

## Percy Hayter

### 1891 England, Wales & Scotland Census Carisbrooke, Isle of Wight, Hampshire, England

Name	Relationship	Status	Age	Occupation	Birthplace
Harry Hayter	Head	Married	41	General labourer	Eling, Hampshire
Susan Hayter	Wife	Married	43		Fordingbridge, Hants
George A Hayter	Son	Single	20	Coopers apprentice	Eling, Hampshire
Harry Hayter	Son	Single	13	Painters errand boy	Whippingham, IOW
Lilly Hayter	Daughter	Single	10	Scholar	Carisbrooke, IOW
John Hayter	Son	Single	8	Scholar	Carisbrooke, IOW
Eva Hayter	Daughter	Single	7		Carisbrooke, IOW
<i>Percy Hayter</i>	<i>Son</i>	<i>Single</i>	<i>2</i>		<i>Carisbrooke, IOW</i>

Isle of Wight County Press Saturday, 3 September 1898

#### The PARKHURST TRAGEDY

VERICT OF "WILFUL MURDER" AT THE INQUEST.

PRISONER BEFORE THE MAGISTRATES.

FUNERAL OF THE VICTIM.

The terrible and cruel murder on the Friday afternoon of last week of a Newport school-boy, named Percy Hayter, in the Parkhurst Barrack field, and the confession made of the crime by Maurice Holbrook, a native of the Island, who on the previous Tuesday discharged himself from the Island Workhouse infirmary, continue to be the all absorbing topics of conversation in Newport and the surrounding district. Details of the fearful tragedy were given in our last Saturday's ordinary issue, and in later editions on the same day we gave a report of the inquest and magisterial proceedings. That report we now append, together with further particulars connected with the shocking occurrence.

#### INQUEST. — VERDICT OF "WILFUL MURDER."

The inquest was held at the Workhouse on Saturday morning before H. R. Hooper, Esq., B.A., Deputy Coroner for the Isle of Wight. The Chief Constable of the Isle of Wight (Mr. Hastings Lees) watched the proceedings on behalf of the police, and the Deputy Chief Constable (Mr. E. C. Gurney) and Chief Inspector Ayres also attended, the latter conducting the case. These and the jury and witnesses and one or two spectators were the only persons present.

The proceedings commenced with the swearing of the following gentlemen as the jury: John Sanders, William Chiverton, Edward F. Wray, Alfred Clark, George Bricknell, G. H. Scovell, Frederick Midlane, Samuel Ash, Charles Scott, John Lewis, Walter Barton, F. Wadmore, and Edwin Tyler. These having been sworn and Mr. Wadmore chosen as foreman, the jury proceeded to view the body, which was lying at the mortuary at the infirmary.

After the return from the mortuary there was a brief pause while some formalities were written by the Deputy Coroner, after which Susannah Hayter, the wife of Harry Hayter, residing at 3, Albert-cottages, Worsley-road, Hunnyhill, in the borough of Newport, was then called. She was much affected.

The Deputy Coroner: Have you this morning seen the body of your son?—Yes. Lying dead in the mortuary?—Yes. How old is he?—Nine years last January. When did you last see him alive?—About half-past 1 o'clock yesterday. Where?—At his home. He went away by himself. It was the last day of his holidays?—Yes. And when did you first hear of anything happening to him?—Witness replied when her husband came home at 6, but she did not know it was her son till after 7.

In reply to the Deputy Coroner, Mr. Ayres said he thought this would be enough evidence from this witness for the purpose of the inquiry. The evidence was then read over to Mrs. Hayter, who signed her dispositions, and added that her husband was a labourer at West Medina Cement Mills.

George Armstrong, aged 13, an intelligent looking lad, who said he resided with his mother at the Half-way House, Hunnyhill, stated that he knew the deceased and last saw him yesterday about 2 o'clock.

The Deputy Coroner: Where was he then?

Witness: In the Barrack field.

What was he doing?—Playing with other boys hanging on the bough of the tree. Marsh and I left, leaving Percy Hayter in the field.

