

that the prisoner had recently suffered misfortunes, and it was contended that although he could not be considered insane, yet these misfortunes, occurring in a man of excitable nervous disposition, had to some extent unhinged his mind, and rendered him incapable of appreciating fully the circumstances. In summing up, the judge agreed that the crime was so outrageous that it took a great deal to make them believe that a sane man would commit it; nevertheless, he scouted the idea that the prisoner was insane, and from the very full report it seems as if he did not appreciate, or paid no attention to, the contention of the defence, that, under stress of calamity, a man's mind might be brought into such a condition that he was partially irresponsible. The jury found the prisoner guilty, but recommended him to mercy on account of his age and previous good character. He was sentenced, notwithstanding, to twenty years penal servitude.—*Manchester Assizes* (Mr. Justice Phillimore).—*Manchester Guardian*, November 16th.

*Reg. v. Dowling and Dowling.*

Fredk. Dowling, æt. 63, tailor, and Charlotte Dowling, æt. 67, his wife, were charged with the manslaughter of their son. The deceased was of weak intellect, bedridden and blind. He lived with his parents in one room, which was in a condition described as terrible. It was not suggested that he was starved, but he suffered from severe bedsores, and the prisoners were charged with culpable neglect in not calling in medical assistance. Guilty, but recommended to mercy on account of their age. Fifteen months hard labour.—*Winchester Assizes* (Mr. Justice Kennedy).—*Times*, November 24th.

*Reg. v. Holbrook.*

Maurice Holbrook, æt. 42, cabman, was indicted for the wilful murder of Percy Hayton. The prisoner went to the police station and gave himself up for having killed the boy, and search being made, the body of the boy, æt. 9, was found in a field with his throat cut. The prisoner did not know the boy or his parents, and there was no discernible motive for the crime. It was suggested by the prosecution that the prisoner was insane, and Dr. Worthington, superintendent of the Hants County Asylum, who had examined the prisoner on behalf of the Treasury, gave his opinion that the prisoner, who was an epileptic, was not responsible for his acts when he committed the crime. Guilty, but insane.—*Winchester Assizes* (Mr. Justice Kennedy).—*Times*, November 24th.

This case is rather important. The prisoner had left the workhouse only three days before, and we may therefore presume that his mental state did not then present sufficient ground for his transfer to the County Asylum. He was epileptic, and committed an apparently motiveless crime, but this crime was not done during post-epileptic automatism, for he himself was the first person to give notice of the murder. It was an instance of the insane and apparently motiveless acts of violence which are not unfrequently committed by epileptics during their inter-paroxysmal intervals, instances of which have been before recorded in this column. That similar acts are committed by epileptics during post-paroxysmal automatism is well known, but it is important to recognise that these acts are not necessarily confined to nor distinctive of the post-epileptic automatism, but may be committed by epileptics at times which appear to be independent of the fits.

*Reg. v. Nyland.*

John Nyland, æt. 42, journalist, was indicted for causing to be received by Archibald Johnstone a letter threatening to murder him. Before the prisoner was called upon to plead, the issue was raised whether he was fit to plead to the indictment. Mr. C. Read, M.R.C.S., stated that in his opinion the prisoner was of unsound mind, did not realise the nature of the charge against him, and was not in a condition of mind to give proper and reasonable instructions for his defence. This witness was cross-examined at some length and with ability by the prisoner. Dr. Scott stated that he considered the prisoner insane. The judge pointed out that the articles in the *Daily Telegraph*, which had provoked the prisoner into writing the letter, were in bad taste and cruel, but that there was such an enormous disproportion between the offensive nature of the articles and the threatened retaliation, that the jury might very well say that a man who could not appreciate that