depression, and he suffered much from insomnia. However, he went to Lehigh University, but in the course of some months suddenly returned home. Indeed, his instability of character had become such that he made plans one day only to break them the next. In 1886 he went to Baltimore to prepare for the Johns Hopkins University. It was not long before he escaped and wrote a letter to his mother in

the wildest excitement. At the above-mentioned University he failed to pass the examination in mathematics, and again went off without letting anyone know where he had gone. Fear was felt that in one of his fits of despondency he had committed suicide. As a matter of fact he did contemplate it. He however went to England. He shortly, however, recrossed the Atlantic and resumed his studies. He wrote to his mother after making the attempt, that it was useless, for "he could not comprehend what he was studying." His brother, a professor in Johns Hopkins University, wrote home that it was absolutely necessary for him to suspend all mental work or the consequence would be serious. In the following summer (1887) he was in the country, constantly changing his plans and labouring under alternate attacks of depression and excitement. It is impossible to give the number of instances in which sudden changes occurred. He began to study medicine, but soon threw it up. In 1888 his brother got him a post in an electrical company, but he immediately returned to Baltimore in great excitement. It was at this time that he consented to see Dr. Kempster, who had accidentally met him some time before, and had been struck with his strange aspect. Dr. Kempster's first impression was confirmed, and he warned the parents as to the necessity of placing him under care. He refused to stay with Dr. Kempster, as his friends wished him to do. Not long afterwards we find him in California, where he had been sent by his brother. After running away and returning he ultimately left California in the spring of 1890. About this period he had visual hallucinations. He continued to suffer from insomnia. He sailed to Europe in the autumn of 1890. In December of that year he wrote home that he had proposed to Miss Jaderholm, a Fin at Abo, and asked his parents' consent, which was given. They were married in February, 1891, although he had written to his mother that the engagement was broken off. Why he did so is not clear, but disregard for truth was one of his characteristics after the above-noted change in moral character came over him.

The scene now changes, and he visits Wales with his wife, the attraction being that his mother was of Welsh descent, and he thought that it would be interesting to trace her pedigree, and to become possessed of certain domains and a castle. They arrived at Dolwyddelen in the month of April. Early in May he decided to go to Liverpool for some days in order to buy clothes and other articles. It seems that he arranged with the landlord at the hotel to retain the rooms for him. The evil fate

which had followed him for some years pursued him still. Again and again he changed his plans. He informed Mrs. Duncan that he was going to Liverpool on the 8th or 9th of May. He took a railway ticket for that city, an act which naturally suggested, when the tragedy of the 12th of that month took place, that he had intended to escape to Liverpool and thence to America. Dr. Cox,* who examined the prisoner for the Crown, satisfied himself that this was not the explanation of his conduct, but that his sudden changes of plan at this time were only other instances of the extraordinary vacillation and indecision which had so long marked his conduct. His wife, since her recovery from the terrible assault made upon her, states that she had been alarmed by his strange restlessness, but did not like to ask him what was preying on his mind. The important point is this: That Duncan, who, as we have seen, had auditory hallucinations years before, was now continually haunted by a voice, which said "It must be done; it must be done." It seemed to him that it meant that he was to destroy himself and his wife. For this end he hired a boat at Llandudno, but was out a very short time, and was unable to bring his mind to the point of upsetting it; in fact, a continual struggle was going on between the influence exerted by the voice and the repugnance to injure his wife, whom he loved, and who, he emphatically stated, had done nothing to annoy him. He and his wife then went to Pont-y-Pant; thence they walked on the Bettys-y-Coed road, and having reached the top of the hill remained there for awhile, Mrs. Duncan sitting down on a stone. He walked about restlessly, the voice with redoubled force urging him with the same words as before. "I struggled against it," he informed Dr. Hack Tuke, "till the last minute. I was, and am, very fond of my wife. It was against my feelings. At the last moment I tried to save her from it. I felt restless and excited, and hardly knew what I was going to do. I was powerless to resist the voice, but I tried to do so. It was separate from myself in a certain way." He at last seized a large stone, and dealt a heavy blow on the head of his wife, which fractured the skull and rendered her unconscious. She has stated since her recovery that her mind is a blank since the time she sat down, and that she has no remembrance of the assault. Duncan's subsequent conduct, pretending at first that his wife had fallen from a height and so injured her head, very naturally induces the layman to regard the assault as the act of a sane man; but those who are

