evolution and dissolution it was difficult to understand the nature of the positive psychical symptoms in epilepsy. We can, he said, readily conceive that brain disturbances may determine losses of local memory, and this would correspond to the negative lesions of Hughlings-Jackson, but the mere existence of a negative lesion does not in the least explain the nature or origin of the positive morbid symptoms which are thought to be due to evolution going on in the undamaged remainder. When we confine ourselves more particularly to the consideration of the negative lesions and their effects, we find that we have to deal with disorders of memory, and, synonymously, therefore, with the comparing faculty. From a clinical point of view, however, we cannot reconcile or adopt the possible existence of a negative brain lesion with the mental symptoms of the insane. In epileptic states of the slighter variety we can readily conceive that local brain disturbances may give rise to temporary or local amnesias, but we do not in the least understand the methods whereby the positive psychical symptoms come to have their origin and abnormal character.

Professor BENEDIKT said that he saw many cases which were not recognised as epilepsy, but rather as a vice or passion, as in a man who had a fit whenever he took alcohol.

Dr. CONOLLY NORMAN expressed his surprise that Dr. Gowers had not seen cases of post-epileptic mania in women, of which he had seen several.

Several other gentlemen also took part in the discussion, which terminated by appointing a small Committee to consider the subject and submit proposals to the Council of the Association.

ABNORMAL FORMS AND ARRANGEMENT OF BRAIN CONVOLUTIONS, BY DR. MICKLE.

This paper, which formed the Presidential Address, will be published in succeeding numbers of this Journal, along with other important matter, which summarises much of the author's experience in pathology.

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.]

Reg. v. Coombes.—"The Plaistow Murder."

Robert Allen Coombes, 13, was indicted for the wilful murder of his mother. The facts, which were not disputed, were of a very revolting character. The prisoner and his younger brother, Nathaniel, æt. 12, had for some days discussed the murder of their mother, who appears to have treated the boys not unkindly. On July 4th prisoner purchased a knife and concealed it. Early on the morning of the 8th he stabbed his mother twice with it while she was in bed. He had slept with his mother, and said that she had punched him during the night. He took money from his mother's purse, and accounted for his possession of it and for her disappearance by a series of ingenious and elaborate lies. He wrote a letter to the cashier of the company in whose employment his father was, asking for money on the ground of his mother's illness, and backed up the application with an old medical certificate, from which he tore the date. He wrote another letter to his father, in which he accounted for his mother not writing by saying she had hurt her hand. He also wrote an advertisement for an evening paper, asking for a loan of £30. The two boys agreed that the elder should stab their mother when the younger gave a signal by coughing twice. On the morning of the murder and after the crime they went together to Lord's Cricket Ground.

Evidence was given that the boy was a very clever boy for his age, and was a very good boy at school, and that he was very fond of reading sensational books, and took great interest in the trial of criminals.

The jury found a verdict of "Guilty, but insane."—Central Criminal Court,

September 15 and 16, 1895 (Mr. Justice Kennedy).—"Times," September 16 and 17.

The lay press was unanimous in declaring that a criminal of such tender years could in no case have been hanged; and in approving the verdict of the jury as a proper one for securing the safe custody of the prisoner without depriving him of life. Most of the more influential papers agreed that the convict really was insane. "The Times" admitted with regret that the verdict was the best that could have been given, but evidently did not accept the hypothesis of insanity.

In connection with the above case a long and unsatisfactory correspondence has taken place in the newspapers upon the influence of the "penny dreadful," to which responsibility for the murder was attributed by some writers. It seems obvious that while stories full of bloodshed and horrors might help to confirm and encourage, and even to give direction to, a tendency already existing, they cannot be considered responsible for the origination of such a tendency.

