

save the rates, I believe such an amount would not be adequate either to Mr. Toller's services or to attain the object of securing the future efficiency of the asylum (applause).

Mr. CADLE said he was sure the deputation would not like to part without thanking the magistrates for their kindness in asking them to meet and state their views. He must ask the magistrates to dispel from their minds one thing, viz., the impression that they were "on their trial" in the matter, for this reason: Although the magistrates were no doubt very large ratepayers in the county, they must bear in mind that they were not a representative body (hear, hear). And therefore that was the reason why he wished Mr. Dorington to dispel from his mind the idea to which he had referred. The deputation present were representatives of the different Boards of Guardians, and that was one great reason why he thought they should thank the magistrates for inviting them there that day. He would move a most cordial vote of thanks to the magistrates on the part of the deputation (applause).

The motion was carried by acclamation.

Dr. ANCRUM said—We will carefully weigh the arguments that have been placed before us, and we will consider the subject in all its aspects. We have now, I suppose, the opinions of the ratepayers as well as the opinions of the Visitors before us.

Mr. WARD—The opinion generally of the ratepayers is that there should be no pensions whatever.

The COUNTY CHAIRMAN—But we have to carry on the service.

The meeting then terminated, having lasted about two hours.

---

*Guiteau.*

We have received a number of letters (not for publication) from our Transatlantic brethren in consequence of our article on Guiteau in the July number of the Journal, either assenting to or dissenting from it, according to the sentiments of the writer. They show not only the deep and widespread feeling excited, but the hopeless difference of opinion which exists on the question of his criminal responsibility—and this, after the entire history of the man is before the public and the profession, including the post-mortem examination of the brain.

Our contemporary, "The American Journal of Neurology and Psychiatry," in a critique on our article has evidently acted upon the Baconian counsel, "He that questioneth much, shall learn much." It has subjected us to the American ordeal so much resented by Herbert Spencer, and has "interviewed" us in a very vigorous manner. We have, however, an advantage over the philosopher in that we can

say much or little or nothing at all in reply to our interviewer's seventeen questions. And in truth we don't think these interrogatories call for much reply, still less one of a formal and detailed character. The fact is we recognised the difficulty of the case, and the force of the arguments employed on one side as well as the other. We admit what the American Journal asks us to admit, that "there are two sides to the question." The difficulty is to strike the balance between them. It is not the first time, and it certainly will not be the last, that a case presents itself in which it is clear that a man is not, strictly speaking, of healthy mind, that he is unstable, eccentric, or impressed with exaggerated ideas of his own importance and of his mission in the world, but in which there is no sufficient justification for regarding him as insane in the technical and established use of the term, and irresponsible for his acts in the eye of the law. It is quite certain that if before a criminal undergoes punishment for his crime, it were necessary for two medical men to certify that he is of perfectly healthful mind—his judgment of matters relating to himself or his friends just, and his emotions and intellect well-balanced—many would escape the penalty which we should all admit to be their due. The question must be, in each case, whether, taking all the conflicting evidence into account, a man is morally irresponsible for his acts, by reason of disease.

As regards the justice of the verdict in Guiteau's case, that which especially strikes us is that, whether right or wrong, it was reached after a trial of unprecedented length, conducted to all appearance with the strongest desire to give the prisoner every opportunity of defending himself. We confess we are at a loss to understand how it happened that those who held Guiteau to be insane, failed to make themselves heard in the way and to the extent the defence must have desired. One of our correspondents, holding Guiteau to be insane, writes, "I was subpoenaed by the defence, but declined to give evidence." Why decline? It certainly seems to us that this physician cannot justly complain of the result of the trial. Our estimable querist says, "Can the 'Journal of Mental Science' express it as its opinion that the evidence in the Guiteau trial did not sustain the insanity plea, when that evidence was not at its disposal?" But how could it be at its disposal, if competent psychologists, like our correspondent, declined to give the evidence which the defence was anxious to obtain? Surely the blame—if

blame there be—rests not with spectators like ourselves, but with those who refused to contend in court for the opinion they so strongly entertained. Again, our attention is directed to “Published Articles and Letters” in defence of Guiteau’s insanity, but these can scarcely be placed upon the same level of authority as evidence adduced in open court at the time of the trial.

We cannot admit that Dr. Channing’s statements were “mutilated,” or Dr. Folsom’s opinions “misrepresented” by us.

We are asked whether we are aware that Dr. Godding, the first expert consulted, pronounced Guiteau insane, and was for this reason not placed on the stand by the prosecution. We can only say that if the practice of the American law courts precluded this physician giving evidence for the defence on a merely technical plea, and that if he was unable to rebut the action of the prosecution which made the defence believe that he was a witness in favour of the prosecution, the law in America must be in a position quite otherwise than we had supposed. But if it be so, the fault lies in the state of the law, and not in its particular application to the case of Guiteau. And yet we do not hear of any attempt being made to have the American law altered. We had imagined that, at least, the same facilities for fair defence existed on the other side of the water as on this. Certainly in England no prosecution could have prevented Dr. Godding giving the court the full benefit of his opinion founded on his examination of Guiteau.