And that was the last you saw of him?—Witness replied: I have seen the spot where the blood is and it was near there where we left him.

Do you know why he did not come away with you and Marsh?—He wanted to stay on to see the football. It had just started a drizzling rain, and that was the reason why we came away.

You have seen him since he has been lying in the mortuary and do you identify him as the same boy?—Yes.

Chief Inspector Ayres was the next witness.

In reply to the Deputy Coroner he stated that he was stationed at Newport, and on the previous day about 2.50 p.m. he was at the Police-station, Quay-street, in company with Sergt. Adams and Constable Stretch. "A man", continued witness, "whom I did not know came to the Police station door and said 'I want to give myself up. I have cut a boy's throat in the Barrack field at Parkhurst'. I said 'Come inside'. He appeared very strange and wild-looking about the eyes, and taking the knife produced [a good-sized clasp knife] from his left-hand jacket pocket he said 'That's what I done it with'. I then cautioned him by saying 'This is a very serious matter, and you should be careful of what you are saying'. He made no reply. I examined the knife.

The Deputy Coroner: Did he appear to be sober?—Oh, yes. I found blood stains on the knife. I also examined his hands and found blood round the quicks of his finger nails. I also asked his name. He said "Maurice Holbrook, of Freshwater", and that his age was 42. I then left him in charge of P.C. Stretch, and in company with P.S. Adams proceeded as quickly as possible to the field named, where we found near a tree the lifeless body of the deceased. There were two wounds in the throat. The deceased's left arm was slightly bent, the right arm outstretched from the body. The left leg was slightly bent and the other straight, the body being flat on its back and a large pool of blood about the neck. On arrival there I inquired for a doctor and a man who came up at the time said he had seen Dr. Waterworth leave the Workhouse infirmary. I immediately dispatched P.S. Adams for him, and I then bound up the wounds with my handkerchief, obtained a stretcher from the military hospital, and was conveying the body to the Workhouse when I met Dr. Waterworth. He examined deceased and pronounced life extinct. Deceased was then conveyed to the porter's lodge and further examined by the doctor. Myself and Sergt. Adams then conveyed the body to the mortuary where it has been viewed by the jury. We then took possession of the deceased's clothing, those parts around the neck being saturated with blood. About 7 o'clock last evening I was present at the mortuary when Mrs. Brine, a neighbour of the parents of the deceased, identified the body as that of Percy Hayter.

By the Foreman: Was any one near where you found the body?—No; A respectable looking man passed and it was he who said Dr. Waterworth had just gone along, and I did not get his name. I had no difficulty in finding the body.

Q. How long was it after you had information that you found the body?—Not much more than 10 minutes. We were there as soon as possible after 3 o'clock. We did not lose any time. I saw a soldier at the end of the field who said that he had been there about 20 minutes, and he said he had seen no one come or leave.

Q. You don't call him as a witness?—No. He can't prove anything. Prisoner was seen at Hunnyhill at 1 o'clock yesterday and he was also seen in this field at 12 o'clock.

A Juror (Mr. Midlane): Didn't he give any reason why he had done it?—No.

Q. He simply said he had done it?—That is all. There is no harm in saying that the prisoner said he had had no food for three days, only a pennyworth of buns.

Another juror (Mr. Scovell): About what distance from the highway was the body?—Not more than from four to six feet from the hedge, which screened the view of the body from the Yarmouth-road.

The Chief Constable said it was about four yards from the highway.

Dr. Allan Waterworth stated that a little after 3 yesterday afternoon he was called by a sergeant of police in the Barrack field. He saw the deceased was being carried on a stretcher across the field. Witness had the body taken to the receiving ward at the Workhouse, and there examined the throat. There were two wounds—incised wounds made by a not very sharp knife, as the wounds were somewhat jagged.

The Deputy Coroner: Such wounds as a knife like that might make? (handing witness the knife).—Yes.