The case is further remarkable for the admission that it drew from "The Times" that the famous answers of the judges are, even if binding, "admitted to be infelicitous in language and by no means exhaustive," and for the suggestion in the same paper that "the Home Secretary might do well, from time to time in such cases as those of Coombes and Fox, illustrating the illogical character of the English law, to institute a departmental inquiry, in which the assistance of lawyers and doctors should be given." When "The Times" admits that the law on this subject is "illogical" and is capable of improvement, the position of the question is indeed advanced.

"*The Lanchester Case.*"

This is the *cause célèbre* of the quarter. Miss Lanchester is a New Woman. She is a highly educated young lady, of prepossessing appearance, who adopted Socialist doctrines, and proposed to carry her principles into practice by cohabiting with a young artisan without being married to him. In this extremity her parents consulted Dr. Blandford, who, after hearing the family history and a full account of the past career of Miss Lanchester, had an interview with the lady and made a certificate of insanity with respect to her. An urgency order was made by her father, and she was carried off by force from the lodgings in which she was living, and admitted on Friday, October 25th, into the Priory, Roehampton. On the following Monday a second certificate was made by Dr. Finny, the family medical attendant, but before the petition for a reception order could be presented to a magistrate, the patient was visited by two Commissioners in Lunacy, who decided that she should be set at liberty.

The case excited an immense amount of interest throughout the country, and the comments in the daily papers were of the heated and sensational character that may be easily imagined—the "liberty of the subject," the "horrors of the madhouse," the "infamous lunacy laws," being the texts of their discourses. On the other hand, there was much sympathy expressed with the unhappy parents of the lady, and not a few of the letters expressed or implied the opinion, that whether Miss Lanchester was sane or insane, a young lady who held such perverse opinions, and insisted upon putting them into practice, was not hardly treated in being put in a lunatic asylum. With these opinions it is not the province of this Journal to deal, but there are features in the case which are of great interest to alienists, both on the scientific and on the practical aspects. These features are to be found mainly in the action of Dr. Blandford and in the action of the Commissioners.

Dr. Blandford was visited by the parents of the lady and was by them made acquainted with the facts: that their daughter, a lady born and bred, highly educated, twenty-four years of age, enthusiastic and indiscreet, was about to enter into relations of concubinage with a man of the artisan class; that she had always been eccentric; that her grandmother and her uncle had been insane. Dr. Blandford then visited Miss Lanchester and heard from her own lips a confirmation of the statement that she intended to live with the man as his concubine. She declared that she preferred concubinage to marriage, because marriage was

immoral; but how or why marriage was immoral, she did not, upon being asked, explain.

We have not seen the actual terms of Dr. Blandford's certificate, but these were the facts included in it. The question which has been much discussed, and generally answered in the negative, is: Are these facts sufficient to justify the opinion that the patient is of unsound mind and a proper person to be detained under care and treatment? Before considering this question, it is well to point out that, although, according to the form prescribed by the Act, the certifier states that he has "formed this opinion upon the following grounds," yet it is scarcely ever possible to state in the certificate all the "facts indicating insanity" which the certifier has "observed at the time of examination." When a witness is testifying to a jury, they judge of his evidence, not only by the actual words that he utters, but by his manner, his demeanour, his gestures, his play of expression—by a score of circumstances which it would be quite impossible to put down in writing, and of many of which the juror himself is scarcely aware. The same is the case to a far greater extent with the patient who is being examined with regard to his sanity. The facts put down in the certificate are those facts only which are capable of clear description. The certifier's judgment is often—it may be consciously or it may be unconsciously—based more upon grounds which he is either unable to state with sufficient force and precision to carry conviction or even meaning to a third party, or which influence his decision to an extent of which he himself is unaware. Such indications of insanity are not one whit less trustworthy for being difficult to describe.

There is another factor in the case which should not be overlooked. Miss Lanchester is said to have been "eccentric." What was the nature and what the degree of the eccentricity we are not told; but we may be sure that Dr. Blandford was told, and it is not unlikely that it had a material influence in forming his opinion.

