

are curable, and every means of diminishing their morbid excitability and distress and of lessening the burden of their disease, if they can not be restored.

KLEPTOMANIA. BY J. C. BUCKNILL, M. D.

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THE injudicious defence of two lady thieves on the plea that they were subject to that form of mental unsoundness to which Mathey* and Marc have given the sounding title of kleptomania, has attracted public attention to this form of mental disease, and has given rise to a considerable amount of written and spoken nonsense upon the subject. Even "our facetious contemporary" has had his jests and his caricatures thereupon, and in the slang of the day, a burglar has become a kleptomaniac, and a prison a kleptomaniac hospital. Alienist physicians have of course received their full share of sarcastic remarks, as theorizers, not over-wise or over-useful to society, who would willingly provide for every crime a decent veil, by referring it to some strange form of mental disease. Now there is such a thing as theft which is the result of mental disease; and also, let us boldly avow our conviction, though we write within the precincts of a mad-house, that there is such a thing as theft which is simply a crime, an attack made by the selfishness of one individual upon the rights of another. Let us even take the broader ground, and avow our profound conviction that insanity and crime are distinct and separate entities, wide as the poles assunder in all instances where their distinctive characters are well marked; although undoubtedly there are instances which are divided by partitions as thin as those which Dryden places between wit and madness, or rather instances in which the qualities of crime and insanity are so intimately combined that the task of analyzing the nature of the act becomes no easy one either to jurist or physician.

* *Recherches nouvelles sur les maladies de l'esprit.*

The marks of crime, and not of insanity, were so strongly impressed upon the instance above referred to, that it is no wonder the defence of the criminals upon the plea of insanity converted this question of scientific interest into a public jest. Two young women belonging to that class of society which is supposed to entitle them to the designation of ladies, wealthy and high-born ladies, as the paragraph writers say, were detected thieving in a remarkably systematic manner. They go to a shop, examine goods, some of which they pretend to purchase, and order to be sent to a false address, and in the meanwhile they take the opportunity of secreting and stealing other goods. Thefts due to insanity are not perpetrated in this systematic manner, neither do insane thieves usually act in combination; and besides the want of combination, which is a characteristic of the acts of the insane, the chances would be a million to one against two insane thieves finding themselves in sufficient proximity to act thus, even if they were capable of so doing. Such a defence, therefore, in this particular instance, was simply absurd. Moreover, if this defence had succeeded, it might in course of law have resulted in sending the lady thieves to abide release at her Majesty's pleasure in the criminal ward at Bethlem, or at the new State Asylum at Broadmoor when it is opened, an alternative to which a temporary seclusion at Cold Bath Fields might be infinitely preferable. We remember a distinguished judge once advising an injudicious counsel to withdraw the plea of insanity for an offence of no great magnitude, on the ground that it was helping his client out of the frying-pan into the fire. The counsel took the hint, and if we remember rightly, the accused man escaped both doctors and gaolers from want of sufficient evidence. May we not inquire who were the legal advisers of the shop-lifting ladies, whose offence has pointed so many jests, and suggested so much nonsense?

It must be admitted that writers on insanity, and even writers on the jurisprudence of insanity, have not been very successful in describing and defining the characteristics of thieving madness; for they have mixed up in a sad jumble descriptions of the thieving propensities of persons who are

undoubtedly insane, with those of the monomania of theft in which the propensity is the principal indication of an unsound mind, and again, with certain rare, but most curious and interesting cases, the nature of which they have not taken the pains to investigate, and which we believe to be neither allied to insanity nor to crime, but to be a kind of mental and physical *tie* quite unconnected with any idea of appropriating the property of others, which is the very essence of theft. We are inclined to believe that insane thieves are not quite so common as one would at first be led to suppose from the perusal of works of insanity, for although we find writer after writer asserting that thieving is one of the most common symptoms of mental disease, there is a most suspicious resemblance in the examples which they give to illustrate the doctrine. Dr. Daniel Tuke gives the most complete *résumé* of the instances on record, at p. 207 of the 'Manuel of Psychological Medicine;' many, however, of his instances, are taken from Marc, and Marc we find took most of his instances from Gall. We shall append to these observations a translation of Gall's cases, which will perhaps amuse some of those who are best acquainted with works of insanity, and know how to appreciate the amount of original information which they contain. Lavater's thieving physician, has certainly done duty everywhere. In this country he is generally thought to have been a Bristol practitioner, from the way in which he has been appropriated by an able writer from that city. Then there was that funny thief of Vienna, who only stole pots and pans; he is as ubiquitous as the doctor. It must indeed be admitted, that if kleptomania be a common form of insanity, we are sadly in want of new instances to illustrate its phenomena. Yet there ought not to be much difficulty in obtaining such instances, if we may accept what the 'Times' newspaper said a few years ago (April 1855,) when another lady thief was prosecuted for stealing cambric handkerchiefs in a draper's shop. A prosecution was instituted against her, which is said to have been a very bad thing for the man whose goods were stolen. "It would be a bad thing for the coo," said Stephenson, "if she got before the train," and the draper was no more

