

REVIEW

The raging darkness of the human mind

By K.G.E. "Chuck" Konkel
 It was Monday, Jan. 21, 1965. Toronto was in the uneasy grip of a bitter Canadian winter. It was a snowswept day in a city crowded with rising expectations and frustrated dreams. It was also the last day on this earth for 23-year-old Nancy Eaton, brutally stabbed to death and then sexually assaulted in her apartment by a 17-year-old platonic friend, Andrew Leyshon-Hughes. In *A Question of Guilt* (Stoddart Publishing, \$26.95, 225 pages), an intriguing and disturbing book, co-authors William Scouler and Vivian Green examine the controversial murder and legal case.

After committing the act, Leyshon-Hughes, the offspring of a wealthy Toronto family, made himself a coffee, showered, and then went out to spend some idle hours buying cocaine and record tapes, and playing pinball.

That evening, he left Toronto in the victim's car, a Buick Skylark with a licence that read: TYGER. He was arrested near Bradford and returned to face a charge of first-degree murder.

At his trial, defence counsel Clayton Ruby argued that Leyshon-Hughes suffered from a brain imperceptibly and irreparably "damaged" at a troubled birth, an injury that was to greatly affect his dealings with people. As such, he was incapable of understanding the nature and quality of his criminal act; the term coined was that he had a crocodile brain. Experts testified that, in the youth's case, this area - the oldest part of the organ that, in simple invertebrates, like the crocodile, governs all necessary activity both predatory and defensive - was hyperactive. In Leyshon-Hughes' damaged mind, it overrode reason, causing him to commit a fatal deed, over which he had no control, court was told.

After a demanding nine days of testimony, admirably documented in this work, the jury found Leyshon-Hughes not guilty by reason of insanity. The trial judge ordered the youth held indefinitely at the mental-health facility in Penetanguishene, Ont.

It is here where the book makes its most profound statements. William Scouler and Vivian Green argue that Leyshon-Hughes was not insane when he killed Nancy Eaton. They believe he was psychopathic (bereft of conscience and feeling) and not psychotic (incapable of forming the intent necessary for a criminal act). They also feel his enforced stay in Penetanguishene will not cure Leyshon-Hughes.

The authors are admittedly new to the field of criminal jurisprudence, but they dare to tread boldly across this sometimes bleak terrain. And to their credit, and the reader's ultimate enrichment, they do so in a manner that is both engrossing and enlightening.

RAGING DARKNESS

Their writing is at its best when it examines the raging darkness of the human mind in its most complex connotation. Thus we learn of Londoner Denis Neilson, a lonely introvert who murdered a dozen victims, including a Canadian, and kept their bodies as companions in his Cranley Garden flat until they began to putrefy. And of American serial killer Ted Bundy and several renowned British psychopaths, where, in all cases, the defence of insanity was considered and ruled out.

The most interesting of these cases was that of Neville Heth, the murderer of a prostitute, whose defence was that he was only "partially insane."

Another intriguing character in this compendium of horror is Sylvester Matuschka, who found sexual gratification in causing trains to crash. In 1931, the Vienna express was derailed; shortly thereafter the Budapest express crashed, killing 22 people. Matuschka admitted the crimes and was sentenced to life imprisonment. He escaped and made his

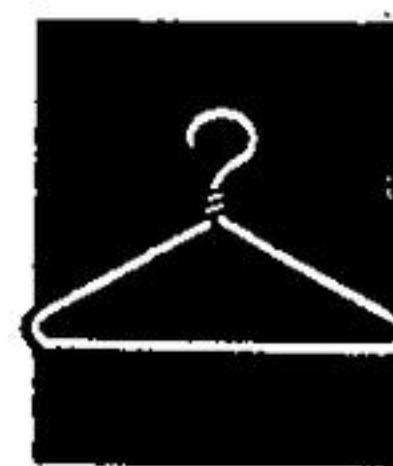
way to America. In 1953, while in the US army, he was posted to Korea to command a unit whose mandate was to blow up trains.

This macabre anecdote notwithstanding, Scouler and Green adeptly connect complex and disparate themes.

They question the legitimacy of Leyshon-Hughes' mental disorder, and the ability of the legal system to discern and adequately deal with psychotics and psychopaths. The youth will soon return to general society. While acceding to the primacy of the judicial process and the ruling of judge and jury in this matter, one cannot but pause to consider the vacuous nature of Lieutenant-Governor's warrants, which send Canadians convicted in the courts of the land to institutions for the criminal insane. The sentences served under warrant range from an average eight years and eight months in Saskatchewan to 14 months in Nova Scotia. The Ontario average is six years and three months.

-K.G.E. "Chuck" Konkel is a sergeant with the Metro Toronto Police and the author of the best-

selling novel, *The Glorious East Wind*, about the last years of Hong Kong.



fabric forum

Prepared by the International Fabricare Institute (IFI), the association of professional drycleaners & laundrers

Do Drycleaners Wet Clean?

Drycleaners have been put in a bit of a quandary recently by clothing care labels and the Federal Trade Commission's rule. The rule states that the manufacturer must recommend a method of care and this care method must be followed if the manufacturer is to be held responsible for the performance of the garment. This much makes sense.

The problem arises when someone takes a dress or a blouse to the drycleaner and the

care label gives only washing instructions. Unfortunately using care methods not specified may carry some risk.

If the customer and the drycleaner have followed the manufacturer's instructions and damage occurs, the manufacturer is responsible and the garment should be returned to the store where it was purchased.



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