He was quite dead?—Yes. Could you form any idea of how long he might have been dead?—Not more than an hour. The lower wound had cut through the wind-pipe. The upper one was not very deep. There were no marks of the boy having been struck on the head or strangled or anything of that sort. There were hardly any signs of a struggle.

You have been attending the man who has been apprehended?—Yes. He has been in the hospital for over two months. He had had typhoid fever at Bristol and was sent to the Workhouse here suffering from debility.

The Foreman of the Jury: How long do you think it would be before death would ensue after those wounds?—Witness: Almost immediately. Replying to another juror the witness said that a large vein had been cut, but not an artery. Witness further said the man apprehended left the House on Tuesday at his own request.

Mr. Bricknell (a juror) asked if the nurses could give any evidence as to the any defectiveness in the man's mental state?—Witness: They saw no signs, neither did I.

Mr. Bricknell: I understood some time ago he attempted suicide on the other side of the water.

Dr. Waterworth: We never heard anything of that. Typhoid is all I know.

Chief Inspector Ayres said he had heard the same as the juror who had just spoken and should make inquiries into the matter. He believed it was at Southampton that it occurred, and the man was sentenced.

Mr. C. Varty (who said he was a Guardian) wished to ask through the jury whether they did not try to prevail upon the prisoner at the infirmary to remain in the institution rather than take his discharge.

Dr. Waterworth: I don't know.

Inspector Ayres said several officers could answer that question at the later inquiry. He believed it was correct.

Dr. Waterworth said he got better, but he was hardly fit for work.

The Foreman: The jury want to know why the man Holbrook is not before them.

The Deputy Coroner replied it was thought desirable not to call him. The question was thrashed out between the Chief Constable, the Inspector, and himself, and under the circumstances they thought it advisable not to call him. He would read for the information of the jury a reply which had been received by the Middlesex coroner on the point from the Home Office. "In reply I am to acquaint you that if you refer to the statute quoted in your letter you will find the Secretary of State has no power to grant an order to bring up a prisoner to be examined as a witness unless application has been made to him on affidavit. Mr. Hardy desires me to say that he will be glad if you will point out any authority to show that by common law or statute the Secretary of State or any other authority ever has the power to order prisoners in custody on any charge to be brought before a coroner while holding an inquest except for the purpose of being examined as witnesses".

The Chief Constable, in reply to a question, said the prisoner would be brought before the magistrates that afternoon, about 2.30 or 3 o'clock.

The Deputy Coroner then very briefly summed up the evidence, remarking that as far as he could see there was only one possible verdict for the jury to return, and that was "Wilful murder". It was no part of the duty of the jury to inquire into the state of mind of the man who would be charged, because that would be fully gone into before another tribunal. All they had to be certain of was the death of the boy and as to the man who did the deed, and in that case it would be a case of wilful murder. And that was the only verdict he thought they should return. But it was for the jury to say, and they would let him know what he had to enter on the record.

During the consultation of the jurors the question was raised as to whether the deceased could have provoked the prisoner, but of course no information was forthcoming on the point.

A Juror (Mr. Scott) said the knife produced had evidently been sharpened for the purpose. Mr. Bricknell agreed saying it had been rubbed on something rough both sides.

One of the boys who was with deceased before the occurrence stated, in reply to a question from Mr. Scott, that they did not see the prisoner there at all.

The Forman said the jury had unanimously agreed to return a verdict of:

"WILFUL MURDER."

The Deputy Coroner said prisoner would now be committed on his warrant.

The Deputy Coroner issued his warrant, Chief Inspector Ayres being bound over to prefer the bill of indictment and the witnesses were also bound over to appear at the trial.

The Foreman added that the jury wished to express sincere sympathy with the parents of the deceased in their bereavement.

Inspector Ayres said he should like to say how much the police were indebted to Dr. Waterworth, the Master of the Workhouse, and the two nurses, nurses Burgess and Byles, for the assistance they had given.

