

729
15
FISHER (T. W.)

WAS GUTEAU SANE

AND

RESPONSIBLE FOR THE ASSASSINATION
OF PRESIDENT GARFIELD?

READ BEFORE THE BOSTON MEDICO-PSYCHOLOGICAL SOCIETY, APRIL 6, 1882,
AND THE ASSOCIATION OF MEDICAL SUPERINTENDENTS FOR AMERICAN
INSTITUTIONS FOR THE INSANE AT CINCINNATI, JUNE 9, 1882.

BY

THEODORE W. FISHER, M. D.

[*Reprinted from the Boston Medical and Surgical Journal of
June 29, 1882.*]



CAMBRIDGE:

Printed at the Riverside Press.

1882.



WAS GUTEAU SANE AND RESPONSIBLE FOR
THE ASSASSINATION OF PRESIDENT GAR-
FIELD? ¹

BY T. W. FISHER, M. D.

THE two clauses of this question have been answered in different and opposite ways by physicians whose experience and knowledge of insanity ought to have led to correct opinions. A dozen or more experts, some called by the government and some by the defense, testified at the trial that Guiteau was both sane and responsible. Three gentlemen called by the defense testified that he was insane and irresponsible. Most of the experts for the defense were practically debarred from expressing any opinion whatever. They were forced, in some cases under protest, to answer a hypothetical question, which assumed the homicide to have been committed under the delusion of divine inspiration, a supposition not fairly based on the evidence in the opinion of many, and which begged the whole question of insanity in its very terms. In the absence of any further examination or cross-examination the jury were left in as profound ignorance of the real opinions of these gentlemen as if they had not testified. The defense was strictly limited to proving this particular form of insanity, and all expert testimony not in harmony with this theory was unexpectedly suppressed. The opinions of Drs. Nichols and Godding, who had had special opportunity for examining the prisoner, and had given much thought to the case, would have been very valuable to the defense if they had been elicited. This unforeseen and absurd sup-

¹ Read before the Boston Medico-Psychological Society, April 6, 1882, and the Association of Medical Superintendents for American Institutions for the Insane at Cincinnati, June 9, 1882.

2 *Was Guiteau Sane and Responsible?*

pression of expert testimony was, it seems to me, a great mistake.

Several of the experts called by the defense have since published statements of opinion in the medical press, and it seems proper for all of them to do so in view of the exclusion of their opinions at the time of the trial. I was summoned by the defense, and went to Washington supposing the theory of homicide under delusion of divine inspiration would be easily shown. This belief was, I think, shared by others, and the peculiar difficulties in the way of proving this theory were not foreseen. The persistency of the defense in adhering to this theory in spite of these difficulties was hurtful to their case. If an able lawyer had brought out the real opinions of all the experts for the defense, regardless of this or that theory, and had elicited from the government experts admissions of general unsoundness or ill arrangement of mind, a disagreement of the jury might have resulted if not an acquittal. Some of the government experts would, no doubt, have admitted in some terms Guiteau's mental disarrangement, and some of the experts called by the defense did admit his responsibility under the test of knowledge of right and wrong. Unsound but responsible under the ruling of the court was the middle ground occupied by some of the experts on both sides.

But this compromise between science and law is not at all satisfactory to one who is desirous of determining the form and degree of Guiteau's unsoundness, and of reconciling justice to the public with the rights of the prisoner. Mental unsoundness, bad arrangement of mind, and medical insanity are but clumsy expressions used by some to avoid a direct admission of the mental disease which is seen to exist in Guiteau's case; and if insanity exists at all, I cannot, for one, assent to the justice of any legal test which metes out to one so afflicted the full penalty of the law. To hang an insane man is neither just nor expedient, in my opinion, since such a judicial act has no deterrent effect to off-