We are equally at a loss to understand the force of the complaint that Dr. Spitzka was informed that only such witnesses would be called by the prosecution as would pronounce Guiteau insane. The obvious comment on such a complaint if made in this country would be that it is not usually the object of the prosecution to call evidence to prove the insanity of the prisoner in whose defence the plea of insanity is set up. The law may be bad—but that has nothing whatever to do with the charge of partiality brought against the authorities in the trial of Guiteau. To us, accustomed to the practice of the English law—and it is new to us that in this respect it differs from that in America—it sounds strange to ask, as our friendly interviewer proceeds to ask, “Does the ‘Journal of Mental Science’ not believe that in selecting witnesses favouring a general view, a premium is put on a valueless kind of

medical testimony?" The question is relevant as an argument for altering the law, but is, we submit, beside the mark in its application to the Guiteau case.

We are also asked whether we consider it dignified for experts to give unscientific testimony. The answer goes without saying, but again it is or ought to be open to the defence to make counter statements. The court and jury must decide as best they can, whose authority they will regard as most authoritative. It is no new position for the court to be placed in when scientific witnesses are called.

Again, who is to blame that Dr. MacFarland's evidence of the insanity of Guiteau's father was "fought off?" Clearly it is not the fault of the prosecution, but of John Guiteau, who "would have Charles hanged ten times over before any man should pronounce father insane." Nor can we see that the "Journal of Mental Science" is to blame for not commenting on a fact known, it seems, to Dr. MacFarland, but whose presence was "fought off by John Guiteau."

One more question, and only one, appears to call for remark. We are asked "whether we are acquainted with the views of one of our leading neurologists." Now it certainly does surprise us that the views of Dr. Hammond as expressed in a letter which is given by our contemporary should be adduced in support of the view for which it is contending. For what does the writer say, when he writes by request to President Arthur, to express his views on the mental condition of Guiteau? He frankly doubts whether his opinion will be of any service, and no wonder, for while entirely sure that he was insane, he is "equally certain that he is one of those reasoning maniacs who know the difference between the right and wrong, *who possess sufficient power of self-control, if they chose to exercise it*, and who are, therefore, in my opinion, *responsible* for any violation of law they may commit." It is hardly necessary to point out that this witness, brought forward by "The American Journal of Neurology and Psychiatry," to rebut the opinion expressed in this Journal that Guiteau was not proved to be insane—confining our observation to the question of Guiteau's responsibility—would have sealed his fate in any court of law, whether in this country or in America. What, in short, is the practical difference between the conclusion that Guiteau was responsible and sane as maintained by Dr. Gray, and that he was responsible and insane as held by Dr. Hammond? If a judicial murder has been com-

mitted, in the execution of Guiteau, we have nothing presented to us in the hot-and-cold-blowing letter of Dr. Hammond, brought under our notice by our contemporary, which would have saved him from his doom. Dr. Folsom, again, writing on the 18th of May, while regretting the approaching fate of Guiteau, failed to find any sufficient reason for asking the executive to interfere to save him from the gallows. And here we would observe that our own position in venturing to offer an opinion on the question of Guiteau's responsibility, was that we failed to find any sufficient reason for concluding that the verdict arrived at after so much deliberation was wrong. To have justified our doing so, overwhelming evidence to the contrary should have been in our possession.

In conclusion, we ought to thank our worthy contemporary for refraining to ask us "several hundred questions of the same kind" as those propounded, which might have been asked, but which out of consideration for the brevity of human life are considerably withheld.\*

A section of a portion of the frontal cortex has been sent to us. The time has not arrived when we can decide on the sanity or insanity of a man by looking at a section of his brain under a microscope. The above section has, however, been carefully examined by Dr. Savage, who has made the following note on it:—"I should say there is nothing that I have seen which is not compatible with mental health. It is true there are changes about the vessels and their walls, but these and similar changes are commonly found in the bodies of persons dying or being killed when past middle age. There are no marked general changes in the nerve cells, and I can only repeat that the specimen examined would not have any weight with me, in causing me to reconsider my judgment on the sanity of the assassin."

\* The *post-mortem* examination will be found under "Notes and News." One would have thought that if ever an autopsy should have been conducted in a way to leave no reasonable ground for complaint, it would have been that of this unfortunate man. Yet "lack of facilities" was allowed to stand in the way of a complete examination, and the vessels in the thorax were divided before the head was examined.