#### THE SCENE IN THE POLICE COURT.

The prisoner, *Maurice Holbrook*, was brought before the county magistrates at the Guildhall, Newport, on Saturday afternoon, the justices present being Lieut.-General the Hon. Somerset J. Gough-Calthorpe (chairman), Admiral de Horsey, Edward Carter, Esq., Godfrey Baring, Esq., Arther Atherley, Esq., Lieut-Col. Hamilton, the Chairman of the Isle of Wight Rural District Council (J. Ruffin Blake), Esq., and the Chairman of the Cowes District Council (George Fellows, Esq.).

The Chief Constable (Mr. T. Hastings Lees) and his deputy (Mr. Gurney) were present.

The prisoner was brought from the County Police-station in a cab in charge of Insp. Coleman and Sergt. Adams, and he was detained in the Council-chamber until the cases in progress in the adjoining Court were completed. His arrival was witnessed by a large concourse of spectators, and the Court was crowded.

On taking his place in the dock it was noticed that the prisoner is a man standing about 6ft. high, of cadaverous appearance, and wearing generally a dejected, woe-begone look. He has dark hair and moustache. He was attired in a dark jacket and trousers, a light corduroy waistcoat, and he wore round his neck a thick light and dark blue striped kerchief. He stood with one hand grasping the front of the dock, and looking down at the table in front of him, rarely raising his eyes. He appeared to take but little interest in the proceedings, though he started somewhat when Chief Inspector Ayres mentioned that the Coroner's jury had returned a verdict of wilful murder against him. Only once he attempted to speak, and that was when General Calthorpe asked him if he had any questions to put to the Chief Inspector. In a scarcely audible voice he said "No". He was clearly in an exceedingly weak condition.

The only witness called was Chief Inspector Ayres, who repeated the leading points of his evidence given at the inquest, and reported above, the recountal of the terrible and gruesome facts of prisoner's confession and the discovery of the body of the murdered by being listened to in breathless silence by the crowded Court.

The Inspector proceeded to state that an inquest had been held on the body of the deceased that morning, when a verdict of "Wilful murder" was returned by the jury against the prisoner. Prisoner temporarily glanced up at the announcement of the jury's verdict and momentarily appeared to realise his position, but again lapsed into his former condition of dreamy indifference.

A description by the Inspector of the wounds in the deceased's throat and evidence of identification of the murdered boy followed, and then came some fresh details.

"On returning to the Police-station", said the Chief Inspector, "last evening about 6 p.m., I charged the prisoner with feloniously killing and murdering a boy, at that time unknown, at Parkhurst, in the parish of Carisbrooke, that afternoon. Prisoner made no reply. I said 'Do you understand the charge'? and he replied 'Yes'. I then took him to the County Police-station. On the way there prisoner said 'I am very weak. I have had nothing to eat only one penn'orth of buns for three days. I don't know what else made me do it' "

Replying to the Clerk (Mr. John Fardell), the Inspector stated that the body of deceased was found about 10ft. to 12ft. from the hedge by the side of the Yarmouth road under a tree. On that evidence he begged to ask for a remand of prisoner for a week to H.M. Prison at Kingston.

The Chairman: Maurice Holbrook, do you wish to ask the Chief Inspector any question?—Prisoner, in an almost inaudible tone, said "No, sir".

The Chairman: The prisoner will be remanded for seven days to the prison at Kingston.

At the conclusion of the proceedings the Court was speedily cleared, the general body of spectators rushing to the streets below, where there was a large crowd to witness the removal of the prisoner.

#### EXECRATION OF THE CROWD.

The crowd manifested a very hostile feeling towards the prisoner when he left the Court, considerable hooting and other forms of execration being indulged in, whilst a number assumed a very menacing attitude by rushing at the closed carriage as prisoner, nervous and trembling, was hurried into it. Fortunately there was a strong police escort under the direction of Chief Inspector Ayres, Inspector Coleman, and others, and prisoner, thus safely protected, was quickly driven away to the County Police-station, amid further hostile demonstration, to await the departure of the 3 o'clock train for Ryde, which was to convey him on the first part of his journey to prison. Prisoner, though remaining silent, underwent considerable nervous excitement consequent on the hostile

outbursts of the crowd. This feeling was manifested in a lesser degree at the Newport Railway-station when prisoner, who was not handcuffed, was conducted to the Ryde train.