set its inhumanity. This proposition may not be susceptible of proof, but some recent events are very suggestive of its truth. Bellingham's execution did not seem to prevent subsequent attempts on Queen Victoria's life. If hanging insane homicides has a deterrent effect; why was she shot at in a railway station so soon after Guiteau's conviction for a similar crime? The probabilities are that the latter act suggested and set the fashion for the former. Why, also, was Dr. Gray selected by another supposed lunatic as a victim for his homicidal attempt so soon after the former's assertion of Guiteau's responsibility, and on the night of his return from Washington? By what process of reasoning did this man or Victoria's last assailant expect to escape the impending fate of Guiteau? I have little faith in the deterrent effect of capital punishment on the sane, and still less on persons incapable of reasoning on the affairs of every-day life. How could Guiteau, for instance, have expected to be punished for an act which his warped judgment told him would be applauded by half the nation at least? No one doubts that he honestly believed this, whether it was an insane delusion or not. In many cases the insane homicide is in such a desperate state of mind that it is a mere toss-up whether he kills himself or some one else, or commits the double crime of homicide and self-murder. How can such be deterred by the death penalty?

But leaving these general considerations, let us look at some of the reasons for regarding Guiteau as insane. In the first place his case seems to fall within one of our best definitions of insanity. Dr. Beard, in his recent paper on Guiteau, makes at least one good point when he insists that insanity should always be judged by its mental rather than its physical symptoms, which latter may or may not be present. The best evidence of insanity lies in what a man has said and done, and it may usually be determined by a statement of his acts and conversation without a personal examination. Dr. Ray's definition is, I think, a safe one for most

4 *Was Guiteau Sane and Responsible?*

purposes. He says, in substance, that insanity is a prolonged departure, without adequate external cause, from the ways of thinking and states of feeling, and he might have added manner of acting, usual to the individual in health. Here the physical cause is assumed to exist in the absence of adequate external causes, and it is not necessary to prove its existence for the purposes of the definition. In how many of our patients do we find physical symptoms that would suggest, much less prove, insanity in the absence of mental manifestations? The absence of decided physical symptoms may indicate a chronic stage or a calm interval of insanity, and should have little weight in discussing Guiteau's mental condition.

I do not propose to rehearse the evidence in the case of Guiteau, as that has been so fully done by Dr. Folsom and Dr. Channing in recent articles, but merely to recall such parts of it as may be convenient for my purpose. The experts who assert Guiteau's insanity all agree that he has been insane most of his life. The whole aspect of the case and the condition of the prisoner suggest chronicity. Dr. Kiernan was quite decidedly of the opinion that it was a case of *primäre verrücktheit* or the primary insanity of the Germans, a disease of congenital origin, developing *pari passu* with the mental unfolding of the child, and usually due to hereditary influences. The terms moral imbecility and *folie raisonnée* are, I believe, nearly synonymous with this form. These and other forms, as the "imbecility in the first degree" of Ray, chronic mania with religious delusions, chronic subacute mania with exacerbations of excitement at long intervals, and, finally, megalomania and general paresis, were all carefully discussed by the experts for the defense. The inception of Guiteau's insanity was placed by some at the age of eighteen, when a student at Ann Arbor, Michigan, and with much probability.

The evidence is meagre, but it all tends to show a boy of ordinarily good disposition, and intellectually

rather above the average. His maternal grandfather believed he had more brains than all the rest of his family, and left him a thousand dollars as evidence of this opinion. He was quick-tempered, and once struck his father. After six or seven winters at school he spent a term at a commercial college in Chicago. Here his sexual instincts became active, and it is said he indulged in masturbation, and occasional sexual intercourse. He also had the laudable ambition to get a collegiate education, and went to Ann Arbor for the purpose of completing his preparation.

The few letters saved from the Chicago fire, which were put in evidence, give only glimpses of these youthful days. They resemble the usual "good boy" letters of a student away from home, up to 1859. He writes for money for school-books and board bills, speaks of his health, of headaches, and feverish spells, and of the news in general, and signs himself C. Julius Guiteau, after the conceited style of youngsters the world over. He writes from Ann Arbor that he is determined to go to college, and is learning more in five weeks than others in ten. He writes wisely about physiology and gymnastics, and says he finds German hard, as who does not? A little later, in 1859, when eighteen years of age, his style suddenly changes. He writes his sister, who is out of health, in terms recalling his father's ideas upon similar subjects. He says: "Place your attention on God, and not on your health, and you will be cured. You want salvation, believe and be saved." He speaks of recent religious experiences in a conceited way, and asserts his respect for the doctrines of the Oneida Community. His sister, in alarm, visits him to find that he has abandoned his studies, and is reading only the Bible, and the publications of Noyes. She finds him "clean gone daft," as she says, on theology, and determined to join the Oneida Community in spite of her earnest protest. She gives up the attempt to dissuade him after a day or two, and considers him "crazy."