For these reasons we do not regard the statement of facts contained in the certificate of Dr. Blandford as necessarily containing the whole of the facts upon which his judgment was based. Taking those facts only which are there set forth, viz., that a young girl of good birth, breeding, and education, has announced her intention of living as concubine with a "working man," and has declared that marriage was immoral, but could not say why, we are of opinion that these facts are sufficient to raise a doubt as to the sanity of the lady—that the case is one for investigation. It may be that the doubt could be dispelled—but it is a case for further inquiry. In this case inquiry was made. The family and personal history of the patient were investigated, and, on a personal interview, Dr. Blandford came to the conclusion that the patient was of unsound mind.

It has been stated that Miss Lanchester was considered insane because she held Socialist opinions, and a great deal of ridicule and rhetoric has been expended upon this supposed fact. But it is manifest to everyone who is not blinded by prejudice that the foundation of the certificate was not any *opinion* that she held, but her intention to adopt a certain line of *conduct*.

So far the conclusion at which we arrive is that the case was one which could only be decided by personal examination of the patient, in conjunction with a full consideration of her personal and family history. Taken alone, the facts set forth in the certificate are not inconsistent with either sanity or insanity. The case is a difficult one, and no one who is not in possession of all the data can give a trustworthy opinion.

We now arrive at the next stage of the case. The removal of the lady from her lodgings created a great outcry. The patient having been taken to the Priory on Friday, the Commissioners visited her on Monday, and after an interview of about an hour's duration directed that she should be liberated on or before the day on which the urgency order would expire. It does not appear that they were under any statutory obligation thus to prolong the time before which the patient need not be discharged. The statute (Section 39, Sub-Section 9) empowers them, if they determine that a patient ought to be discharged, to order his discharge, and fixes no limit as to time.

On the morning of the day in the afternoon of which Miss Lanchester was visited by the Commissioners, she had been visited by the medical attendant of the Lanchester family, who had made a certificate that she was of unsound mind. There are, therefore, two medical opinions that the patient was insane, but of the second the Commissioners were not aware.

With respect to the action of the Commissioners it will be observed that they were not in possession of all the data that guided Dr. Blandford in coming to a decision. They had the certificate, and they personally examined the patient, but they were presumably in ignorance of the patient's previous history. We have on the one side the opinion of two Commissioners, on the other that of Dr. Blandford and Dr. Finny. We may pair off Dr. Finny with one Commissioner. The Commissioner has the greater experience, but Dr. Finny had the more intimate knowledge of the circumstances. In comparison with the other Commissioner Dr. Blandford had not less experience, and fuller information. The evidence on the two sides must be regarded as equal, and the fact that the lady is a Socialist does not in our opinion necessarily imply that the question under discussion must be answered in the negative.

After her liberation, counsel's opinion was taken as to the feasibility of taking proceedings against the persons concerned in her removal to the Priory, and the following is published as the text of the opinion given by Mr. H. H. Asquith, Q.C., M.P., and Mr. Corrie Grant: (1) We are of opinion that Miss Lanchester cannot bring an action for false imprisonment against her father or her brothers, or against Dr. Blandford, with any reasonable prospect of success. Persons who put the machinery of the Lunacy Law in motion are protected against any civil or criminal proceedings if they act in good faith and with reasonable care (53 and 54 Victoria, c. 5, Section 30). In the case of the relatives there is no evidence of want of good faith, while the fact that they consulted a specialist in mental diseases, such as Dr. Blandford is known to be, is direct proof that they did act with reasonable care. In the case of Dr. Blandford, his certificate itself, frankly setting forth facts which are not irreconcilable with sanity, is some evidence of good faith; his inquiries elicited the facts to which he certifies, and those facts are admittedly true. It may be that he was wrong in his deductions from those facts. If so, he committed an error of judgment, but an error of judgment is not actionable unless it proceeds from a want of reasonable care and skill, of which we see no sufficient evidence. (2) In an action for libel against Dr. Blandford, Miss Lanchester would have to prove that the certificate, which is clearly a privileged document, was false in fact—an allegation in which she would fail. (3) Proceedings by Mrs. Gray against Henry Vaughan Lanchester for assault would not raise the question of the legality of Miss Lanchester's seizure and detention. To such proceedings he would answer successfully that he was acting under the authority of the urgency order, that Mrs. Gray interfered to prevent the removal of his sister, and that he used no more force than was necessary to carry out this purpose.

