

# The Mystery of Murder

On October 4, 1949, Stanley Setty was stabbed to death in a North London suburb, and his head and legs were hacked from his torso. These were then wrapped in a parcel, flown out to sea the next day in a light aircraft, and thrown into the waters below. The following day, his torso met a similar fate, but, unlike the previous body parts, it did not disappear forever, instead returning on the tide to some marshy land on the Essex coast, where Sidney Tiffin, a farmer out shooting ducks, found it. Tiffin fetched the local constable, who said, on seeing the remains, "There's something wrong here." Tiffin replied, "Yes, I think there's something wrong here." "It's my opinion this is a murdered body," continued the constable. "Yes, I do think it is a murdered body," said Tiffin.

The torso was identified by a remarkable, if gruesome, feat of forensic science. Whoever was responsible for the murder and/or the subsequent disposal of the body had neglected to cut off the torso's arms and hands. The flesh proved too decomposed for the fingerprints to be immediately legible, but the waterlogged skin of the hands came off like a glove. A detective then put on the glove, and the fingerprints became readable. It turned out that Scotland Yard could identify them: for Setty had served time in jail 20 years earlier for fraud.

The case aroused considerable public interest even before a suspect emerged. It was the first murder known with a body disposed of in this fashion. But an arrest soon took place: a man named Donald Hume. There could be no doubt, and Hume admitted, that he had flown the body parts over the sea and dumped them—but he denied that he was the murderer.

Hume's trial took place in early 1950. (Justice was swifter in those days: it now takes six times longer, on average, to bring a suspected murderer to trial than it did then. Whether,

as a consequence of this increased delay, the verdicts are better, both in the prevention of wrongful, and in the arrival at rightful, conviction, is another matter.) One of the most famous writers and journalists of the day, Rebecca West, attended the trial and published an extended, and oft-praised, account, titled "Mr. Setty and Mr. Hume," in *The New Yorker*. Her account begins with a curious and almost incomprehensible assertion: "The murder of Mr. Setty was important, because he was so unlike the man who found his headless and legless body."

Does this mean that, had the finder of the body resembled Setty more closely, the murder would have been unimportant? What is an unimportant murder? The killing of a spouse, perhaps? West's meaning does not become any clearer as she elaborates:

*It was news, after the pattern which was established when the Wise Men came out of the East and questioned their way to the stable where the King of the Jews had been born; for they were, of course, neither kings nor philosophers, as has often been pretended, but newspaper men, and they had seen no star, but felt by the nerves, which announces somewhere there is news. For news is always an incarnation. Interest comes when people start to act out an idea. To show what a thought is worth when it is worked out in flesh and blood; and both Mr. Stanley Setty and his discoverer, Mr. Tiffen [sic], were engaged in such dramatization.*

One finds a straining for depth and significance in this passage, evident in many of the essay's 70 pages, as if the author wanted to defend herself against an accusation of mere prurience. It also reads as if she had been paid by the line, never using ten words where 100 would do. West concluded that Hume was innocent of the murder, as he claimed at the time. She wrote: "It is certain that in essence Hume's own story was true. . . . The possibility that Hume murdered Mr. Setty can

definitely be excluded.”

Hume’s own story was that on two successive days, three men came to his North London apartment, where he lived with his wife and baby daughter, and asked him to dispose at sea of the packages that they had brought. He had never seen the men before and never saw them again afterward, he claimed; but they moved in the same shady circles as he and would have known, he said, of his pilot’s license, which he used to engage in smuggling. (This purported reputation seemed unlikely, for he did not know how to navigate; he lost his way even flying over the Thames Estuary in the southeast of England.) Naturally, he was paid for his services—with some of the very banknotes, it turned out, that Setty was known to have had with him when he was killed.

The evidence against Hume was entirely circumstantial. Appreciable quantities of human blood had seeped through and into the floorboards of his apartment. It was of the same blood type as Setty’s—as was 40 percent of the population’s. Hume had the carpet cleaned after he disposed of the body parts, and he restained the floorboards. At the same time, he had a carving knife sharpened.