#### THE SCENE OF THE MURDER

—which has been sketched and a plan made for official purposes—was visited, particularly on Saturday and Sunday, by a large number, who quietly contemplated the blood-stained award which marked the spot of the foul deed in the picturesque avenue formed by the trees skirting the Barrack field by the Yarmouth-road. The military authorities had a sentry stationed at the corner entrance, but the visitors devised ready means of satisfying their curiosity, if checked at the gate in question, numerous gaps in the hedge affording easy access to the field.

#### PRISONER SEEN LEAVING THE SCENE OF THE TRAGEDY.

It may be interesting to state here that a witness has been found who it is believed saw the prisoner leaving the Barrack field immediately after the murder. The time was about 2.35 p.m., about 20 minutes before the prisoner made the confession at Newport Police-station of having killed the boy, and the interval was of course occupied in the journey to the Police-station. Several witnesses saw the self-confessed murderer in the locality much earlier in the day, and several little boys—two named Ledicott, living in Crocker-street, Newport—depose to having seen prisoner in the field foot-path which leads from Petticoat-lane across to the Forest-road, close to the Barrack field. The boys state that prisoner, who did not speak, made a step towards them as he was passing, and they took fright and ran away.

#### IMPRESSIVE SALVATION ARMY SERVICES.

Special interest centred in last Sunday's services at the Salvation Army Barracks, Newport, the murdered boy, like the other members of his family, being associated with that religious body. Deceased was a "junior soldier", a much-loved member of the Salvation Army Sunday-school, and a cornet player in the juvenile band which is being established in connection with the local corps of the Salvation Army. Touching reference was made to the terrible death of the victim of the tragedy. Some of deceased's favourite hymns were sung during the impressive proceedings and sincere sympathy was expressed with the bereaved parents. General Booth, on hearing of the sad occurrence, having telegraphed his "Sincerest sympathy with the sorrowing parents". There was an unusually crowded congregation at the evening service, when a most impressive address was delivered by Mr. J. B. Pickstock, who took as his text "For He hath prepared for them a city". The congregation was evidently much affected by the preacher's reference to the sad even uppermost in their minds, particularly when he related how heartily the deceased boy joined in the singing at the previous Sunday's service. An open-air service followed, the band playing through the streets to Castlehold. A memorial service is announced for Sunday evening next at the Salvation Army Barracks.

#### FUNERAL OF THE VICTIM.

The mortal remains of the poor little victim were committed to their last resting place at Carisbrooke Cemetery on Tuesday afternoon, when the melancholy interest aroused by the tragedy was evinced by the large and sympathetic crowd of spectators who witnessed the performance of the sad rites peculiar to the Salvation Army. A large concourse assembled in Worsley-road, Hunnyhill, outside the residence of deceased's parents, where the first portion of the impressive ceremony was performed. The polished and brass-furnished coffin was brought from the house and placed on a bier in the roadway, around which gathered a large number of Salvationists, including representatives from other corps in the Island and accompanied by their brass band. The junior members of the Salvation Army occupied a prominent position. The coffin was completely covered with beautiful floral tributes, mostly composed of white blooms, from deceased's parents and other relatives and friends, members of the Salvation Army at Newport and district, Juvenile Foresters (of which Society deceased was a member), school-fellows, playmates, and others. The cornet which deceased played in the juvenile band was placed among the floral tributes on the coffin. The service, which was conducted by Ensign Clayson (Newport), commenced with the singing of the hymn "Rock of Ages", the band accompanying. Capt. Sheath then offered prayer, in which was expressed an earnest supplication that the tragic end of their dear little comrade might lead many people to think more of the uncertainty of human life and the certainty of death and so

