

it could have been so committed. What are the phenomena of post-epileptic automatism? They are that the automaton performs an act automatically; that is to say, he does some act *which he is in the habit of doing*, and, the act being done without the guidance of intelligence, is imperfect, is inappropriate in some of its particulars, is unadjusted to the circumstances; is a caricature, more or less faithful, of the habitual act. If the automaton finds in his hand some instrument that he is in the habit of using, or something having a similarity, even remote, to such an instrument, he proceeds to go through the movements of using that instrument and may commit damage through using the instrument inappropriately. A woman is seized with a fit while cutting bread. She goes on using the knife, but instead of cutting the bread she cuts her arm, or her child's arm. A soldier has a fit while his rifle is in his hands, and he loads and discharges it at random, and so forth. How does the theory fit this case? There was no evidence that the man had ever fired a revolver before in his life. There was no evidence that he had the revolver in his hand when he was standing at his door. If he had, and if he were then seized with a fit, he might have discharged the revolver at random, and if he were accustomed to use it, this is doubtless what he would have done. But this is not what he did. He ran after the party, pushed the companions on one side, selected his victim, placed the revolver to her head, fired two shots at her, and then one into his own head. Unless it is contended that the prisoner was in the constant habit of shooting his sweetheart and then himself through the head, the hypothesis of post-epileptic automatism cannot possibly be sustained for a moment. Dr. Pritchard Davies's success, in getting the jury to accept this hypothesis in the teeth of the constable's evidence, in the teeth of the judge's summing up and in the teeth of the probabilities, nay, of the possibilities of the case, was marvellous, and disposes for ever of the statement, so often repeated, that the evidence of medical witnesses on behalf of murderers does not receive the consideration that ought to attach to it.

*The case of Allan MacCallum.*

(Reported by Dr. Keay.)

Allan MacCallum was born near Fort William over 40 years ago. He had at least two insane relatives—maternal cousins. His people are gamekeepers, and when he grew up he followed that occupation. In youth and early manhood he was looked upon as a decent enough fellow, but he was restless and unsettled, never keeping a situation long and always moving from place to place. He enjoyed good health and did not drink to excess. In 1887, in one of his restless moods, he went with three other young men to Patagonia as a shepherd, and he remained there four years. He led in Patagonia an active, open-air life, but a very lonely one. After he had been there three years he began to be troubled by headaches, which he attributed to the effect of the sun and to exposure in sleeping out at night. The pain was practically confined to the left side of the head and face. He states that he also had singing in the ears, and that sometimes when he lay awake at night he imagined that he heard voices calling to him, although he well knew that there was no human being within miles of him at the time. The headaches, &c., became so bad that when he had earned sufficient money he decided to come home for a year to have them treated. On the voyage home he took stimulants and at first found great relief. When he came home he had bouts of excessive drinking, and owing to this he lost his situation and did not return to Patagonia. For two years he, to use his own expression, "went to the bad." The pains came and went, he had drinking bouts, he pulled himself together again and found employment as an under keeper, but just as before he was unable to remain in any situation long. In 1893 he went to Rosehall in Sutherlandshire as an under keeper, and when there he had what was doubtless an attack of insanity. He shut himself up in his cottage and darkened the windows. He sat brooding over the fire, did not go to bed, and did not take food. He discharged his gun several times in the house. Then he took to wandering alone in the woods until he heard voices calling to him about his soul, when he returned to the cottage and sent for the minister. The head keeper wrote to the inspector of poor informing him of MacCallum's condition, but the acute symptoms passed off and he was not certified. A brother of his was sent for, and MacCallum left the situation and went to live with him. Then family quarrels arose, MacCallum did no work, wandered about aimlessly, was moody and sus-

picious and threatened his mother and brother with violence. The brother was alarmed at his conduct and called in the local doctor to see him, with the view of having him sent to an asylum. The doctor, however, was unable to satisfy himself as to the insanity, but gave him good advice, and warned the friends not to interfere with him and to keep all firearms out of his way.

MacCallum was much annoyed at the doctor's visit and left the house. He went to lodge with a widow at Nethy Bridge. The widow had a daughter by whom MacCallum had children. He is said to have treated her badly at times. At Nethy Bridge MacCallum led the wild lawless life of a professional deer poacher, and became well known to the watchers and police. He was looked upon as a sour, ill-tempered, passionate and reckless fellow, with whom it would be dangerous to interfere. He was, however, apprehended by the police on several occasions and fined for poaching, and once he underwent a sentence of twenty-one days imprisonment for the same offence, as on that occasion he was unable to raise the money to pay the fine.

On 20th December last Constables King and Macniven, of the Inverness-shire constabulary, had orders to apprehend MacCallum for the non-payment of a poaching fine. After searching and waiting about near his lodging, Macniven encountered MacCallum out of doors, and the constable states that MacCallum threatened to shoot him. At any rate, the constable did not arrest him, but retired. In the afternoon, as night was falling, the constables were informed that MacCallum had entered the house where he lodged. They at once went there and entered, one of them going to the room on the right and the other to that on the left. Macniven found himself in an unoccupied room, but King entered the room in which MacCallum was. There was immediately the report of a gun, and King fell shot through the heart. In the darkness MacCallum escaped in his stocking soles. He succeeded in evading arrest for a few days, but was eventually captured and lodged in Inverness Prison.

