

There is the feeling abroad that a man if insane and irresponsible is always so, whereas the most insane people often are collected enough during the greater part of their lives. The poor man Gouldstone is, to my mind, a typical case of insanity associated with insane parentage. He had done his work, which was purely mechanical, well, but he had no power to resist, and the act he perpetrated depended on an insane feeling of misery. I have no doubt he would have sooner or later developed delusions.

The medical officer to the House of Detention told me he considered him to be suffering from melancholia.

I trust this prisoner will not be allowed to be hanged. I may say that I am not one who is in the habit of defending criminals on the plea of insanity.

I am, yours truly,

GEO. H. SAVAGE, M.D.,
Physician Bethlem Hospital.

September 15, 1883.

TO THE EDITOR OF *The Daily Telegraph*.

Sept. 18, 1883.

SIR,—I feel bound to take notice of the letters written to you by "One of the Jury" in this case, as there seems to be great danger that the prisoner will suffer through misunderstanding of my opinion. The skilful cross-examination of Mr. Poland gave me no opportunity of representing my own opinion on the man's sanity. I was forced to own that in a short interview, from the facts seen by myself, I could not have signed a certificate of insanity. I doubt not but that if I had expressed a willingness to sign one that the haste of the proceeding would have been used as an argument against its value.

I did say, however, that, taking my examination with the history of the man and the crime, I had no doubt that he was of unsound mind. The Judge opposed strongly attempts to get my opinion, believing the common sense of a jury to be the best judge of sanity. This is all very well if the facts are explained by one understanding their value, and not otherwise. That the patient knew he had killed his children, and that he knew he might be hanged, I could not deny, but knowledge of this kind does not exclude insanity.

I have patients of the most insanely dangerous class here who have said the same things which Gouldstone said, and who know as much as he does. Yet they are mad. William Gouldstone ought not to suffer without a careful independent investigation of his history and the history of his crime, one not confined to an examination of twenty minutes or half an hour.

I am, yours truly,

GEO. H. SAVAGE.

Bethlem Hospital, Sept. 17.

LETTER FROM GOULDSTONE'S WIFE.

(*Standard*, Sept. 20.)

"During our five years' married life I frequently noticed that my husband was absent-minded and given to brooding. If he were asked a question he would not, no matter how simple it was, or however easy to answer, reply at once. He would think over it, and sometimes say something not concerning the question. We commenced housekeeping on 21s. a-week, and latterly he had 25s. It was sometimes difficult to make ends meet when the children came so rapidly, and this weighed on his mind, I fear, although he never spoke of it to me—except in the way of saying how sorry he was that my hands were so full, and that we could not go out together as we used to do. That was the only way in which he ever spoke of the burden of the family. Before we had

the first child, and right on till the birth of the second, we regularly went to church. The second child was weakly, and the first was still only a baby, so that we could not leave the house together. For all his occasional absent ways he was very lively, and as I had all to do with the spending of the money, and did not let him know if there was any trouble about payments when there was a confinement or sickness in the house, I always found it very easy to turn his attention to something brighter. He was very kindly with me and the children, handy and willing if they were ailing, and he constantly helped me in household duties. He was a man who had few acquaintances except his own relatives and his fellow-workmen, and he was nearly always at home when not at work, except on the Sunday morning, when he occasionally took a walk alone. But for hours together he would keep the children going with his concertina, which he was very fond of playing, while I was engaged in household duties. The children were very fond of him, and were never tired of listening to the concertina. If he seemed worried, amusing the children—at which he was very good—or a remark from me would at once change his mood. He was painfully aware of how easy it was for him to get worried, and he has often said to me that it was a good job he had not much to think of, as if he had he believed it would turn his brain. Nothing that ever he said or did before the loss of the little ones gave me the least fear that he would take his own life or that of anyone else. But shortly before my last babies were born he said to me that he believed he had not many weeks to live, which was a strange remark that I have often thought of since. He never complained, except that he did not know how I should manage with my hands already so full, and soon to be even fuller. But then lots of people manage on less, and we did very well, and when I put this before him he ceased to be moody and absent. I never knew till very lately that there was any insanity in the family. Knowing that now, and looking back on all that has happened, I am certain he was insane, and that the times when I found him sitting thinking lately he was distressing himself about our growing family. You see the eldest was 3½, bright and healthy, but the next, 2½, was sickly and could not walk, and the third being only 16 months, I had practically two babies to mind when the twins were born. But for all this there was no change in his kindly ways to me and the children. He got up early in the morning of the day when the twins were born, and got me a cup of tea, as he often did before, and did every morning from their birth till their death. The thing that struck me most was that during all this time he never took any notice of the babies. They were born about half-past ten, and he immediately went out of the house, and did not return till after twelve. He then came into the room to me, but did not speak. His appearance seemed changed, and his eyes were strange and wandering. He came home early on the day he attacked the poor things, and I asked him if he had told his foreman about the twins, as he had lived with him once, and we looked upon him as one of our own family, but he said he had not. Since the occurrence I have seen my husband three times at the House of Detention, once at the Old Bailey, and yesterday (Tuesday) in the prison at Chelmsford. On each occasion he has been as happy as a child at play. At Chelmsford he said he had seen several relatives whom he had not met for a long time, but neither he nor I made any reference to the fate of the children. His sister and aunt accompanied me yesterday. He asked me to take care of myself, and, turning to his relatives, said, 'You will take care of her, won't you?' Then he said, 'I have broken God's commandment, and I must expect to suffer, but He will forgive me for what I have done.' He realises his position in so far as he believes he will die, but he seems to have no notion of the enormity of killing the children. In a letter I had from him he spoke of them as being in heaven, where he hopes soon to join them. Here is a letter I have had from him, dated the 15th, in the same strain:—