As may be imagined, when the Lanchester case was reported in the papers they began to furiously rage together, and indulged in wild vaticinations against "private asylums," as if the particular class of the institution to which Miss Lanchester was sent had anything whatever to do with the law or procedure under which she was sent. Among the papers most forward to imagine a vain thing, "Truth" made itself conspicuous. The arguments of this paper are, it must be admitted, unanswerable The chief one consists in dropping Dr. Blandford's title, and styling him "one Blandford," or, *simpliciter*, "Blandford." This argument is, as we have already admitted, unanswerable, and, when it is brought forward, we feel that there is no defence, and that private asylums, the Lunacy Laws, and "mad doctors" must all prepare to be forthwith swept off the face of the earth.

In striking contrast with the comments of the lay press upon the case of Miss Lanchester are the animadversions upon the Lunacy Law, and upon those who have to administer it, made in connection with a series of cases in which assaults have been committed by lunatics, some of whom have been discharged from asylums. A man, named Thomas Hartland, was discharged from Burntwood in May. In September he shot and killed a man named Davis. Subsequently he shot and killed a tramp who was sleeping by the roadside. Then he shot the

landlord of a public-house, and finally shot himself, and died shortly after. Shortly after, a woman attacked and killed another woman who was a stranger to her. A man saw a woman, a stranger to him, lying on the grass, at Glasgow Green, and forthwith beat out her brains with a hammer. At Doncaster, an Irish labourer, named Forde, while sleeping in a room with seven other men, suddenly began stabbing his fellow-lodgers with a large knife. The case of Saunderson, a youth, who had been at Normansfield, and who murdered a woman in the street, will be fresh in the minds of our readers. Almost all of these disasters have been made occasions for attacks in the newspapers upon the Lunacy Law for the obstacles it places in the way of removing lunatics to, and detaining them in asylums, and upon medical men who have charge of the insane for allowing such homicides to be at large. Whenever an untoward event happens in which a lunatic, or "alleged lunatic" is concerned, the newspaper press immediately clamours for an alteration in the Lunacy Law. To a bystander it appears obvious that no alteration in the Lunacy Law will prevent the occasional transmission to an asylum of a patient as to whose insanity different experts will entertain different opinions; nor the occasional discharge of a patient who may subsequently become homicidal. What is really required is a short Act of Parliament enacting, under the severest penalties that can be devised, that every medical man practising in insanity shall be compelled to have absolutely faultless judgment and absolutely unerring and unlimited foresight. If this simple measure were only enforced, it is possible that some of the cases recorded above might not have occurred, though we are bound to admit that some of the homicides appear never to have come under the observation of an alienist at all until after the crime. Let us therefore have another Act of Parliament providing that all persons who are likely to become homicidal lunatics shall present themselves periodically at the nearest lunatic asylum for examination. Nothing is so simple as to remedy evils by Acts of Parliament.

Reg. v. Covington.