I was requested by the Crown authorities to visit and examine MacCallum, so as to be able to report as to his mental condition; and therefore I saw him on five occasions and spent a considerable time with him. From his appearance, manner, and conversation I formed the opinion that he was a man of distinctly neurotic temperament. He had more than average intelligence for one of his class. He could not be called frank and communicative, but conversed readily enough. He complained of more or less continuous pain of a neuralgic character of the left side of the head and face, and along the course of both sciatic nerves. I reported that he was, in my opinion, quite sane.

MacCallum's account of the events of 20th December was that on the day in question, learning that the police wanted him for the unpaid fine, he tried to keep out of their way, as he had not the money and wished to keep out of jail. In the forenoon, however, he was suddenly accosted by Constable Macniven, who asked him if he intended to pay the money (£2 17s. 6d.). He explained to the constable that he could not pay that day, but that if given time he would send the money in instalments, as he had been allowed to do on former occasions. He stoutly denied that he threatened to shoot the constable; but explained that as they talked he was standing several yards from the constable and on higher ground, so that as he held the gun under his arm it might possibly have pointed in his direction. Towards evening he returned to the house cold, wet, and tired. Having entered the room, in which there was no light save that from a bad fire, and bolted the door, he kicked off his shoes to warm his feet and stood in front of the fire, drying his gun the while with an oily rag, as was his custom the first thing on returning to the house. The gun being a muzzle loader he did not unload, nor did he take off the percussion cap because it was not his habit to do so. He explained that in drying the lock of the gun he would necessarily raise the hammer to full cock. While thus occupied he heard footsteps coming quickly to the house, and some person entered and tried to open the door of the room in which he was. He turned from the fire and walked towards the door, placing the gun under his arm and calling out "Who is there?" At this moment the door was burst open and a man rushed in. MacCallum felt that something came in contact with the gun—whether the man caught the barrel or merely came against the muzzle he could not say, but at any rate the gun was accidentally discharged. MacCallum being frightened and not knowing what had happened, lost his head, threw down the gun and bolted. He says it was not until

the second day afterwards that he was told that the man who came into the room was Constable King, and that he was killed by the shot.

MacCallum was charged with, 1st, threatening to shoot Constable MacNiven; and 2nd, the murder of Constable King. The medical witnesses were agreed that he was not insane when in prison awaiting his trial, and that there was no evidence to show that he was insane on 20th December. Counsel for the prisoner had two strings to his bow: 1st, that the shooting of the constable was accidental; 2nd, that the prisoner, though not perhaps actually insane, was naturally a nervous, excitable, morbidly impulsive person with a bad heredity, whose mind had been weakened by one or more attacks of insanity, and by his mode of life, and who therefore could hardly be accounted as altogether responsible for his actions.

MacCallum was by a majority found guilty of manslaughter, and he was sentenced to fifteen years' penal servitude. The verdict was not unexpected, but the sentence has been generally regarded as very lenient, and is said to have been a pleasant surprise to the prisoner.

It may be noted that in the examination of one of the medical witnesses the judge asked what "mania" the prisoner had suffered from when at Rosehall. The witness said he would call the disease melancholia and not mania. The judge then asked, "Melancholia is not mania?" His lordship seemed to regard the terms "insanity" and "mania" as synonymous, and to look upon melancholia as a milder or less serious disease hardly amounting to insanity at all.

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#### FIRES IN ASYLUMS.

We regret to note that two serious fires in asylums have occurred during the last quarter. At that which occurred at Flower House one of the patients lost his life; and at that which occurred at Aberdeen, in the asylum laundry, but for the prompt and gallant conduct of the Assistant Medical Officers, Drs. Matthews and Moir, there would also have been a fatal issue. Dr. Mercier was aroused at 3 a.m., and at once telephoned for the fire brigade, but the arrangements of the telephone company were so imperfect that it was nearly an hour before the engine and escape arrived. Most valuable time was frittered away, great damage was done, and a life was lost under circumstances which were peculiarly distressing. The patient was placed in safety by Dr. Mercier, but went back into danger to secure his belongings, and so was overcome and perished. The coroner's jury expressed their opinion as follows:—"That much valuable time might have been saved if the operator of the National Telephone Company at Bromley had been instructed to communicate direct to the London Fire Brigade." When a company persuades the public to subscribe to their system, as the National Telephone Company does, specially to combat the dangers of fire, it is nothing less than scandalous that their methods are so imperfect. The result to Dr. Mercier was infinitely worse than if he had never leant upon that broken reed.

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#### SUICIDE BY SWALLOWING A SPOON.

An unusual cause of death was the subject of a coroner's inquest at Hanwell Asylum on the 24th December. The patient was a woman labouring under delusions of various kinds, but she was not regarded as suicidal. Dr. Lord, who was in the ward at the time, was summoned by a nurse, who told him that the patient had swallowed a spoon. It was removed with some difficulty, the bowl of the spoon having been wedged in the œsophagus, and the top behind the soft palate. There was considerable injury and inflammation, consequent upon the force used by the patient, and she died of exhaustion and diarrhœa. The coroner drew attention to the fact that there had only been two cases of suicide in Hanwell Asylum