He soon joins the Community, and in 1861 writes of this period that, when homesick and destitute at Ann Arbor, he was turned toward God, and attracted to the Community by an irresistible power. He believes it to be the beginning of the kingdom of God on earth. He says he has forsaken honor, riches, and worldly renown for the love of truth, which draws him with irresistible influence. He speaks of his vital union with Christ, of his eternal marriage to Jesus in Hades and the next world. He thinks the Community far in advance of all human governments, and independent of all laws. He says God is leading it to a position at war with the kingdoms of this world, and he must labor with it to exterminate social slavery, and to emancipate women from it.

Here was a departure from accustomed modes of thinking, feeling, and acting sufficient to suggest to his family the idea of his insanity. To be sure he shared his opinions with his father and the rest of the Community, not all of whom were probably insane. His father had only been prevented from joining the Community by his wife's influence. Although the son abandoned his own rational plans for an education to enter this company of religious and social fanatics, considering his father's opinions and influence it may not have been an insane act. On the other hand, considering his undoubted inherited tendency to insanity, it may have been the first important insane act of a life-long series of them. The father did not join the Community, and did sustain the relations of a competent business man and good citizen to the public. The son's life from this time forward was a history of failure, degeneration, and depravity. Starting with his father's principles firmly implanted in his mind, and carrying them out more practically and thoroughly, why was his career not equally honorable and successful? It may be that insanity turned the scale, and changed an honest fanaticism in one generation into moral and intellectual aberration in the next.

At the Community Guiteau gave evidence of the insane temperament if not of insanity. He was conceited, ambitious, studious of the Bible, the works of Noyes, and the *Tribune*, but lazy and inefficient in the field and workshop. At times he was moody, abstracted, or sullen, and would gesticulate and mutter when angry. He attempted to lecture, but was laughed at for his pains. He was restless, fickle, emotional, and out of favor with the women of the Community. He admits the practice of self-abuse, and the circumstances were well fitted to develop this symptom as well as cause of early insanity. After five years of this harmful experience he eloped from the Community to avoid the disagreeable alternative of explaining his withdrawal to a committee. He went to New York, as he says, in a desperate state of mind, feeling that he was imperiling his soul by deserting the Community. He had formed a plan, however, of serving the Deity on a vaster scale, and in a new way, by means of a religious daily paper, to be called the *Theocrat*. A chain of similar papers through the country would, he thought, spring up, which would disseminate the doctrines of the Community, and supersede the pulpit. He distinctly claimed inspiration for this idea, and wrote his father that he was still one with him in faith and doctrine, and in the employ of Jesus Christ & Co.

In six months he had exhausted every available resource in his efforts to carry out his scheme. Having lived with extreme economy, as he says, and having failed to find editorial employment on the *Tribune* or *Independent*, he was glad to return to the Community. The next year he claims to have had his eyes opened to the social iniquity of the society and left it, taking with him the remainder of the \$1000 he had put in. He also began a suit against Noyes for loss of time, estimating the damages at \$1500 a year, and threatening to expose the vile practices of the place in the daily papers. Noyes, it is said, intended to allege in denial the insanity of Guiteau from masturbation, and his consequent

unreliability. This defense again alleges Guiteau's insanity, six years after his sister had made the same statement, and in a form not unlikely to have existed. His relations with women up to the present suggest the weak-minded and sexually-inclined lunatic. His persistent and unwelcome attentions to ladies, his correspondence with unknown parties with a view to matrimony, and his recent apparently honest expectations of marrying a New York heiress, are suggestive in this respect.