The accused was cousin to the deceased, who was in domestic service in the town of Bedford, and who on the 13th June spent the evening with the father and mother of the prisoner, and with the prisoner at their house. Prisoner and deceased, who were "keeping company," appeared perfectly friendly throughout the evening. The girl was leaving to go home, when the prisoner followed her into an outer room, and fired at her three shots from a revolver with fatal effect. Immediately after he was found bending over her, kissing her, and calling her his wife. Being asked who did it, he said "I did," and further that he did it because he was in trouble. It was proved that a grandmother, an aunt, and a cousin of the prisoner had been insane; that in 1883 his health broke down so that he had to leave his employment and take three years' rest; that he then took other employment, during which he complained of constant pains in the head, and that he left that employment in consequence; that he took and left on account of his health a third employment; that since 1887 or 1888 he had done no work at all; that he had complained from time to time of his head; that he had become very eccentric and depressed; that he would remain for six weeks together in the house and see no one; that he would very often lie in bed all day, and very often go out in the middle of the night; that at these times he would say, "No tongue can tell what I suffer with my head."

Dr. C. G. Johnson gave evidence which amounted to this—that the symptoms above described were consistent with insanity, and that if the prisoner displayed no discoverable insanity after the crime, that was not inconsistent with his having been insane at the time.

Dr. Swain, Medical Superintendent of the Three Counties' Asylum, said that he had examined the prisoner, and came to the conclusion that he was "quite sane, and in his right mind, as far as he could judge." His examination took place four months after crime.

Dr. R. H. Kinsey, surgeon to the Bedford Gaol, deposed that the mental condition of the prisoner had been remarkably even. He had shown no signs of excitement and no signs of depression.

The Judge pointed out that insanity was a permanent condition of the mind which rendered a person unaccountable for his actions. An occasional flash of wildness did not constitute insanity. It would be a terrible thing if some of the theories advanced by the prisoner's counsel were made the law of the land. Because a person had relatives whose mental capacity was not very great, it was no reason why he should be allowed to take other people's lives with impunity. The only question for the jury to consider was whether the prisoner was insane at the time he committed the murder. The jury found the prisoner guilty, and added a strong recommendation to mercy.

The recommendation appears to show that the jury did attach importance to the testimony as to the insanity of the prisoner, for there was no other factor in the crime that appears to call for mitigation of punishment. At the same time the evidence of Drs. Swain and Kinsey left them no alternative to a verdict of guilty. It will be observed that according to the report, which is a very full one, the question left to the jury was not whether the prisoner "knew the nature and quality of his act, etc.," but "whether he was insane at the time he committed the murder." This is in accordance with previous practice of the same judge.—Bedford Autumn Assizes (Mr. Justice Day).—"Bedford and County Record," November 16.

In spite of the recommendation of the jury, the convict was executed.

Reg. v. Stephens and Stocks.

Richard Stephens, 70, Chairman of the Bournemouth Bench of Magistrates, Deputy-Lieutenant, etc., and Walter Stocks, 27, ex-police-constable, were indicted for sodomy and for gross indecency. The former charge was not proceeded with; to the latter both pleaded guilty.

There being no defence, evidence was called in mitigation of punishment and to character. Mr. Thos. Bond, on behalf of Stephens, deposed to the extremely feeble bodily health of the prisoner, and to a certain degree of mental weakness. The prisoner was in an intensely emotional condition—crying and sobbing and squeezing one's hand. From reading the letters, and from interviews with the prisoner, witness had no doubt that prisoner's mind was in a disordered condition—that it was not under proper control. His whole being seemed centred in a gross sort of immorality, which appeared to occupy all his thoughts. For sexual passion to be revived at so advanced an age (the Judge: "It was not *sexual* passion") was in itself a morbid condition, and it was a common experience that when this passion did so reappear at an advanced age it sought expression in unnatural ways, was accompanied by an inclination towards the same sex. It appeared that the prisoner suffered from phymosis, and this would have a tendency to keep up irritation and to aggravate his sexual tendency.

Dr. Mercier gave similar evidence.