result in the salvation of many souls. They had been entreated in many ways before, but, alas! in vain. The hymn "Abide with me" was then sung, another prayer by Mrs. Clayson followed, and then "We shall walk through the valley in peace" was softly sung. This terminated the service here, and the coffin was then placed in a funeral car. The cortege was headed by the band, who solemnly played a funeral dirge as the procession moved slowly on towards the Cemetery. There were several carriages conveying mourners, the relatives present including the parents and brother and sister of deceased. Then came the members of the Salvation Army, and at Towngate the procession was joined by Juvenile Foresters in charge of Bros. A. J. Williams, C.R., E. J. Smith, P.C.R., and J. Stubbs, P.C.R., and the school-fellows of deceased from the Newport Board school, who moved on through the lines of spectators. It was noticed as the coffin containing the remains of the murdered lad passed by many women were in tears, whilst men of all degrees reverently uncovered, the scene being a very pathetic and touching one. A large crowd of spectators had also assembled in Carisbrooke Cemetery, where the service, which partook of the nature of that conducted outside deceased's home, was impressively completed, those taking part being Ensign and Mrs. Clayson, Capt. Sheath, Capt. Byeford (Cowes), and Mr. J. B. Pickstock, with addresses and prayers expressive of sympathy with the bereaved and emphasising the lesson taught by the awfully sudden death of their young comrade. "My Jesus, I love Thee", was sung at the graveside, the Ensign explaining that it was a favourite with the deceased, and the members of the juvenile band played deceased's favourite selection. The coffin breast-plate bore the simple inscription: "Percy Hayter, died August 26th, 1898, aged 9 years". Mr. S. Chiverton (Newport) was the undertaker and the police arrangements, which worked smoothly, were under the supervision of Chief Inspector Ayres.

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Mr. and Mrs. Hayter desire to return sincere thanks to the many kind friends for their sympathy in their sad trouble and bereavement.

**Isle of Wight County Press  
10 September 1898**

PERCY HAYTER  
Died August 26th, 1898. Aged 9 years.

Subscriptions not exceeding 6d. each, received at Ledicott's Old Curiosity Shoppe, for the purpose of erecting a small Monument or Headstone in Carisbrooke Cemetery as a token of sympathy to the memory of the above ill-fated boy. Children are particularly asked to give their pennies and see their names written down on a list.

**Isle of Wight Observer  
1 October 1898**

**Monument to the Murdered Boy.**—Enough money has now been obtained by public subscription (originated by Mr. Ledicott) to erect a monument to Percy Hayter, the little boy who was recently murdered at Newport. The amount required was £13 and to make up this sum 935 people have subscribed. The stone is to be in the form of a dwarf obelisk, square at the base, tapering upwards, with a carved broken lily at the top, and standing on two square steps with coping stones and iron uprights and chains around it.

Isle of Wight County Press  
26 November 1898

**PARKHURST MURDER CASE**

**TRIAL AT WINCHESTER**

**REMARKABLE MEDICAL EVIDENCE.**

**PRISONER FOUND INSANE.**

On Tuesday the proceedings at the Hampshire Assizes, which were continued before Mr. Justice Kennedy, aroused more than usual interest from the fact that it was understood that the man Holbrook, charged with murdering a boy at Parkhurst, would undergo his trial that day. The gallery of the Court was crowded, the Grand Jury box was filled with spectators, among them being many ladies, and the seats in the well of the Court were nearly all occupied, excepting those allotted to counsel, where there were a few empty spaces. Immediately after his lordship had taken his seat, in an undertone he addressed the counsel engaged for the prosecution and said as prisoner was not defended by counsel he (the Judge) thought he should be so defended, and he therefore asked Mr. Charles (who was in Court), if he was disengaged, to defend the prisoner and look through the papers and see him before he pleaded. Mr. Charles consented and left the Court for the purpose indicated by his lordship. A case of highway robbery with violence having been taken and disposed of, the case of *Maurice Holbrook* was called, and he appeared in the dock. He was charged with “feloniously, wilfully, and of his malice aforethought, killing and murdering Percy Hayter, of Carisbrooke, on the 26th of August, 1898”. He was also charged on the coroner’s inquisition with the same offence. By the conversation among the members of the bar who stood about the Court discussing the case before it came on it seemed pretty understood that the extreme penalty of the law would not be passed upon the prisoner, but that a plea of insanity must succeed. Prisoner appeared in somewhat better health, but he was still white and thin, and had a strange look as he stood with downcast eyes, which seemed immovable, waiting a moment while the case began. In answer to the charge he said in a clear voice that he was not guilty, and in reply to the Judge said he wished to be defended by counsel. His lordship then directed that the prisoner might be seated. Holbrook then sat down, with a prison warder on each side of him. Mr. Giles and Mr. W. M. Barnes appeared for the prosecution and Mr. E. B. Charles (son of Sir Arthur Charles) for the defence.