His insanity was alleged for the third time when he threatened his sister with an axe in 1875. This time he was examined by Dr. Rice, the family physician, who was satisfied of his insanity, and advised his commitment to a hospital. His history after leaving the Community is too familiar to need repetition. He tried matrimony, law, theology, authorship, and politics, making a bad failure of each. He committed adultery to give his wife a divorce, after failing to support her, a piece of magnanimity which has an insane aspect. His law practice twice brought him into that temporary confinement from which he was accustomed to extricate others, equally undeserving, by means of legal trickery. He brought baseless suits for large sums against the newspapers, after the manner of Count Johannes. Doubts of his sanity enabled him to escape the more serious consequences of his acts. His theology was of the kind professed at Oneida, with additions and improvements by Guiteau. He stole most of his theories and opinions from Noyes. His authorship also was a piracy of ideas if not of language. His lecturing was to some extent an imitation of the methods of Moody and other evangelists of less note. His style, whether originally copied from Greeley and Beecher or not, had come to be his own, and was really quite vigorous and effective. His harangues in court, though lacking in length and logical continuity, were sharp, forcible, direct, and slangy. His skill at retort was considerable, and his enjoyment of his good hits great.

An utter lack of respect and loss of all sense of propriety, with little appreciation of the effect of his conduct on the court and jury, enabled him to skillfully blackguard in turn the judge, jury, opposing counsel, and his own, as well as his near relations, witnesses, and public men generally, present or absent. That there was any feigning in this I do not believe.

It is evident that law with Guiteau was a make-shift. He returned to theology as often as he failed in other directions, and always mingled his peculiar religious studies with whatever work he had on hand. He read the Bible with assiduity, and his whole mind was absorbed in the perfection of his book, *The Truth*. He persisted in his absurd attempts to lecture, in spite of all discouragements, for several years. His religious theories were a controlling element in his character, and in spite of his vagrant and dishonest mode of life he probably believed himself to be a high-toned Christian gentleman.

How shall such a complex character be designated? Was Guiteau a fraud, a fanatic, or a lunatic? It is a pity he cannot be distinctly classed as one or the other. It would be convenient if none of our patients stepped over the narrow boundaries of the class to which we have assigned them, but such is the erratic and willful nature of disease. Lunatics are men after all, and will show their depravity or their fanaticism, and either may obscure at times their true character. No doubt Guiteau was a fraud at many times and in many things. He, no doubt, sometimes suspected the hollowness of his pretensions to unusual piety; and the necessity of living, in the absence of any capacity for business or inclination for work, made him a dishonest religious tramp, a shyster lawyer, or a politician, as the case might be. In the latter capacity he was ready to claim magnificent rewards for imaginary services, and in all his borrowing and dead-beating he was a swindler, and probably knew it. His moral sense was blunted, and he put his cunning and experience in methods of rais-

10 *Was Guiteau Sane and Responsible?*

ing the wind at the service of his back and stomach without much compunction.

Yes, he was a fraud, but he was something more. I believe there was a better side of his character, wherein his father's fanatical but high-minded religious theories had deep root and produced fruit of their own kind. He drew the line in his fraudulent career at borrowing. He would not beg nor steal. He believed he had a special fitness for the dissemination of religious ideas. He found support and stimulus in the belief that, like Paul, he was working and suffering for Jesus Christ. His insane conceit made him certain that he was a man of brains, of great religious knowledge, destined to serve the Lord in some grand way. If he had not discovered, he had promulgated, a new doctrine about the coming of Christ of immense importance to the human race. He believed himself equal in point of logic and eloquence to Mr. Ingersoll. There was a large share of genuine fanaticism in his make-up. Was he insane also?

It seems to me that he must not only have been weak in judgment and lacking in common sense, but at times under positive delusion. What is called his conceit was really a general delusion of self-importance. Train, Count Johannes, Mellen, Pratt, and hundreds of cranks the country over, have been distinguished chiefly by this very delusion. Out of it grew the specific grand ideas of fitness for leadership in the Oneida Community, for the control and editorship of a chain of Theocratic papers and of the *Inter-Ocean*, for lecturing, for authorship, for the promulgation of new religious truth, and for the high offices of consul-general and president.

