disproportion could hardly be in a fit state of mind to conduct his defence or take his trial. The jury found that the prisoner was unfit to plead, and that the articles which had provoked him were quite uncalled for. In this verdict the judge expressed his full concurrence.—Central Criminal Court (Mr. Justice Wills).—*Times*, November 25th.

An uunsual instance of procedure. The preliminary issue whether a prisoner is fit to plead is not usually raised unless the prisoner is very deeply insane, either extremely demented or wildly maniacal. In this case the prisoner had sufficient ability to cross-examine with considerable acumen. The case is noteworthy from the formal ruling of the judge that a great disproportion between provocation and retaliation is itself a sufficient proof of insanity to exonerate a prisoner from being dealt with as an ordinary criminal. This is a doctrine which medical men have often brought forward in courts of law, and which the judicial mind has always shown the utmost reluctance to admit. It is important to have a case on record in which the doctrine has been explicitly accepted by the bench. Whether it was worth while to invoke the machinery of the law to protect a journalist from the natural consequences of jeering at a lunatic, a thing that no decently conducted asylum attendant would think of doing, is a matter of opinion.

Reg. v. *King.*

Philip King was charged with the murder of his mother-in-law, his wife, and his two children. Prisoner had murdered the two women in a very brutal manner, and the two children were found in the same room, the one smothered, and the other dead of cold and starvation. The plea of insanity was not raised, and the case is mentioned here mainly to show that a very brutal and multiple murder does not necessarily imply insanity on the part of the murderer.—*Dublin Express*, December 13th and 14th.

Reg. v. *Schneider.*

Prisoner, a butcher, æt. 36, was charged with the wilful murder of Conrad Berndt. The unfortunate Berndt was murdered and placed in an oven, in which his remains were partially consumed. Counsel for the defence suggested insanity, but called no evidence, and on the part of the prosecution the evidence of sanity was strong.—Guilty.—C. C. C. (Mr. Justice Hawkins).—*Times*, December 14th and 15th.

Reg. v. *Lawley.*

William Lawley, 55, tradesman, was charged with the murder of his wife. In August, 1897, he became insane, violently attacked his wife and was sent to Coton Hill Asylum. In May, 1898, he was liberated on trial and lived with relatives and in charge of an attendant in Manchester. On July 2nd the attendant was dispensed with. On July 16th he left Manchester, went to his wife's home at Much Wenlock and murdered her. Without hearing counsel for the defence the jury found the prisoner guilty but insane.—Shrewsbury Assizes (Mr. Justice Ridley).—*Times*, November 1st.

Illustrates the great difficulty in deciding when a lunatic is sufficiently recovered to be at large.

Curtis v. *Callingham and others.*

A probate case. The will was dated July, 1894, and it was shown that the testatrix had suffered from delirium tremens in 1878, and that in her later years she had been scarcely ever sober. One or two witnesses had seen her sober occasionally, and the witnesses to the will stated that she was sober when she executed the will, which was upheld by the jury.—Probate Division (Mr. Justice Barnes).—*Times*, January 26th.

The evidence of incapacity was very strong indeed, but the trial had the usual result.

Hodson and Another v. *Park.*

The defendant presented a petition for a reception order with respect to his wife, the daughter of the plaintiffs, and in the statement of particulars attached to

this petition he alleged, in answer to the question "Whether any near relative has been afflicted with insanity?" that his wife's mother (one of the plaintiffs) had been afflicted with puerperal insanity. For this statement the plaintiffs claimed damages. Application was made to Master MacDonell to strike out the statement of claim as disclosing no cause of action, and to dismiss the action as vexatious and an abuse of the process of the Court, and the Master had made the order asked for, but Mr. Justice Grantham reversed his decision. The defendant now appealed against Mr. Justice Grantham's refusal. The contention was twofold, first that the proceeding, in which the statement complained of as libellous was made, was a judicial proceeding, and the statement was therefore absolutely privileged; and second that the words were not capable of a defamatory meaning. The Court held that a justice exercising jurisdiction in lunacy as set out in the statement of claim (*i. e.* receiving a petition for a judicial reception order with respect to a person alleged to be in the place in which the justice has jurisdiction) was exercising judicial functions, and that anything stated to him in the course of those proceedings was absolutely privileged, and the appeal was allowed.—A. L. Smith, L. J., and Chitty, L. J.—*Times*, January 28th.

Reg. v. *Boakes.*

George Henry Boakes, 28, watchmaker, was indicted for the murder of Bessie Elizabeth Lawrence. The prisoner had known the deceased for some time, and about a year before the murder had asked permission to "walk out" with her. Her father had refused, on the ground that she was too young to be engaged; she was then sixteen years old. On the afternoon of the murder, the deceased, with two friends, was walking along the road towards her father's house, and passed the house of the prisoner, at the door of which the prisoner was standing. When she had got twenty or thirty yards past the house, the prisoner overtook them and pushing the girl's companions on one side, he placed a revolver against her head and fired twice in rapid succession. He then shot himself through the head. The girl died at once. The prisoner recovered. On the night of the murder he said to a policeman "I gave her two and myself one; I meant three for her and two for myself." Counsel for the prosecution, in opening the case, told the jury that the real question that they had to decide was whether the prisoner was sane or insane at the time. Dr. Pritchard Davies had examined the prisoner on behalf of the Treasury and had arrived at the opinion, on grounds that they would probably consider satisfactory, that at the time of the murder the mind of the prisoner was a complete blank. The witnesses were then called. There was not the slightest evidence that the prisoner had ever had an epileptic fit. He had fainted several times, but he suffered from severe heart disease. Dr. Kerry, who had attended him for heart disease, had never heard that he had had a fit. Prisoner's brother, who had slept in the same room with him for three years, had never known him have a fit. Dr. Davies thought that he had actually witnessed the occurrence of a fit, but all that he observed was that the prisoner on one occasion, after the murder, and after the injury to his head, stopped for a moment in the middle of a word, and then completed it. The prisoner had stated that he could remember taking the milk in, and that after that, the rest was a blank to him until he found himself lying by the roadside and heard the doctor say "Pour some water over his head." The judge summed up very fairly, and as appears from the report, without insisting on the strict formula of the law, and the jury found the prisoner guilty but insane.—Maidstone Assizes (Mr. Justice Mathew).—*Kent Messenger*, January 28th.

It is usually a most difficult task to get a jury to entertain the possibility of the occurrence of post-epileptic automatism. In the case above described Dr. Pritchard Davies triumphantly succeeded in getting the jury to accept the hypothesis that this murder was committed during post-epileptic automatism, and succeeded in spite of the facts that the judge was strongly opposed to the hypothesis, that there was not one jot of evidence to support it, and that all the probabilities of the case were against it. Not only was there a total absence of any evidence that the prisoner had ever had a fit in his life; not only was the evidence of the policemen absolutely conclusive against the hypothesis that the crime was committed unconsciously; but the circumstances of the crime itself were such as to make it altogether incredible that