Mr. Giles, in opening the case, detailed the facts given in the evidence below and proceeded to say that there was no doubt that the prisoner came from Newport on the day in question, but there was no evidence that he was acquainted with the parents of the boy or with the boy. There was in reality no evidence of any motive whatever. Indeed, the only explanation seemed to be that the offence was one committed by the uncontrollable violence of a mad-man, and it was right that every investigation should take place regarding the antecedents of the prisoner. That investigation had taken place, and, although he was defended, it was right that he (the learned counsel) should lay all the facts before the jury. It seemed that the prisoner had been confined with some illness at the Workhouse in Newport till the 23rd of August, three days before this offence was committed. He had been there in charge of a doctor something like two months, and had been attended by Dr. Waterworth for debility consequent on typhoid fever, from which the prisoner informed him he had been suffering. The doctor saw no signs to indicate to him that the prisoner was suffering from brain disease, but as the case was gone into there was no doubt whatever that the man had for a series of years suffered from epilepsy, and that immediately before he came to the Workhouse at Newport he had been treated for some months—from January of this year till June—at the Workhouse in Bristol, and there he had been under the observation of Dr. Norgate, who would be called before them, and who would tell them that in his opinion the man was of unsound mind. There was a medical certificate signed by Dr. Norgate in the month of May to the Workhouse authorities at Newport. Dr. Norgate would tell them that in May this year in his opinion the prisoner at the bar was suffering from epileptic fits, brain disease, and that the nature of his ailment was permanent, and that he was totally incapacitated from carrying out his usual calling. In the ordinary course he was removed from Bristol to the place of his settlement at Newport, and there for a certain length of time he was under observation, and they would hear from the



doctor who then had him under observation what the result was. He (Mr. Giles) should also call before them a gentleman of great experience in cases of this nature, and he would give them his opinion as to the man's condition at the present time, and he (Mr. Giles) thought that when they had heard him they would not be able to come to any other conclusion than that in the first place he committed the offence with which he was charged, but that at the time he committed it he was not in such a condition of mind as to make him legally guilty, but that he was insane.

*[evidence duplicating inquest details not transcribed]*

Dr. Thomas Richards, examined by Mr. Barnes, said he was medical officer at the prison at Winchester. The prisoner was under his charge from October 26th till November 11th, 1896. He came from Southampton on a charge of attempted suicide. While he was under witness's observation he was of low type of mental condition, but he showed no definite symptoms of insanity. He was of a melancholy disposition. He had been under witness's observation up to the time of the present trial from September 3rd. The result of that observation was that he believed the prisoner to be insane.

What is your opinion of his mental condition on the 26th of August?—I think he was so insane as not to know what he was doing.

Mr. Giles said he did not propose to call any other evidence and he did not address the jury.

Mr. Giles, however, briefly addressed the jury, and remarked that they would have seen from his conduct of the prisoner's case that denial of the crime was no part of his defence. He could not on behalf of the prisoner, deny that this poor child was killed by this man; but a great deal of medical evidence had been called before them, which went to show that the prisoner was insane at the time, and the law of the country, looking in justice and, if anything, with pity on those who had been deprived of God's best gift, the gift of intellect, had ordained that those men who were insane at the time that they committed an act such as this—an act of taking away the life of another person—that those people should not suffer the ultimate and awful punishment which attached to the sane man who committed a crime of that nature. It was in their hands to say that at the time when this man committed this crime he was not responsible for his actions, and on the medical evidence before them the jury had no alternative but to say that.