“ ‘ My Dear Wife,—I feel it is a Pleasure to Write a few lines to you and trusting to God that it will find you as well as Can Be Expected after the

Dreadfull news but I am thankful to God that I feel Happpy as I may Expect and I Hope you will Look to God to Help you and He Will Comfort you as Well as myselfe Dearest Wife I Hope you will Receive this Letter this Evening and then I Hope you wont fret much about me as what God Doest is for the Best and I Hope you will Be able to Come and See Me Over a Short Time and I Hope Aunt and all at Home are quite Well and all Cousins and Rember me to all that know me, and Let Cousin Gouldstone in Mash-street know How I am and I am going to Send a few Lines to Mr. G. Sampford and I Hope all Will forgive me for I am thinking about you all. But I Hope you all Will Pray to God to Comfort One and all of you and Bear that in mind that God Will forgive all Dear Wife do not fret about what I Have to Live Upon Because I Can Have What I wish for in my Liveing from the Prison and you may Believe that the Chappelling will Give me all I Require and I thank God that I Have Been Preparing for the Other World and which I shell do more so now and Live in Hopes to meet you all in Heaven. So Good By God Bless you

“ WILLIAM GOULDSTONE,

“ Her Majesty's Prison, Chelmsford, Essex,
“ Sept. 15, 1883.”

TO THE EDITOR OF *The Daily Telegraph*.

SIR,—I am very happy to see that the true issue of this case is slowly but surely being placed before the public. As the employer of William Gouldstone, I am as sure as are his foreman and shopmates that he was insane when he committed the act. The ruling of the Judge, although, doubtless, a proper exposition of the law, precluded the jury from bringing in any other verdict than that of wilful murder. Had I myself been on the jury I should have felt compelled to return that verdict. That the man knew what would be the consequences of his act there can be no possible doubt.

Sir William Harcourt will have the whole matter carefully and fully laid before him, and it is satisfactory to know that his decision will not be based upon the dry letter of the law alone. This appears, indeed, to be a case in which law and common-sense are at variance.

Yours truly,
H. J. KENNARD.

67, Upper Thames street, Sept. 18.

TO THE EDITOR OF *The Daily Telegraph*.

SIR,—The Judge presiding at the Gouldstone trial told us (the jury) that the law regarding insanity was this, “ That if a person was proved to be of sound mind up to the time of committing a certain deed ; if he knew the nature of that deed and the penalty it involved, and if after this he still appeared of sound mind, we were bound according to this law to say such a person was not insane.” What was the evidence ? For five years he had worked at the Falkirk Iron Works, and had always done his work satisfactorily like a sane man. The seven witnesses who were called from these works admitted this, and they also stated that at intervals he had said he wished he was dead, that he would like to throw himself in front of a train or down the lift hole if he were sure of killing himself without any pain. He suffered from a rupture, and these remarks were often made when it pained him. When the great addition to his family came, he appeared somewhat upset, but did not mention the fact to any of his fellow-workmen. He then resolved to rid himself of his children, and intended at first to do it with a revolver, but thought that would make too much noise, so he planned it the other way, going out first, as he said, to have an extra drop of drink to nerve him to the job. When it was over he said, “ Now I shall have the rope.” The constable who took him, and the officer to whom he was handed in prison, stated that he seemed perfectly aware of what

he had done, and quite sane. We did not misunderstand Dr. Savage, who said he would not certify him as insane, though he had examined him, but he "considered he was of weak mind, owing to his slowness of appreciation of questions concerning the crime of which he was accused." The father and a sister stated that his mother and an aunt were at times of unsound mind and required looking after, but neither of them had ever been confined as lunatics. There was, however, a cousin of his father's on the male side who had been a soldier, and died in a lunatic asylum. These were the salient points of the evidence, and upon this the jury were quite agreed that the case of insanity was not made out, and therefore were compelled to return a verdict of guilty.

Yours obediently,

THE FOREMAN OF THE JURY.

TO THE EDITOR OF *The Times*.

