

*Insane Criminals.*

There have been recently\* several notable examples of men before the courts or magistrates who have committed crimes of greater or less magnitude, whose mental condition raises the question of insanity, if not clearly established. Moreover they are cases which might form a text for a sermon on "Mental Experts and Criminal Responsibility."†

A man was taken up for being found in a railway carriage without a ticket, locked up, fined by two justices of the peace, and committed to jail for fourteen days in default of payment, then sent to the workhouse, and lastly to the Cambridge Asylum. He was found by Dr. Bacon to be an unmistakable case of general paralysis. Such an instance of the injustice unintentionally wrought by justices deserves to be chronicled as it appeared in the papers:—

## LINTON PETTY SESSIONS.

(Before R. A. Houblon and E. Goodwin, Esqrs.)

George Duff, of Carshalton, Surrey, was charged by John Howell, Inspector of Police, with travelling from London to Whittlesford in a railway carriage belonging to the Great Eastern Railway Company without having previously paid his fare.—Fined, with costs, £1, or fourteen days.

Yet this man had grandiose delusions, muscular tremor, and mental confusion, and said that he had made £100,000 last year in removing furniture at Brighton, that he had driven engines on all the principal lines of railway, and had done so since he was two years old, and that he had been married twenty or thirty times, mostly in St. Paul's Cathedral, London.

It was afterwards discovered that he had escaped from a workhouse infirmary near London, cut his throat, and been arrested in a state of partial nudity, but was not considered *sufficiently* insane to be sent to an asylum!

A man named Charles Clark recently cut his daughter's throat at Newmarket, and was tried at the assizes held at Ipswich. He had been discharged as far back as November,

\* These observations were crowded out from a former number of the Journal.

† See article on the subject in the April number of the Journal.

1880, from the Cambridge Asylum, where he was a patient some weeks, and had been in another asylum. He was obviously insane at the time he committed the act, but was apparently well when he left Fulbourn.

In the interval between the committal to trial and the assizes, no steps were taken to ascertain the state of the prisoner's mind.

Mr. Wright, surgeon, Newmarket, deposed that Clark was not much excited when he was called to attend to the wound inflicted on the daughter, but appeared perfectly insane, and did not seem to understand the nature of the act he had committed.

In this case justice was done, though in a sort of haphazard way. The jury returned a verdict of "not guilty," and the judge ordered the prisoner to be detained in custody during Her Majesty's pleasure.

The third case to which we would briefly refer is that of Henry Stebbings, a hunchbacked dwarf, convicted at the Norfolk assizes some months ago of the wilful murder of a little girl at Saham Toney, near Watton. His previous career was remarkable. In 1868 he was tried for wounding a female at Tottington and obtaining a pair of boots by false pretences, when he was sentenced to nine months' imprisonment for the former offence and three for the latter. In 1871 he was tried for the attempted murder of a girl at West Bilney, and sentenced to ten years' penal servitude. At the trial the question of his sanity was raised, but was dismissed. At the end of eight years Stebbings received a ticket-of-leave, and four days after he was at liberty he assaulted a married woman, for which he was sentenced to two months' imprisonment, and then remitted to Pentonville to complete his term of penal servitude. After his discharge he reported himself to the police at Watton, and it was again after an interval of five days that he committed his last crime, meeting his victim, a little girl, on the road, and cutting her throat with a clasp knife. There were no other marks of violence found. The prisoner is thus described: "Stebbing is a man of low intelligence, and has a brutal, forbidding look. His lower jaw is large and protruding, his forehead is villainously low and retreating, he has a hump on his right shoulder, and his arms are inordinately long." No motive for the murder was assigned. He was sentenced to death.

The defence set up was the plea of insanity, but not a single medical witness was called. Mr. Justice Grove, in summing up, said: "In this case it would be the jury's duty to inquire whether, at the time the prisoner committed the offence, he was in such a state of mind as to be unable to be acquainted with its nature. There had been no evidence of the prisoner having been confined in a lunatic asylum, and there was nothing that would lead them to think that the prisoner's mind was defective, except the expression that he expected to get only three or six months for his crime." When convicted, the judge in addressing the convict said, "It seems that you are a man of ungovernable passions; it may be from misfortune that your mind has not the ordinary power of resisting temptations as other men. I do not say this to add to any pain you must feel to know that your days on this earth are short and few."

The arrangements for the execution were all completed, down to the arrival of Marwood, when a communication was received from the Home Office that the convict was respited. An influential memorial, signed by upwards of seventy gentlemen, including twenty-six medical men, headed by Mr. Cadge, had been forwarded to the Home Secretary some days before, praying for a remission of the capital sentence. In consequence of this memorial, Sir William Harcourt directed an inquiry to be made by Dr. Orange, and Dr. Clarke, surgeon of Millbank prison, with the result given above.