than a cow standing before the express train of good society which he affronted by prosecuting the lady thief. The 'Times,' on that occasion, delivered itself on the subject of kleptomania in the following terms : "It is an instance of that not very uncommon monomania, which leads persons, otherwise estimable and well conducted, to pilfer articles of a trifling value, in obedience to the impulses of a diseased imagination. The fact is notorious, that many persons of high rank and ample means have been affected with this strange disorder. *Every one who is acquainted with London society could at once furnish a dozen names of ladies who have been notorious for abstracting articles of trifling value from the shops where they habitually dealt.* Their *modus operandi* was so well known, that on their return from their drives, their relatives took care to ascertain the nature of their paltry peculations, inquired from the coachman the houses at which he had been ordered to stop, and, as a matter of course, reimbursed the tradesman to the full value of the pilfered goods. In other cases, a hint was given to the various shopkeepers at whose houses these monomaniacs made their purchases, and they were simply forewarned to notice what was taken away, and to furnish the bill, which was paid for as soon as furnished—and as a matter of course, by the pilferer herself, without any feeling of shame or emotion of any kind."

A very common form of insanity, indeed, this must be, if this be true, that any one in society could at once name a dozen lady kleptomaniacs ; but whatever the truth may be as to the wide-spread prevalence of shop-lifting, we disbelieve the prevalence of the insane motive. If it be true that attempts at shop-lifting in London, by so-called ladies, are an affair of every-day occurrence, necessitating the constant employment of vigilance on the part of shop-keepers, to prevent loss which would in the long run and in the aggregate be serious, it accords little with our experience of the insane to hear the motive attributed to mental disease. At the first blush this may seem a most incredible state of affairs. If, for example, you take a model English lady, intellectual, refined, sensitive to the slightest touch of shame, truthful and true,

the centre of a home in which the dearest social affections are nurtured in that modest retirement from publicity and avoidance of parade which are the characteristics of the home of such a person ; it seems, nay, it is impossible, that such an one could betray herself to public scorn by perpetration of one of the meanest of crimes. But there is another aspect to this matter. The struggle for existence in the middle, and even in the upper classes of our complex social system, combined with the prevailing fashion of an emulative and showy expenditure, make the sense of want felt keenly in many an English home, where no traces of vulgar poverty are discernible. The really poor steal because they want bread ; the relatively poor are tempted to steal because they desire the possession of that which seems, to a mind trained in a bad school, as essential as bread itself. And how are they tempted ? How are women, whose education has been one system of skillful parade, who have been trained to derive a vast proportion of their daily happiness from that most personal of the æsthetic arts, the cultivation of dress, how are they tempted to possess themselves of its material ? Are they not stimulated to covet its possession by every ingenious device which the mind of man or of woman can devise, by streets of gorgeous shops, touted in every possible manner by the most pertinacious inducements, and almost persecutions to buy, buy, buy ; so that it has at last become the custom of the town-bred English women of the present day to spend no inconsiderable portion of her time in passing from shop to emporium, from haberdashery store to magazin de mode, in the discharge of that new and peculiar duty of life called 'shopping.' Can we be surprised that when the means fail to gratify the desires thus stimulated and thus tempted, that in some few instances the desire of the eye should prove too strong for the moral sense ? It is painful and humiliating if these things are so, but it is not wonderful that they should be so ; and on the whole we can find more pity for the poor woman who purloins a piece of lace, without which she thinks she will be absolutely not fit to be seen, than for the smirking fellow who has caught her in his haberdashery trap by lying

advertisements that he sells for almost next to nothing the very articles she so covets in her desire to make her person agreeable and attractive. The fair thieves whom it would be more true than gallant to consider as an elder kind of children, if pity does not allow them to go scathless, when they steal the gewgaws in which their hearts delight, are punished with crushing and ruinous infamy, to escape from which the imputation of madness has sometimes been considered a welcome refuge.