The Judge, in giving sentence, thus addressed the prisoner: "It has been suggested to me that this is an outbreak of some sort of senile madness for which you are only half responsible. It is melancholy to have to listen to such nonsense when applied to a case like this. The very long correspondence satisfies me that you were able to take the utmost care that you could to prevent this thing being known, and I cannot believe for an instant that a decent-minded man would suddenly break out in his old age into filthiness of an indescribable character such as this has been. It would add a new terror to the fact of growing old, to which we must all of us submit, and, as applied to this case, that kind of suggestion is equally mischievous and ridiculous."—Winchester Autumn Assizes (Mr. Justice Wills).—"Hampshire Chronicle." Nov. 23rd.

The case was very similar to one described at the last meeting of the British Medical Association (Psychological Section). In both cases there was recrudescence of sexual passion in advanced age; in both the passion took the abnormal form of inclination towards the same sex; in both it sought expression in letters of indescribably filthy character and of enormous voluminousness and frequency. The main difference was that, in the case read in the Section, the letters were left about indiscriminately for anyone to pick up and read, and no sort of conceal-

ment was practised with regard to them, while, in the case of Stephens, he repeatedly urged upon his correspondent the necessity of destroying the letters. In the one case the judge decided that insanity was "proved up to the hilt;" in the other the judge, as we have seen, would not entertain the plea for a moment.

Reg. v. Hay.

At the same Assizes William Hay was indicted for attempting to murder his wife by putting oxalic acid in her tea on October 24th. It was proved that he had been six times in asylums in three years. Dr. Bland, Superintendent of the Milton Asylum, deposed that prisoner was discharged sane from that institution on August 14th. He saw prisoner in the Police Court, and considered that then and now prisoner was sane. Admitted he might have been insane on October 24th and have since recovered. Dr. Carrington, of Kingston Prison, who had had prisoner under his charge, considered the prisoner to be sane. No expert evidence was called on behalf of the prisoner, who defended himself with considerable skill. The jury found him guilty, but insane.—Winchester Autumn Assizes (Mr. Justice Wills).—"Hampshire Chronicle," Nov. 23rd.

A remarkable instance of a verdict of insanity given in the teeth of the medical evidence.

Reg. v. Larking.

Harriet Sarah Larking was indicted for perjury and forgery. The defendant lodged with a Mrs. Brett from 1890 to May, 1894, when they had a disagreement about money matters and parted, and Larking then sued Brett in the Chancery Division, and asked for an account of the monetary transactions between them. On May 11th Larking applied for a summons against Brett for extorting £16 by means of a threat. Her story was that Mrs. Brett had met her in the High Street of Ventnor and had said, "If you don't bring me £20 within twenty-four hours I will expose you for forging a cheque." Larking stated that she was greatly alarmed, borrowed £10, added £6 of her own, and handed the money to Brett, who subsequently sent her a receipt, which she (Larking) produced in Court.

Brett was committed for trial, and tried before Mr. Justice Grantham on June 26th of this year, and at her trial Brett proved an *alibi*, and it became manifest that the receipt alleged to have been given by Brett was in the handwriting of Larking. Larking also confessed to having altered the amount on a cheque, and to having falsified Brett's bank book. The judge thereupon impounded the documents and ordered this prosecution.

At the second trial, that of Larking, it appeared that the prisoner had forged two cheques by altering them respectively from £3 to £300 and from £5 to £500. The defence was that the prisoner was, at the time of commission of the offences and from an early age, insane. She had in early life been under the care of Dr. Langdon Down. During the first eighteen months of her stay with Mrs. Brett she had behaved normally, but then became subject to fits of frenzy, in which she was violent and threw things about. Her father had on three different occasions been medically advised that his daughter ought to be placed under control, but had shirked the responsibility. Dr. Rees Phillips deposed that prisoner had been under his care since September 19th, and was, in his opinion, insane. In answer to the judge, he said that, in his opinion, the insanity dated far enough back to cover the transaction (in May) of which she was accused. To counsel for the prosecution he said that he thought that "the prisoner would have known what she was doing and yet would be so insane as to be unaccountable for her actions." Dr. Moore, of the Holloway Sanatorium, deposed that he should not at first have been prepared to certify the prisoner, but that he could do so now, and could say that the insanity had been long in existence.—The Judge: I suppose that a person in this condition from childhood would be in a very unfortunate condition for acquiring an accurate knowledge or distinction between right and wrong?—A.: Yes. —His lordship then put it to the jury to say whether, under the circumstances, they were not satisfied that this unfortunate young woman was not at all likely to acquire the perception between right and wrong, and the power of applying it, which others were able to do, and if on the evidence they were not satisfied that