In this case, again, the mode in which the final action was arrived at was very unsatisfactory. The medical examination should have been made before the verdict, not at the last moment. The superintendent of an asylum writes: "The case was clearly one of homicidal mania, and it was by a mere chance that the sentence was not carried out, and that not by the action of any 'psychologists.' The memorial affirmed that the prisoner had not had a fair trial, no steps having been taken to secure a competent examination of Stebbings' mental condition after he committed the crime or at the time of the trial."

Lastly, there is the case of Bradburn, a man of 36, charged with a double murder at Farnworth. His wife was dead, but Phoebe Hardy, aged 17, the child of his wife previous to her marriage with him, and her son Peter, aged 9, lived with him. He was always considered a respectable man by his fellow-workmen. He came to dislike a man who paid his

attentions to his step-daughter, of whom he was excessively fond. One day he called on the man's father and asked him to tell him that he didn't want him to come to the house to see Phœbe. To the latter he said, "You shall not go with him while I am alive, or else Marwood will have a job." About nine o'clock that evening was the last time the two children were seen alive, though after that hour Phœbe was heard speaking to the prisoner in a loud tone. Between four and five the next morning the prisoner was seen running in the direction of the house, and shortly after there were sounds heard there. At eight a.m. the prisoner was seen running from his house with his shirt sleeves turned up, and he was covered with blood. After going about 250 yards he stopped, and he was found sitting with his throat cut. It was stitched up, and no suspicion aroused as to the death of the children. When two women went upstairs to find a bed upon which to place the prisoner, they were discovered dead in bed with their throats cut. The prisoner wrote down, "If you look on the table you will find a note." It was as follows:—

DEAR MOTHER,—I write these few lines to you hoping that they will find you in good health as it leaves the children quite well but I am very sorry to say I am not well for I have had a great deal of trouble since I came to Farnworth. You my dear mother I hope you will forgive me for not writing to you before now. I have a great deal of trouble on my mind yet for Phœbe has been doing a very bad trick by you. She has had young men and women in the house while I was at my work on Thursday night she was going with a young man. I can't stand my trouble much longer, for I am almost out of my mind the way she is going on. But she has promised to do better now. Please to give this to her grandfather when you have read it, and then he will see how things are going on. Please to give my kind love to my sister and brother, and let them know how things are going on. My time is short if this sort of work goes on much longer. So no more at present from yours truly and sincerely.

From the newspaper report we add what we imagine will convince our readers that the verdict was unjust, but what we are especially desirous to insist upon is that no adequate means were taken to ascertain before the trial, and especially immediately after the murder, whether the man was of unsound mind and irresponsible for his actions. The prisoner also wrote on a slate, "My step-daughter has brought this on me; she was out every night at 10 o'clock last week when I was at my work. I have had fits all the week. I am sorry for having done it." It was proved that the prisoner 15

years ago had suffered from epileptic fits, and that for some months about that period he had been an inmate of the Prestwich Lunatic Asylum, suffering from suicidal mania. The doctor of the gaol was called, and stated that since the prisoner had been in gaol he had understood all that was said to him, and appeared quite sane. He was severely cross-examined as to epilepsy being a symptom of insanity. Mr. Blair, on behalf of the prisoner, called medical evidence to show that he had long suffered from epilepsy, and at times had been very violent. The jury returned a verdict of *Guilty*, and the Judge passed sentence of death. A petition, however, was got up in his favour, and he was reprieved.

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## PART II.—REVIEWS.

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*The Brain and its Functions.* By J. LUYS. Kegan Paul, Trench and Co. London, 1882. (Vol. xxxvii. International Scientific Series).

As this is an original work, it will be well in the first instance to explain the object of the author in writing it, and his method of doing it. This is an easy task, for he has himself, in the preface, referred to both. He says that it is an abstract of his personal experience, and of most of the ideas he has for many years been endeavouring to popularize in his lectures at the Salpêtrière.

He divides his subject into two parts. The first, anatomical, is the foundation of the second, which is purely physiological. In the first he explains the technical processes employed by him. His method consists in making regularly stratified sections of the cerebral tissue, in the faithful reproduction of them by means of photography, and in the employment of successively graduated powers for the representation of certain details. He claims that by these new processes, he has been able to penetrate further into the unexplored regions of the nervous centres, and to bring back correct views and faithful representations of certain territories of which our predecessors caught scarcely a glimpse. He has been able to throw fresh light upon the intimate structure of the nerve cell, on the organization of its protoplasm, and to study it *in situ*, in its connections with the nerve fibres and the neuroglia.

He sketches synthetically the general economy of the