The prosecution’s case had some weaknesses. Hume’s wife, upstairs when the alleged murder and dismemberment took place, testified that she had heard nothing unusual, and she seemed a credible witness. The people in the apartment below also had heard nothing unusual. Hume was defended brilliantly, and his lawyer had a truly memorable exchange with the pathologist, whom he called as a witness for the defense:

*Q: I suppose you have a great deal of experience in cutting up human bones?*

*A: Yes.*

*Q: Is it a very quiet process, sawing up human bones?*

*A: No, it is not. It produces a noise which drowns ordinary conversation. It is impossible to dictate to one's secretary while bodies are being sawn.*

How very inconvenient!

In his opening statement to the jury, the prosecutor observed: "You may agree with the proposition that he who disposes of the body of a murdered man is usually the murderer." That neither Hume's wife nor the neighbors heard anything out of the ordinary was not as significant as it might at first have seemed, moreover. Mrs. Hume, who then was sticking by her husband (but went on to marry one of the newspaper correspondents covering the trial), could have been lying; in any case, at the time of the alleged first arrival of the three men bearing Setty's head and legs, she said that she was upstairs, listening to the radio—by coincidence, to a program about the infamous French serial killer Landru—and did not hear the men coming or going. She was not at home the next day when they arrived with the torso. As for the neighbors, they neither heard nor saw the arrivals or departures of the three men and did not hear the heavy torso getting carried up or down the narrow stairs to and from Hume's apartment. Thus, the exculpatory evidence from an absence of noise can probably be discounted.

The jury could not agree on a verdict, and Hume was formally acquitted when the prosecution offered no evidence at an immediate retrial. Instead, he pleaded guilty of having been an accessory to murder after the fact and received a sentence of 12 years' imprisonment, of which he served eight before his release in 1958.

What Rebecca West, who had declared herself so certain of his innocence, could not have known (because at the time of the trial, it lay far in the future) was that Hume would confess his guilt of the murder soon after his release, knowing that

he could not be tried twice for the same crime, and would go on to kill a second time, as well as shoot three others, whose survival was no thanks to him. Of his guilt of the second murder no doubt was possible, but to the end of her days, West maintained his innocence of the first. Admittedly, Hume's confession was tainted: a tabloid had paid him a large sum for it, after he had first tried to sell it to a rival newspaper. The second newspaper told him that it would pay for nothing less than the full details of the murder. Hume was so habitual a liar that one could take nothing that he said at face value or without corroboration.

What was Hume's explanation of his crime? Stanley Setty was a dealer in secondhand cars during a period, just after World War II, when cars were in such short supply that purchasers of new ones had to sign a covenant to the effect that they would not resell them within a year—the price of secondhand cars being higher than the manufacturers' price, an absurdity resulting from the reigning economic *dirigisme*. It was in the somewhat turbid world of such dealing, where it was never quite clear what was legal and what was not, that Setty moved, and in which he made a lot of money, entirely in cash transactions. Hume had become a minor associate of his.

According to Hume's confession, for unknown reasons, Setty went to Hume's apartment on the fatal evening. Hume bore Setty a deep grudge, though Setty probably didn't know it, certainly not its depth or bitterness. The cause of the grudge was the kick that Setty had recently aimed at Hume's beloved dog, Tony, when the dog jumped up on a car that Setty was trying to sell and scratched its paintwork. Hume said—and it rings true—that Tony was the best pal he ever had; he loved him far more than his wife or child, or anybody else. He was inseparable from him; he even took the dog with him in the plane when he disposed of Setty's torso. It rings true because violent criminals are often closer to their dogs than to humans, and in the prison where I worked, the occasional

prisoner convicted of cruelty to a dog was regarded as far worse than a mere murderer. Unlike a murderer, he had to be protected from the vengeance of the other prisoners.

Hume and Setty then quarreled. Though Hume claimed that the fight turned violent, this seems unlikely. Setty had drunk enough to reduce his powers of physical coordination, and his corpse had none of the defensive wounds typical of someone trying to protect himself against stabbing. More probably, the first or second of the five stab wounds inflicted on him laid him low, which might explain why no sound of a struggle was heard. Hume admitted that his descriptions of the three men whom he claimed to have brought Setty's body to him were drawn from the three detectives who arrested and questioned him. The names he gave them—Greenie, Max, and Boy—may well have been drawn from those of whom he had heard in his murky circles. His story about them proved entirely made up.