As Guiteau's fortunes failed and his mind deteriorated his sanguine expectation of great success in the near future increased. I do not believe he was in the desperate and despondent condition he has been imagined by some to have been in. He was no more impecunious than he had been all his life. He was suc-

ceeding as usual by not paying his debts. He borrowed money up to the last with his usual skill and success. As his prospects for the consul-generalship faded I believe his deluded mind conceived new and grander opportunities to be opening before him, dependent on the removal of the President. This idea, suggested by the extravagant newspaper comments on the political situation, seized upon his mind with the force of an imperative conception. He saw himself in fancy the hero of the hour, applauded by the Stalwarts, and forgiven by the rest of the country in view of an averted civil war. He imagined himself rich and famous, his book selling all over the country, himself wedded to a New York heiress, and visiting Europe in state, returning to take the presidency from Arthur's hands. This was his programme, and to this he saw the finger of Providence plainly pointing. For years he had been in the habit of attributing each new departure in his career to the leading of a divine pressure or inspiration. In common with others of the Community he had had a general belief in divine inspiration as controlling his movements. And he tested this new and startling idea, as he says, in every possible way to see if it was from the Deity. As the idea took root and held his attention more constantly, and as the situation of the country seemed to him more and more to demand the removal of Garfield, he became firmly convinced it was from God. And it seemed perfectly natural to him that a man of brains and decision, a man with a new religious truth to promulgate, should have had this great idea suggested to him. It was not at first a delusion of divine command, but in his reasoning about it he grew to think that the Deity required this service of him. There was no vision or voice, and the idea was an outgrowth of the political situation, but he adopted it as part of his religious experience.

It is not necessary to comment on the act of assassination, except to say that it was deliberate and not im-

pulsive, the outgrowth of false reasoning, and not the result of passion or revenge, in my opinion. It was under consideration for six weeks, the prisoner meanwhile sleeping and eating well. He meant that this great act should be done with grace and propriety of time and place. He desired publicity, but dreaded the hasty passions of the crowd, which would at first misinterpret the act. He was nice about the looks of the pistol, made a revision of his book, and had his boots blacked at the last moment. When arrested he was the coolest person in the crowd. He behaved like a man who had performed a great act, beyond the comprehension of the vulgar mob in its far-reaching significance. It was the crowning act in his career to him, and he had only to insure his immediate personal safety, to receive his reward at the hands of a grateful party and country. It seems to me the crowning act of an insane life. There is not an element of sanity in it, as far as I can see. It is not explainable on any rational hypothesis as the act of a sane man. It requires vastly more straining of probability to suppose Guiteau sane than the reverse.

If, when he was haunting the White House or soliciting the Paris consulship of Mr. Blaine or Senator Logan, he had been arrested as the insane vagrant he was, and appeared to be, he could have been committed to an asylum, and would have been held on the strength of his history and absurd claims. Since the assassination scores of persons have been sent to asylums on slighter evidence of insanity, owing to an awakened public dread of "cranks." It would not be possible for another individual to repeat Guiteau's conduct previous to the assassination, without instant arrest and committal to an asylum. Every hospital has reasoning lunatics no more insane than Guiteau. Why, then, should a homicide, so much resembling an insane act, discredit Guiteau's insanity? Viewed dispassionately it would seem to be strong confirmative evidence. The fact that he put his absurd theories to

the test and staked his life on the result is abundant evidence of his sincerity.

I can hardly conceive it possible that a sane man, however desperate and depraved, could have simulated insanity before and in the commission of such an act to cover his real motives, and arrange for his escape in advance on the plea of insanity. It is much more within the bounds of probability that an insane man, having committed an act which he supposed could be justified to the world, should, having failed in that expectation, fall back on the technical plea of legal insanity. He might even feign some other form of insanity. It is possible that Guiteau, by advice of counsel or of his own motion, seized upon a delusion of divine inspiration as an adequate defense. It was a claim of the existence of certain conditions at the time of the homicide rather than a feigning of present insanity.

