

On behalf of the prosecution it was pointed out that there was no definition of the word "imbecile" contained in the Act, and it was submitted that an "imbecile" was a person of defective mental power of less degree than idiocy, and not congenital.

For the defence *R. v. Barratt*, L.R. 2 C.C.R. 81, and *R. v. Fletcher*, L.R. 1 C.C.R. 39 were cited.

His lordship, in the course of his summing up to the jury, said that there had not been many cases under that section of the Act, which had been passed to prevent men, either by a trick or superior will power, from taking advantage of women who, from physical or mental disabilities, had special claims on the law's protection. There were cases where, although a woman had will and understanding, it might be so weak that a man who by persuasion overcame her scruples ought to be held to have broken the law. He cited Taylor's *Medical Jurisprudence* (twelfth edition), pp. 1045 and 1046, and *R. v. Turner*, *Sessions Papers of the Central Criminal Court* (1886), and proceeded to direct them that there must be such weakness that under the will of the man there was no fair chance for the woman. The woman must be incapable of resisting persuasion, of exercising an act of her own will, or of giving or withholding her consent.

He left the following questions to the jury: (1) Was the woman an imbecile? (2) Did the prisoner know it?

The jury answered both the questions in the affirmative, but strongly recommended the prisoner to mercy on account of his age.

Occasional Notes.

The Lunacy Commission.

THE extension of the scope of the Royal Commission on the Feeble-minded has unexpectedly brought the desirability of an increase in the strength of the Lunacy Commission under consideration. The Report of a Royal Commission is not soon issued, and its recommendations are not usually acted on with precipitation, so that the hoped-for change may still be far distant.

The necessity for an increase in the Lunacy Commission has been dwelt on in this *Journal* so frequently that nothing more need be said on this head at the present time—the manner of increase is now the vital point. The union of the two offices that now supervise the insane independently would seem to be the readiest means of effecting this in part. The Medical Visitors of the Lord Chancellor if combined with the Lunacy Commission would strengthen the latter both in numbers and influence. The Lunacy Act of 1892 gave the Lord Chancellor power to effect this fusion, and as this provision was passed with the sanction of the then Lord Chancellor, after due consideration, it may be concluded that there is no possible objection on the side of the Chancery. The advantage is obvious. Much of the visiting of the two bodies is a re-duplication of effort. The Visitors and the Commissioners visit the same localities, and often the same patients. The fusion would result in considerable economy in travelling expenses, and would be equal in the saving of time and effort to the work of at least one commissioner.

An increase of pay of the Medical Commissioners is a question which should now receive consideration. Since the salaries of these officials were fixed the pay and emoluments of the Asylum superintendents, from whom the commissioners are usually selected, have greatly increased. Many medical superintendents of a length of service qualifying them to hold such a post would be giving up considerable advantages in pay and prospects of pension in joining the Lunacy Commission. Hence the Commission is deprived of the candidature of many very eligible men, and the knowledge of this does not tend to increase its influence.

The increase of the Commission by the fusion of the two offices would, however, reach but a little way in enabling it to cope with the many duties that it ought to undertake or that ought to be transferred to it.

Deputy commissioners, as in Scotland, would appear to be the simplest and most economical means of increasing the working power of the Commission. There is considerable difference of view in regard to the share of the work that should be taken by the deputies. In Scotland they are largely engaged in the work of supervising the boarding-out system, which, unfortunately, at present is almost non-existent in

England. Their work should probably consist in the supervision of such boarded-out cases as at present exist, and, in fact, relieve the senior commissioners as much as possible of the attention to individual patients, under ordinary conditions leaving them free, at their visits to asylums, to deal with the broad, general means of care and treatment.

The majority of the members of the Medico-Psychological Association probably favour the view that the deputies should be general, but there is much to be advanced in favour of a territorial division of work, so that each deputy should have a special knowledge of the patients in a given area. There are, however, disadvantages in this plan, and the non-territorial system is probably the more desirable.

The deputy commissioners would, no doubt, furnish a large proportion of the senior commissioners in course of time, but this should by no means be the sole avenue to the senior posts.

The Commission thus strengthened would be in a position to deal with many things that it is now too over-burthened to attempt—the boarding-out question, the defect of the present law, the treatment of the incipient insane, and many other important matters which have been too long neglected and which would absorb all the powers of the enlarged Commission.

The Increase of Temperance.

The Inland Revenue returns show a steadily progressive decrease in the consumption of beer and spirits in the United Kingdom since 1899; that is in encouraging contrast with the equally steady but more rapid increase up to that date.

The beer consumption in 1899—1900 was 32·2 gallons per head of the population, making a total of 36·5 million barrels, but in 1905—1906 this had fallen to 27·9 gallons per head and to 33·5 million barrels.

The spirit consumption has also fallen each year from 1·17 gallons per head and a total of 48 million gallons for 1889—1900 to ·90 gallons per head and 39·1 million gallons in 1905—1906.

The reduction in the consumption of spirits is very striking, and in addition to the reduction in the total quantity of beer consumed there is to be added the large increase in the proportion of the lighter beers of home and foreign manufacture.