But what is true kleptomania? Monomania du vol? Diebtrieb? Real stealing insanity? There is a good deal of scattered information on the subject, and yet much remains to be gathered before we understand it well. We appear yet to have scarcely got beyond that early stage in a scientific inquiry which gives us a large generalization. We have found that some people altogether or partially insane, are incorrigible thieves, and we have generalized the fact into the formation of a class of the insane, characterized by this tendency. But if we carefully examine the cases in the category thus formed, we find that they differ essentially from each other, and upon this analytic stage, which is the wider and more important part of the inquiry, psychological writers have scarcely entered. The material for examination is yet scanty, and in this absence of sufficient data these observations are made rather as suggestions of the method of inquiry, than as presenting anything like a satisfactory explanation. Theft is sometimes one of the earliest symptoms of mental disease, and if it were to be so decidedly the earliest symptom that no other indication of insanity existed, it would, of course, be extremely difficult to diagnose the character of the theft as of pathological nature. If it should happen to be the only symptom with which the physician is acquainted, he must necessarily suspend his judgment, for it is not by the perception of one attribute that one thing, even of the most simple character, can be recognized from another, and in matters of complicated science this is still less possible. A man may at night see an object which he remarks to have a round shape, but in the absence of sufficient light he cannot tell whether

it is a disk or a sphere, much less can he tell if it is an apple, or an orange, or a ball of iron ; and so the simple characteristic of theft must needs be illustrated by the qualities of the act, and by the conditions of the actor, before it can be referred to its category of crime, or of disease. One of the conditions we should look for in the act as one of disease, is a want of premeditation and design ; the kleptomaniac does not go to the shop or other place with the intention of committing a theft ; some other motive generally leads him or her into the presence of the temptation. In the good example given by Pritchard, a man of fortune at Scarborough saw a friend and his daughter in a shop, and joined them ; in a short time after, the mercer waited on the father of the lady, and regretted to state that the lady had taken a silk shawl from the counter ; the gentleman denied the charge, and brought the man to his friend's residence, in the hall of which he found the great coat his friend had worn in the morning, and in one of its pockets was the lost shawl, which was delivered to its owner with the remark,—it is one of my friend's peculiarities sometimes to take what does not belong to him—the gentleman died of general paralysis. In this instance we first observe the want of premeditation in the theft, as the poor gentleman was undoubtedly induced to enter the shop by the motive of joining his friends ; secondly, the apparent absence of any intention to appropriate the article stolen ; a man of fortune, he could readily have purchased the article had he really wanted it ; it was moreover an article, though this was an accident in the case, which was by no means likely to excite his cupidity ; he forgot the act as soon as it was done, leaving the shawl in his pocket ; and if at the time, the progress of the disease had left him in the possession of sufficient memory to have had the act recalled to him by the exhibition of the shawl discovered in his coat, he would probably have shown no symptoms of either shame, or regret, or of apprehension of the consequences. These are the notable qualities of this particular act ; but in addition to these, there would, no doubt, on investigation, have been found other signs of the diseased state of

mind of which it was the result. The thief's friend, in apologizing said, to steal was *one* of his peculiarities.

An instance in which the difficulties of diagnosis must have been greater, is recorded by another author. A clerk in a bank was accused of repeated acts of theft. Nearly all the missing money was found at his lodgings carefully concealed in the lining of some old clothes. When accused, he treated the matter with *nonchalance* of so peculiar a character, that suspicion of alienation was expressed by his employers and friends; this suspicion would appear to have been founded upon the manner in which so grave an accusation against him was received, upon his known habits of integrity, and upon the absence of motive, his habits of life being simple, and his means competent. These facts, combined with the important one, that the money when taken was not expended, but left in concealment in the lining of cast-off clothes, were quite sufficient to justify the humane view taken of the case. It was not, however, until after the lapse of two years, that the man was found to be decidedly hallucinated. It would seem probable that if the duty of deciding on the nature of this case had fallen to the lot of harsh or ignorant men, this poor fellow would have been consigned to an earlier grave, through the painful portals of a convict prison. "En effet," says M. Morel, on this very subject, "soit qu'il s'agisse du diagnostic d'une maladie mentale, soit qu'il faille apprécier la criminalité d'un acte, nous ne pouvons rester dans une indécision qui compromette le sort d'un aliéné ou les intérêts sacrés de la justice. La science est assez avancée aujourd'hui pour faire la part de ce qui, dans la généralité des cas, doit être attribué au crime ou à la folie." We entirely agree with this philosophic writer in the claim which he advances for psychological science to distinguish the thefts of the criminal from those of the lunatic *in the generality of cases*. Some cases, however, we think there are, in which the certain knowledge which will alone justify the expression of a positive judgment, can only be attained by waiting for, and watching the progress of events. General paralysis is un-