SIR,—There is one department of the law, that affecting homicidal crime, where a peculiar obscurity, or rather conflict, exists, at least in many instances; where the letter of the law, though plain, is in clear collision with the consensus of the best scientific medical observation also, and therefore, with equity and justice. The case of the Walthamstow murderer, now under sentence of death, affords an illustration. It was unmistakable, from the evidence at the trial, and, indeed, from the prisoner's own admission, that he well knew the nature of the act he was committing. Hence, too, that act is, plainly and legally, "wilful murder." But, from the testimony of the physician of Bethlem Hospital and others, it is similarly obvious that, notwithstanding this, the condition of the man's mind was, to say the least of it, very abnormal and doubtful.

And in so far as this may be the case, it is appropriate to bear in mind the very important resolution unanimously adopted at the annual meeting of the Association of Medical Officers of Asylums and Hospitals for the Insane, held at the Royal College of Physicians, London, on July 14, 1864, as follows:—

"That so much of the legal test of the mental condition of an alleged criminal lunatic as renders him a responsible agent, because he knows the difference between right and wrong, is inconsistent with the fact, well-known to every member of this meeting, that the power of distinguishing between right and wrong exists very frequently among those who are undoubtedly insane and is often associated with dangerous and uncontrollable delusions."

Such a resolution as the above by such a body is a virtual condemnation of the law by the responsible official exponents of modern medical science. And this, taken in connection with a series of Home Office precedents for interposition, constitutes a valid reason for expecting the Home Secretary, in such a case as the present one, to seriously reconsider the sentence.

Yours truly,

WILLIAM TALLACK.

Howard Association, London, Sept. 17.

TO THE EDITOR OF *The Times*.

SIR,—It is a difficult thing to bring the public mind to think that a man who deliberately kills his five children ought not to be hanged as an example to deter others from doing the same thing. In the case of the convict Gouldstone there is reason to believe that what he wanted was to compass his own death, and he adopted an irrational method to accomplish what he desired. In any other case than murder an irrational act is accepted as ground at least for suspicion that the mind of the perpetrator is disordered; but in cases of murder no account is taken of the unreason of the act. The fact that a man

of good character, under the influence of a cause, or causes, held to be utterly inadequate by persons of sound mind, suddenly commits an act inconsistent with all his previous history, is in any other event than the perpetration of murder regarded as a very serious symptom arousing the most anxious fears on the part of his friends, especially if he has insane relations; but the law ignores all this, and asserts that a man is responsible for his actions if he knows the nature and quality of the act he commits, and that it is forbidden by law. This standard of responsibility is directly opposed to the established judgment of every person who has had any experience of the disordered mind. I sympathize with Dr. Savage as to his sense of duty as a recognized authority in such a matter, impelling him to make a public appeal for some further investigation of the circumstances. I agree with him that the act of William Gouldstone, taking into account the whole history, was an insane act, and none the less so because on every other subject his conduct and conversation was rational.

I am, Sir, your obedient servant,
W. Wood, M.D.,
Physician to St. Luke's Hospital.

No. 99, Harley street, Sept. 17.

JAMES COLE.

CENTRAL CRIMINAL COURT, OCT. 18.

(*Before Mr. Justice DENMAN.*)

James Cole, 37, labourer, was indicted for the wilful murder of Thomas Cole. In August he was living with his wife at Croydon. Their two children, Richard, aged 14, and Thomas, three years eight months, also lived with them. Prisoner had been out of work for some time. On the evening of the 18th he took the child Thomas by the legs and knocked its head against the floor and walls. As the prisoner ran away he said to a man he met—"I have murdered my child."

It was elicited from the boy Richard that upon the night in question, the prisoner complained that his wife had hidden people under the floor and in the cupboard to try to poison him. He was jealous of his wife, but no ground for this suspicion appeared.

The plea of insanity was set up.

The surgeon and chief warden of Clerkenwell House of Detention gave evidence that the prisoner had displayed no symptoms of insanity, but had conducted himself in accordance with the prison regulations. On one occasion he became violent, but it was stated that it did not arise from unsoundness of mind.

For the defence, a brother of the prisoner was examined, and stated that some members of the family had been subject to fits.

Dr. Jackson, an alderman of Croydon, said he was quite certain that he was a typical lunatic, with dangerous delusions. In cross-examination, witness said the prisoner seemed to understand the questions put to him, and gave perfectly rational answers. He told him that he thought he was being poisoned, that his wife had set men on to him, that he used to shriek out and wake up at night thinking that people were murdering him. The prisoner acknowledged that he drank occasionally, and that he had been many times in prison for violence. The prisoner said he found a little drink made him lose his senses. The prisoner knew perfectly well that he was on his trial for murder. When asked how he could have treated his child so cruelly, he made no answer. In re-examination, Dr. Jackson said he believed the prisoner was in such a state of mind that no parish doctor ought to allow him to be at large, as he was dangerous.

Mr. Geoghegan, in defence, argued that there had been no motive for the commission of the crime, but that there were strong antecedent probabilities