The conduct of the case, both on the part of the government and the defense, was, it seems to me, open to criticism. Guiteau should have been put under the observation of some physician skilled in the study of insanity immediately after the assassination. An act so indicative of insanity, committed by a person whose sanity had been long suspected, ought to have suggested the propriety of this course. Instead, the apparent object of the government was to discover his accomplices, and elicit a confession of motives, and a detailed account of the circumstances of the act. This was proper in its way, but need not have precluded a study of his mental condition by some competent physician. The statements of the prisoner, taken verbatim at this time, were, strange to say, destroyed and could not be put in evidence. Any serious attempt to discover his real mental condition was neglected by the government until it was insisted on by the defense many weeks after the homicide.

Having been carefully observed from the first, a commission of experts should have been appointed, whose report would have determined the necessity for

14 *Was Guiteau Sane and Responsible?*

a trial. In spite of the unfortunate disagreement at the trial of experts called in the usual way by both sides, and in a wholesale and indiscriminate manner, it is not too much to believe that such a commission, by a candid discussion of the case, might have arrived at a common opinion. It would certainly be the best way theoretically to put the question of insanity before a small commission of carefully selected experts, protected by the terms of their appointment from undue bias or influence. This plan has worked satisfactorily in France for a long time, and is coming into use in Massachusetts. This commission being put in possession of all the essential facts could have determined their scientific bearing, and their report might have prevented the cost and other disagreeable accompaniments of the trial.

If by reason of doubt or disagreement a trial had been deemed necessary, the testimony of this commission would have furnished a valuable part of the evidence. At the trial in Washington I proposed and urged at the meetings of the experts for the defense that the government experts should be invited to join us in our discussion of the case, but was only partially successful in bringing it about. Theoretically we were all there on the same footing as advisers of the court, and unless each was specially directed to make an independent examination, general conference and discussion was proper and desirable. Why should such a body of experts divide for the time being into two hostile camps, as it were, each party seeking to conceal its own opinions, lest they should give aid and comfort to opposing counsel. This mistaken method of deciding a scientific question reached the climax of absurdity in the trial at Washington.

The counsel for the defense, I think, failed also in the management of his own experts, keeping aloof from most of them, failing to learn their individual opinions, and to what extent they agreed or differed. He insisted, as I said before, on a too narrow line of defense

in claiming delusion of divine inspiration, against what would probably have been the judgment of a majority of his experts. He sprung his hypothetical question on them without warning, and without giving them any chance of explanation. The government shrewdly declined to cross-examine as a natural consequence. In our surprise at this procedure we failed to protest as indignantly as we ought at such a travesty of justice. For this reason, as I said at the beginning, it is incumbent on each of these gentlemen to give his opinion publicly now.

As to Guiteau's responsibility, I have only to say that under the ruling of Judge Cox he was no doubt responsible. He knew right from wrong in the abstract; and he knew the act he was about to commit was against the law and would be regarded by many as murder. But I think there was in his mind, in relation to the assassination, under the peculiar circumstances of the case, an obscurity of moral perception, which was the result of insanity. If he was impelled to the act by a dominant and controlling delusion, no doubt he believed it right. He had by some insane process of reasoning justified the homicide to his own mind, and therefore as regards the specific act did not perceive its immoral character. I do not think Judge Cox, in his charge, discriminated between the general and this specific knowledge of right and wrong. Many insane persons know the homicide they are about to commit would be wrong for another or for themselves under other circumstances, or they know this if they reflect at all. They know that murder is contrary to law, though they may be driven to commit murder in spite of this knowledge, and with a full realization of the penalty. The insane usually perceive the moral quality of the acts of others, but justify their conduct according to the nature of their own delusions. They commit acts of violence out of all proportion to the grievance they wish to revenge. An insane man with an exaggerated idea of such

16 *Was Guiteau Sane and Responsible?*

an offense, or an exalted notion of his own personality, may justify his act of revenge on the basis of these insane ideas. The vicegerent of Deity on earth may innocently act in a manner which would be simply criminal in an ordinary individual, and he might plainly see its criminality in another. How far Guiteau's exalted ideas of himself as "God's man" would furnish an insane basis for his crime depends on our opinion of the sincerity of his claim. If correct reasoning as to the moral character of the act as conceived by him was essential, I should strongly doubt his responsibility.