The Judge then, turning to the jury, summed up the evidence, and in the course of his observations, which were imperfectly heard, said in effect that in order that insanity should be proved the jury had to be satisfied that the prisoner was in a condition in which he ought not to be held responsible for his actions. Was he in that condition when he took the boy's life? In judging of the sanity or insanity of the prisoner they had to look at the circumstances of the time. And here they found a man who, as far as it appeared to him (the Judge), did not know the child till within half an hour of taking that child's life. He had no connection with the child or the relations, and yet he proceeded to take the life without cause. That was a state of things which clearly required investigation. The absence of motive was a point which could never be overlooked. Then directly after the crime the prisoner went and straightway gave himself up to the police authorities. A murderer, as a rule—there might be exceptions—did not do that. This and other facts of the case, His Lordship said, were consistent with the case of a man who, at the time of committing the offence, was not in his right senses. Then the prisoner being motiveless, and that was acknowledged, they had to look at the appearance of the man. Sometimes men who had made beasts of themselves by drink committed offences, but that was not the case here. They had evidence that he was sober when he gave himself up and showing no signs of drink. Then he was wild and staring when he went to the officer. The crime appeared to have been committed with an ordinary pocket knife. With regard to the medical testimony, they know from the prisoner's past history that he was an epileptic. He had only recently been under the charge of a man of experience who had been a self-witness of his epilepsy. From the medical evidence it also appeared a matter of common knowledge to those who came in contact with epileptic patients that the affection produced in some cases startling results, and a state of things sometimes of violence, but also sometimes of apparent quiet, and while a person was so affected he might do any act and yet not know what he was doing. He could not help feeling great regret that, looking at the result of a life of freedom of a person of this kind, that there was no record of this affection in a form which would put people on

their guard when he was passed from one medical man to another at the time of his being transferred from one Union to another. Possibly there might be some reason and possibly there might be something not at present in his mind to account for it, but he could not help wishing in these cases, when there was seen a manifestation which might lead to such a point as might involve human life, that a record of the person transferred did not pass when a case was taken from one public custody to another. The prisoner was transferred in a convalescent condition, but in a state of debility after typhoid fever. There he did not show any signs of delusions. Immediately preceding his discharge from the Isle of Wight Union he did not manifest anything extraordinary in his conduct, and no notice was taken of the extraordinary malformation in his head, and there did not seem anything in the opinion of the medical officer in charge to prevent him going out. He went out at this own request, and after he got out he committed this act. His Lordship alluded to the prisoner's delusions, to the evidence of his having been in custody on the charge of attempting suicide, of his melancholy condition, and of his low type of mind, and said he did not think in this case the jury would have much doubt as to what they verdict ought to be. If it appeared to them that when the prisoner committed this act he was beyond competency, that he was insane at the time he did it, their duty would be to return a special verdict, which was that the man was guilty of the act charged, but was insane at the time he committed the act. That was a form of special verdict, and not one of guilty or not guilty.

After the close of the Judge's address the jury consulted in the box and in a few moments returned their verdict, finding that the prisoner was "guilty of the act charged, but was so insane as not to be responsible, according to law, for his actions at the time the deed was done".

The Foreman added that the jury were of the opinion that the suggestion of the Judge as to reports respecting the health of persons transferred from one Union to another should be carried into effect.

The Judge: Then I order that the prisoner, Maurice Holbrook, be kept in custody as a criminal lunatic in Winchester goal until Her Majesty's pleasure is known.

Prisoner was then removed to the cells below the Court.

In reply to some inaudible observations made by Mr. Giles, the Judge was understood to say that he was glad to hear that the fact of the prisoner's condition not being made known when he was transferred was no fault of the medical officer.

The case then terminated.

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