doubtedly the form of insanity whose incipient stage is most frequently marked by this tendency to commit theft. We are not prepared to say whether the tendency ever develops itself at a period antecedent to the earliest appearance of physical symptoms. Probably it does, but it is a point which deserves to be carefully observed and noted. We have known a general paralytic undergo a six months' imprisonment for a theft which he had committed, and to be discharged from prison without any suspicion having been excited of the existence of mental disorder. On inquiry, it will, we think, probably be found that in a certain number of cases the mental condition which leads to theft, does antedate any degree of muscular tremor, although it is most common for the state of mind in incipient paralysis which results in theft, to be accompanied by physical signs of disease, which a well-instructed alienist will not be liable to overlook or mistake. The mental condition of general paralytics which leads to theft is peculiar and characteristic. The patients do not seem so much to take the things they steal, because they desire to possess them, as because they believe they belong to them, and because they at the same time have lost the mental power of discriminating circumstances. If lunatics of this class do not steal, very often the first sign of disease which alarms the friends is a reckless expenditure, manifesting itself beyond their means and outside of their wants. They buy all manner of inconsistent and needless things, paying or running in debt for them, as the case may be. They do this, or they take the things without the formality of paying or promising to pay for them, from the same state of mental exaltation which leads them to believe that the things do or ought to belong to them; a state of exaltation, which will, on careful inquiry, always be found to be accompanied by the failing power of judgment which is the first step towards dementia and fatuity. "I was once able," says the author above quoted, "to establish the non-responsibility of a patient of this kind, who had stolen, in a church, the ornaments, and the most insignificant objects of ceremonial, and who presented no other system of disease than a marked state of congestion, great self-content

and a silly laugh ; the patient had no delusion, there was only a great intellectual weakness, and the most complete indifference as to the fate which justice would award ; only three or four months after his acquittal an attack of acute mania with delirium of grandeur, trembling of the tongue, and other symptoms of progressive paralysis justified my prognostic." Morel, 'Traité des maladies mentales,' p. 410.

Simple progressive dementia is another form of disease, the early stages of which are apt to be marked by acts of theft, the patients seeming really to have lost the power to recognize the difference between *neum* and *tuum*, and to steal from stupidity. Hysterical mania, or rather mania in hysterical women, is another form of mental disease, which is often marked by propensity to theft even from its earliest stages, and when other and more decided symptoms of insanity are absent such a case may present one of the most difficult problems which it is possible to propose to the medical jurist. Fortunately merely hysterical people are not very liable to commit crime. With all their gusty passion they are cowardly and circumspect ; but some modification of responsibility would be fairly permitted to the loss of control arising from hysteria, although it would not be a less difficult problem than that arising from hypochondriasis. Both of these diseases are near neighbors to insanity, and both of them are liable to run into it. Whether, however, we should call a certain state of mind hysteria or insanity, would not be the real medico-legal question, but whether a certain act was the uncontrollable result of disease or not. The thieving propensities of hysterical maniacs may illustrate and find illustration from the remarkable fact that women during pregnancy are sometimes afflicted with a desire to steal. Gall says, that he knew four such instances in women who had no such propensity at other times. Perhaps it is difficult for a man to bring the faults of woman in her most womanly state to the test of cold unsympathising reason, and on this account, the caprices of pregnant women are not unlikely to be judged with mitigated severity. Casper, however, the eminent jurist-physician of Berlin, in his work on legal medicine records the details of a case in which he did