she was insane.—The jury at once found the accused Guilty, but of unsound mind and not responsible for her actions.—Winchester Autumn Assizes, November 18th (Mr. Justice Wills).—"Hampshire Chronicle," November 23rd.

The above case is very remarkable in that the prisoner was found insane in spite of the elaborate and systematic character of the series of crimes that she had committed. She had altered several cheques so successfully that two of £3 and £5 had been actually passed through the bank and cleared for £300 and £500 respectively. She had concocted the elaborate story about the extortion of the £16, and had actually gone the length of not only applying for and procuring a summons, but of prosecuting at the Assize. A more hopeless case for establishing the plea of insanity could scarcely be imagined. The experts who testified to the insanity had not seen the prisoner until four months after the offence, yet they were allowed to say that the insanity had extended back over that period, and one at least was allowed to state that in his opinion the prisoner was unaccountable for her actions.

PROBATE CASES.

Brown and Baker v. Pain. Sprake v. Day.

During the early weeks in November there were two cases in the Probate Court before Mr. Justice Barnes of interest to the Association. They were both questions in which the validity of wills was contested on the ground of insanity in the testators. In the first case, Brown and Baker *v.* Pain, the facts were briefly as follows:—A gentleman who had been employed as clerk in the Courts of Justice, and who for several months before the final breakdown in his mental health had been unfit for even simple copying work. When seen by an expert in June, 1894, he was suffering unmistakably from general paralysis of the insane in an advanced stage, so that he had no knowledge of time or place, and was quite incapable of taking care of himself or of recognising his duties and responsibilities. The real question at issue was whether within a short time (two or three weeks in fact) of that period he might have been able to dispose of his property. The trial lasted five days (see "Times," November 7th, 8th, 9th, 12th and 13th), and there was the usual amount of conflict as to the capacity of (Mr. Toogood) deceased at or about the end of May, 1894. There was only one medical witness to support the sanity of the deceased shortly before the time at which he made his will, and this witness was not particularly strong as to his mental capacity. On the other hand, a doctor who saw him frequently and Dr. Savage considered it very unlikely that deceased could have made a valid will at the time alleged. In cross-examination the latter witness was asked what he considered to be the points proving capacity in a testator, and he said that he considered the following to be essential:—First, a knowledge of the property to be devised; second, a knowledge of the relatives who might be benefited; third, a just appreciation of the testator's relationship to his friends and relatives; fourth, power of self-control, enough to prevent undue influence; and finally, memory of recent and more distant events. This definition was accepted by the judge and counsel as good and falling in with all legal judgments. Considerable stress in cross-examination was laid upon the periods of remission, or, as they were called, lucid intervals, which may occur in general paralysis of the insane, and Dr. Savage in cross-examination admitted that in general paralysis of the insane it is common to have intervals during which responsibility may exist to the full. It will be remembered that only last year the same question was raised (*re* Crabtree) as to the validity of a will made by a general paralytic during a remission, and it seems to be established that during lucid intervals testamentary acts may properly be performed. In the end the jury found for the will, which was made within so short a time of the full development of symptoms of general paralysis of the insane. This case once more bears out the common experience that an English jury will very rarely upset a fairly reasonable will on any grounds whatever, and that unless a very distinct insanity can be made evident before the drawing up of the will, the plea of insanity afterwards will be of little value.