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familiar with the insane well know that they frequently resort to concealment and deception. Certain it is that Duncan was unable to keep the secret long, and he confessed to a doctor that the act was his own. Then comes a strange statement that he had committed it in consequence of monetary difficulties. The words themselves are too important to be omitted: "I did it myself with the stone you have seen. God forgive me! I did not know what I was doing. Three months ago, when I was married, I was worth 50,000 dollars, but now I have lost it all, and I saw nothing but poverty for myself and my wife." His brother, Professor Duncan, stated that this was altogether a delusion, and that he knew, or might have known, quite well that he would not have wanted for money. Again, a remarkable letter was written by the prisoner to this brother, in which he asked for money to be sent to him, assigning as a reason that a gentleman who was travelling with him had fallen off a rock and had his skull fractured. He added that the surgeon questioned him as to the accident, and that he had given somewhat confused answers, and that the doctor thought it impossible that the wounds could have been caused by the fall. Hence, if he died, he (the writer) would be in trouble. He wanted the money for a lawyer. This letter must be read with the remembrance that Duncan had never informed his family that he had married. Hence it was almost impossible for him to write otherwise than he did at that moment.

A confused mind, possessed by a delusional interpretation of an auditory hallucination, is very likely to give rise to apparently inexplicable contradictions in the explanations offered for the extraordinary character of the act committed. In the present instance, it cannot be too clearly understood—and we speak from personal knowledge—that the story about his money and any real difficulty in his circumstances were absolutely groundless. What he said, therefore, was either a delusion springing from his mental depression or an instance of that disregard for truth which, since his change of character, had so much distressed his family.

An extremely important feature of the trial was the admirable summing up of the judge (Lawrence). He, fortunately and justly, did not content himself with the insufficient test of responsibility, namely, the knowledge of right and wrong, but he added as an alternative one, Was the prisoner unable to control his actions in consequence of disordered mind? There can be no doubt that had he laid down the law

in the rigid manner which most judges consider themselves bound to adopt, it would have been exceedingly difficult for the jury to have found Duncan irresponsible when he committed the assault. Unquestionably he knew the difference between right and wrong, and knew that murder was a crime punishable by law. From a medical point of view it may well be argued that so far as he felt himself unable any longer to continue the struggle, he could not consider that an act, committed against his will, was wrong in him at that time. But while this position may be taken, it is hardly to be supposed that a judge would so interpret the legal test, or that a jury would easily follow this mode of reasoning.

That justice has been done, no mental expert is likely to call in question. This, however, is not due to the satisfactory state of the law, but in spite of it; it is really due to a judge having the good sense to charge the jury in accordance with mental science; in fact, on lines other than those of law.

We cannot leave our commentary on the trial without expressing satisfaction at the thorough and impartial manner in which Dr. Cox performed his examination of the prisoner. He considered it his duty to obtain information from all sources within his reach, and drew up an exhaustive and conclusive report. Dr. Kempster's evidence, referring as it did to Duncan's mental condition long prior to his attack upon his wife, was of a most valuable character.

Care and Treatment of the Insane.

The following is the Report of a Committee appointed by the Medico-Psychological Association of Great Britain and Ireland at the Annual Meeting in 1890, to formulate propositions as to the Care and Treatment of the Insane. This Report was adopted at the Annual Meeting in 1891.

Members of the Committee.—DR. YELLOWLEES, *President*, and DRS. CLOUSTON, LEY, T. W. McDOWALL, NEEDHAM, HAYES NEWINGTON, ROGERS, SAVAGE, HACK TUKE, URQUHART, WHITCOMBE, ERNEST WHITE.

The fundamental resolution passed on the founding of the MEDICO-PSYCHOLOGICAL ASSOCIATION OF GREAT BRITAIN AND IRELAND in 1841 was "That an Association be formed of the Medical Officers attached to Hospitals for the Insane,