not permit himself to be misled by this view of the responsibilities of the weaker sex. We refer to his 204th case, "Theft committed from the pretended caprice of a pregnant woman." Madame de X— had committed thefts in three goldsmith's shops during the last three months of her pregnancy. The day after her acouchment she was summoned to appear before the "procureur royal," to the astonishment of her husband, who informed the judge that "she avowed to me, as if awaking out of a dream, that she had had during her pregnancy an irresistible desire to possess shining objects, especially those of new silver. She had in this manner taken objects from the shops in a state of complete dementia. Another time, she assured me she knew nothing about the matter; and another time, she said, that she had left home with the intention of restoring the articles, but on her way the conviction had come upon her that they were her own property." Madame de X— was said in the depositions to have always been ridiculously vain and coquettish; although, on the other hand her husband said she was gentle, quiet and religious. Much evidence was given to the effect that from the commencement of her pregnancy a change had taken place in her state of mind; she had become absent and careless, and she had manifested the singular desire to possess shining objects; she used to polish copper objects in her house, and play with new money, and she had taken a mother-of-pearl knife and whist-markers from the house of one of her relatives, who observed at the time that she was not right in her head. Medical opinions as to her state of mind being contradictory, the case was referred to Casper. He remarked, that although she was said to have besought her husband not to take her to the houses of her friends where there were shining objects, she chose to go herself, and without any necessity, to the shops of the goldsmiths, where she knew that such objects abounded; and, at these shops, instead of simply taking shining objects, she paid away silver, and then said she wanted nothing; and she broke up the objects which she stole in order to render them unrecognizable. She had each time changed the goldsmith's shop where she went to steal, and had concealed her conduct

from her husband ; and in the interrogations she had made many contradictory and false statements. Casper concluded that the diseased propensity of Madam de X— was not irresistible, that she had not been compelled to commit the three thefts in spite of herself, and that they were criminal actions for which she was responsible. Madame de X— was found guilty. She was separated from her husband, and many years after, and when she was not pregnant, she stole drapery goods from a shop.

In England, or at least in London, Madame de X— would, undoubtedly, have been acquitted, or more probably, she would not have been arraigned. It appears to be a generally accepted medical opinion that pregnant women are subject to *quasi* diseased states of mind, which are apt to lead them to commit thefts and other criminal acts ; but it would not be easy to produce reliable data for this opinion. The exculpatory evidence of a husband in such a case ought to be received with grave suspicion ; indeed, there are plenty of English jurymen who would willingly conclude that a husband's evidence tending to incriminate a pregnant wife was not worthy to be believed.

The opinion of alienist physicians in these dubious cases is worth—well, we will not say what we think it worth. It is at least sometimes heavily paid for. But are we able to produce any definite and reliable information on these cases, the result of unbiassed observation, which is worthy to be accepted by judges of the land as real and true knowledge ? Is not our opinion rather the result of most vague and general impression, founded upon no data which we can produce ?

If we attempt to form something like a classification of insane theft, it will be found convenient, and, on the whole, consistent with fact, to distinguish between—1st, theft arising from perverted intelligence, *i. e.* delusion ; 2nd, theft arising from defective intelligence' *i. e.* from idiocy, imbecility, and dementia ; and, 3rd, theft arising from perverted emotion, as, for example, the caprice of pregnant women, and those cases of supposed irresistible propensity which have been assumed to deserve refuge within the sanctuary limits of mental disease.

About the nature of theft committed under the instigation of insane delusion there can be no doubt. If the law held a man guilty of crime for taking possession of property which he believed to be his own, that belief being the result of insanity, the law itself would be mad.

The nature of thefts of the second category is not always so intelligible. Abstractedly, the nature of a theft committed by a perfect idiot, and by a person of merely weak intelligence, is the same. The theft is committed from want of a due appreciation of the character and consequences of the act. Coleridge said that all rogues were fools with a *circumbendibus*. The question in this case will be the amount of folly. If it is so great as to prevent the thief from recognizing the nature and consequences of the act, he must be held innocent of crime; but in this class of cases the question of intelligence, and of consequent responsibility, is of one degree. There must ever be a border-land between sense and folly, in which it will be most difficult to arrive at a right and just judgment.

In the category of insane theft from perverted emotion, our knowledge is all at sea. Whatever we may think of the irresistible nature of thefts by pregnant women, those committed by men and women who are in no exceptional condition of body, and who manifest no other symptoms of insanity than that they steal because they cannot help it, may well be questioned with judicial and scientific severity.

