

Judge (Mr. Justice Wright) let him off with five years' penal servitude. In the second case to which we have referred, the defendant Collins, a dentist, was indicted for stealing at his club. The plea set up was not insanity, but a series of nervous headaches aggravated by influenza, and the death of a near relative. Medical evidence was called, and it was urged that though the accused was not insane his mind was to some extent affected, and sufficiently so to negative any presumption of felonious intent. The jury brought in a verdict of "Not guilty." These are two satisfactory instances of the growth of a judicial practice which, if it become general, will tend to prevent not only unjust convictions and punishments, but equally unjust acquittals attributable to the determination of juries to achieve "a great right" by doing "a little wrong."

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*The Plea of Insanity.*

It is worthy of notice that just as inquisitions *de lunatico inquirendo* are steadily receding before the advance in public and judicial favour of the summary powers of management and administration created by Section 116 of the Lunacy Act, 1890, so the question whether a prisoner is fit to take his trial is coming more and more to be determined by the Home Secretary on the advice of his experts, under the wide powers of the Criminal Lunatics Act, 1884, without waiting for arraignment. This was the course taken by Mr. Asquith both in the Bethnal Green murder case ("Reg. v. Matthews") and in the case of Covington, who threatened to murder Cardinal Vaughan, and it is a humane and a wise one. On the other hand it has to be kept in view that this summary procedure deprives a prisoner of his right to have the fact of his sanity tried by a jury. There are, however, ample safeguards both in the Criminal Lunatics Acts and in the pressure of public opinion against any abuse in the exercise of the summary powers with which the Secretary of State is invested.

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*A Monstrous Suggestion.*

We have been favoured with the report of a Committee of the Medico-Legal Society of New York on "Amendment of the Law of Commitment of the Insane." The report is of such an extraordinary character that we have looked (and,