

McGuire v. Almy

297 Mass. 323, 8 N.E.2d 760. (1937)

Course

Torts

Keyword Subject

Battery, Intent

Facts

The plaintiff was employed to take care of the defendant as a registered nurse. The plaintiff was on "24 hour duty" watching the defendant. One day, the plaintiff heard commotion coming from the defendant's room and found that she had broken her furniture and was threatening anyone who would come into the room with the leg of a table. When the plaintiff entered the room to disarm the defendant and remove the debris, the defendant struck her in the head.

Procedural History

Issue

Can a person who is considered clinically insane be held liable for torts?

Holding: Yes; Judgement for the plaintiff

Principle

In so far as a particular intent would be liable to hold a normal person liable, an insane person, in order to be liable, must have been capable of entertaining the same intent as well as, in fact, entertaining it.

Reasoning

The intent of the defendant is crucial in determining liability of a tort, and therefore for a mentally ill defendant the question should be whether they have the capability to have intent as well as whether they actually have the intent.

Separate Opinions

Notes

At the time, it was a case without precedent as to whether a mentally ill person could be held liable for torts.