As we have said a large proportion of the cases of kleptomania, or, as Mathey first called it, *klopetomania*, which are found in works on insanity, have been copied from one another, the original source being Gall's great work '*Sur les Fonctions du Cerveau*.' Gall, indeed, set the first example of quotation, for he has himself quoted the whole passage in his fourth volume. These are his words, as they first occur at p. 412 of his first volume :

"Exaggerated propensity to Theft : destruction of the moral liberty."

"Victor Amadis the first, King of Sardinia, on all occasions appropriated trifling articles. Saurin, pastor of Geneva,

although imbued with the highest powers of reason and of religion, continually succumbed to the desire of thieving. Another individual, was from his earliest years, a prey to this inclination ; he entered the army, for the purpose and with the hope of being restrained by the severity of its discipline, but continuing to thief, he was upon the point of being condemned to be hanged. Always striving to overcome his desire, he studied theology and became a Capuchin. His propensity followed him into the cloister ; but as the things he stole were only trifles, he indulged it without disquietude. He took scissors, chandeliers, snuffers, cups and goblets, and carried them into his cell. A government *employé* at Vienna had the singular mania of stealing only household utensils. He hired two rooms wherein to deposit them ; he never sold them, nor made any use of them. The wife of the well-known physician Gaubius had so strong an inclination for thieving, that when she made purchases, she always attempted to take something away. The Countesses M—, of Wesel, and J—, of Frankfort, had the same penchant. Madame de N—, had been educated with especial care. Her powers of mind and talents ensured to her a distinguished place in society. But neither her education, nor her rank, exempted her from the irresistible desire to thief. Lavater mentions a medical man who never left the room of his patient without taking something away, and thought no more about it. At night his wife searched his pockets ; she found in them keys, scissors, thimbles, knives, spoons, buckles, and needle-cases, and returned them to the proprietors. Moritz, in his '*Traité expérimental sur l'âme*,' relates, with all its details, the history of a thief who had so strong a propensity for theft, that being nigh unto death he stole the snuff-box of his confessor. Dr. Bernard, physician to his Majesty, the King of Bavaria, tells us of an Alsatian of his acquaintance who committed thefts everywhere and at all times, although he had abundance and was not avaricious. He was educated with care, and his vicious propensity had many times brought its punishment. His father enlisted him as a soldier ; this means of correction was of no avail. He stole to a great extent and was con-

demned to be hanged. The son of a celebrated *savant* offers another memorable example. He was distinguished from his fellow-students by his talents; but from his tenderest years he stole from his parents, his sister, his servants, his comrades and his professors. He abstracted the most valuable books from his father's library. All means were tried for the correction of his fault; he became a soldier, he oft-times submitted to rigorous chastisement, but all was unavailing. The conduct of this unhappy young man was in other points exemplary; he did not justify his thefts; but if he was remonstrated with on this subject whether in a friendly tone or in a more demonstrative manner, he appeared indifferent, and as one who did not regard what was said.

"The almoner of a regiment of Prussian cuirassiers, a man educated and otherwise endowed with moral qualities, had so decided a propensity to steal, that often on parade he took away the handkerchiefs of the officers. His general greatly esteemed him, but as soon as he appeared, every article was put away with the greatest care, for he had often carried away handkerchiefs, shirts, and even women's stockings. Afterwards, when asked for the articles he had taken, he returned them in good faith. M. Kneisler, director of the prison at Prague, tells us of the wife of a rich merchant who constantly thieved from her husband in the most dexterous manner. They were obliged to confine her in Bridewell. Scarcely was she free when she again thieved, and was confined a second time. Set at liberty, new thefts condemned her to a third detention of greater length than the preceding ones. She even thieved while in the prison. She had contrived with much cleverness an opening in the stove which heated the room which contained the money-chest of the establishment. The repeated thefts she committed on it were observed; for her detection bells were hung upon the doors and windows, but to no avail, but she was effectually scared by pistols which went off instantly when the money-chest was touched, so as to give her no time to retreat by the aperture in the stove. We have seen in the prison of Copenhagen an incorrigible thief, who sometimes distributed his

pilferings among the poor. In another place, a thief who was in confinement for the seventh time, assured us, with sorrow, that it seemed impossible for him to do otherwise than thieve. He demanded peremptorily to be kept in prison, and that the authorities should supply him with the means of getting his living.

