

tuted a necessary part of the question of innocence, and was, therefore, an affirmative issue to be proven by the prosecution. In support of this he cited one decision. The Indiana Supreme Court (*American Journal of Neurology and Psychiatry*, May, 1883) has recently affirmed this point raised. Mr. Scoville in the strongest manner in a case appealed from a lower court. The defence in the case was insanity of the prisoner. On the trial the judge charged that the law presumes sanity in all cases, and the burden of overthrowing the presumption is upon the person who alleges insanity; but if the evidence given by defendant has been sufficient to raise a reasonable doubt of his sanity, then the general question is presented to the jury whether or not the crime was committed by him while responsible for his acts. If a reasonable doubt exist as to the defendant's sanity, he is entitled to the benefit of the doubt. The Supreme Court says: "The proposition that the burden was upon defendant of creating by affirmative evidence as to his sanity is erroneous. The burden was upon the State to establish, beyond a reasonable doubt, every material averment in the indictment. One of these was malice. There can be no criminal intent when the mental condition of the accused is such that he is incapable of forming one, and the burden is upon the State to prove that when the offence was committed the mental condition of the defendant was capable of forming an intent. The burden is upon the State."

---

SEXUAL PERVERSION.—Dr. P. M. Wise, of the Willard Asylum, reports (*Alienist and Neurologist*, Jan., 1883) the case of a woman who, although she married and became a mother, displayed aversion to normal sexual indulgence. Being reduced, she sought shelter in an almshouse. Here she encountered a young woman, who had been born of an insane mother, with whom she ultimately set up house-keeping; she acting as husband and dressing in men's clothes. Sexual intercourse was indulged in between the two, the patient having an enlarged clitoris. She finally became demonstrably insane and entered the Willard Asylum. This is the third case of the kind reported in the United States. Dr. H— (*Medical Record*, March 19, 1881) having been the first to report a case of the kind. A second was reported by Dr. Blumer (*American Journal of Insanity*, July, 1882). The case just cited is the third, and a fourth was reported by Dr. Ferris, in the April number of the JOURNAL.

---

CONTRACTS WITH GOD AND SANITY.—Dr. Ball (*L'Encéphale*, No. 1, 1883) has resurrected the following case, first reported by Dr. Chatelain (*Annales médico-psychologiques*, July, 1866). Some years ago a notary died at Neufchatel, whom everybody supposed to be perfectly sane, but among whose papers was found a document—nothing less than a regularly drawn up partnership