“It would be easy to cite thousands of like facts, which also serve as proof that the desire of thieving is not always the result of bad education, of laziness, or of poverty, or the absence of good qualities, or even of morality or religion ; and this is proved from the fact that petty larcenies are overlooked by the world when they are committed by the rich and polished members of society. Absence of mind is the name given to such thefts. But is not the same craving found in the poor man ? Does it then change its nature ? Is it changed by the value of the things stolen ? The result is the same, and much prudence and experience is needed to decide with exactitude the different degrees of culpability.”

But for what purpose has this great mental physiologist adduced these examples of apparently motiveless theft ? Not, certainly, as examples of mental disease, since he states his opinion with his customary precision, that these exaggerated propensities are not “true mental alienation, but rather a partial exaltation, a subjection of the soul, offering an incomprehensible contrast between man and the animal which he bears within him. For the flesh lusteth against the spirit and the spirit against the flesh ; and these are contrary the one to the other : so that ye cannot do the things that ye would.” This he observes on the general subject of exaggerated propensity, but that of theft in particular he appears to have no difficulty in referring to the innate qualities of man’s nature. “It is inherent in our nature,” he says. “There are very few persons who, with the hand on the heart, can say that they have never committed a theft, especially if they go back to their infancy. In the majority of men it is needful to combat, without ceasing, this propensity to theft, by powerful motives, by penal laws, by religion,” &c. Between

the propensity as it exists in one man and in another, he observes that "the only difference is one of degree: in one man the propensity is moderated by a happy organization; in another by the influence of education, by the control of habit, or the fear of punishment; but in a third, *the vicious propensity is occasioned by an organ so energetic* that the same motives which have made honest men of others have no influence upon him." Moreover, Gall approves of the legal institutions by which men punish and endeavor to correct this propensity (p. 213, vol. iv;) and altogether it would seem that one of the most illogical things which psychological writers have dared to do, has been to cite the examples which Gall has collected to illustrate theft as arising from the preponderating action of an organ in a healthy brain as examples of theft occasioned by mental disease.

With regard to the motiveless nature of some thefts and the singularly incorrigible character of some thieves, Casper makes some remarks which appear both new and true: "The rare cases which Marc refers to, in which the thief throws away the object stolen, or spontaneously proposes to pay for it, admit of physiological explanation. We do not mean by that very common state of perversity and malignity which may be the cause of some thefts of this kind; what we mean is, that so much tact, address, and courage, are often needful to commit a theft without being discovered, that it is so needful to watch and to seize the right moment, to plan with care and to execute with promptitude, that one can comprehend the great pleasure which is experienced in overcoming such difficulties, and how much so perilous an enterprise, crowned with success, is flattering to the self-approbation of the thief. I am convinced, also, that in some individuals a real attraction is felt in this chase after the property of another. I say chase, for I can compare it to nothing better than the passionate desire to follow a hare or a fox at the hazard of life, or to watch for the prey like fishermen in England, who remain whole days on the water, patiently watching the least movement of their game. I am thoroughly convinced that this emotion is of much force in holding thieves to their mode

of life, and it is in this manner only that we can explain how it is that some of them, after a long imprisonment, immediately recommence to steal, although they well know that a second punishment, more severe than the first, awaits them."

Theft, indeed, while it is by far the most common of crimes, will present, to those who seek for it, a philosophy as interesting as it is important. Let us study it with unprejudiced minds, and not stultify ourselves by wrong-headedly adhering to a narrow professional point of view. The doctors are as willing as *Æsop's* currier to cry out that there is nothing like leather, and the lawyer's are just as bad. But neither is all crime insanity nor is all insanity crime. Let us strive therefore, to distinguish them with all exactness, even though the effort may make our existing ignorance inconveniently apparent; and for the question of kleptomania let us at least decide so far as at once to decline to make science the handmaiden of crime, by firmly insisting upon other evidence of the existence of mental disease than that afforded by the crime itself.

ON RECENT PSYCHOLOGICAL LITERATURE. BY
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ARTICLE.]

AFTER some remarks on the different philosophical schools which in our day divide psychopathists, we have, in the preceding article, tried to establish that the human mind is formed of several elements, and presents the *union* of the spiritual, vital, and material principles as the sublime design of Divine Providence in the universe. Our principal object was to prove that, actually, there is no reason to follow recent writers who declare that the first condition of progress in mental medicine is, to separate principles and practice from what is called the metaphysical part of psychology; one of the reasons for not following that counsel appears to be the impossibility to separate and analyze animal plasticity from its dynamics, which give life and intelligence. It is the very object of psychiatry to consider these facts united by the mysterious