Hume took his newspaper-confession money and flew to Switzerland, intending that country to be a stepping-stone to Canada or Australia. There, however, he soon met at a bar an attractive, and once unhappily married, Trudi Sommer, a hairdresser. Hume was fascinating to women, in the way that psychopaths often are; though he was short, his face had a chubby boyishness, and he was good at spinning romantic yarns about an interesting past. He told Trudi that he had been an RAF fighter pilot during the Battle of Britain. While it was true that he had once joined, he was soon dismissed and was later convicted for impersonating an RAF officer, using that status to raise loans that he had no intention of repaying. He also claimed to have been a top-secret test pilot.

Thanks to the proceeds of his confession, Hume was able to impress Trudi with the high life for a time, but he soon needed to raise more money. The only way he could think of doing so was by robbing banks. He returned twice to England to carry the robberies out. It might astonish contemporary readers to learn that, in those innocent days, you could board

a passenger aircraft with a gun, nobody having searched you. In England, Hume selected a bank branch that he believed would have in its vaults the cash used to pay workers in a local factory (a method of payment that again reminds us of how much the world has changed since), and proceeded to rob it at gunpoint, shooting and seriously injuring an employee. Oddly enough, though, he believed another employee who told him that the vaults contained no money, and therefore he did not insist that they be opened. After his escape—he had selected a bank on a quick route to the airport, from which he returned to Switzerland—he learned from newspaper accounts that, in fact, the vaults contained a very large amount of money. He regarded himself, apparently in all seriousness, as cheated of his due.

He said that no one lied to Donald Hume and got away with it; therefore, running short of money once again, he returned to England to rob the bank a second time, to exact both more money and revenge for the wrong that he thought it had done him. In the course of the second robbery, he once again shot and seriously injured a bank worker, getting away with even less money than the first time—but get away he did, back to Switzerland.

This time, the money to maintain the life to which Hume had now accustomed Trudi lasted even less long, and so he decided on a bank robbery in Zurich. It was ill-planned, or hardly planned; having shot and seriously injured a bank employee, he then shot a taxi driver dead during the attempted escape. He was apprehended and sentenced to life imprisonment with hard labor. It comes as another surprise to learn that prison conditions in Switzerland were then considerably harsher than those in England, where, by today's standards, they were tough and primitive.

Hume spent 17 years in the Swiss maximum-security prison, during which time the Swiss authorities tried to send him back to Britain. Eventually, the British acceded to the Swiss demands. Once returned to Britain, Hume was kept first in the

most famous "hospital" for the criminally insane, Broadmoor, where conditions, though unpleasant, were much preferable to those of the Swiss prison; he spent 12 years there before being moved, at 69, to an ordinary psychiatric hospital, where he spent another year or two. Finally released into what is frequently called "the community," he lived the rest of his life quietly in a small apartment in London. In 1998, he was found dead on the grounds of a hotel, near where he had spent much of his childhood and gone to school. No one knows why he had gone there; his cause of death, at 78, was probably a heart attack.

The second murder, and the various other shootings, any one of which could have ended in the death of its victim, did not suggest to Rebecca West, in conjunction with all the circumstantial evidence against Hume, that he was guilty of Setty's murder. She had taken up a position a quarter of a century earlier and could not retreat from it. For her, it was Hume's trial and imprisonment that were to blame for his subsequent career. In 1974, she wrote: "My impression was that though Hume was a horror—an infantile, grouchy, grumbling, envying horror—he had not got to the point of murder then, though he was to come to it. I think he was inspired by the trial and imprisonment."

Oddly enough, this was also the burden of a long article about the case published in *Encounter* in 1962, titled "International Psychopath: The Case of Donald Hume." The monthly magazine was then the most important voice of liberal conservatism, or conservative liberalism, in Britain, and was conducted at a high intellectual level. "International Psychopath" was the cover story of the issue in which it appeared. The authors, Giles Playfair and Derrick Sington, were campaigners against the very notion of punishment, favoring a quasi-medical approach to crime. Taking their cue from West, they wrote:

*It is the story of an abnormal man who came out of prison so unhinged that he was capable of publishing to the world a*

*confession of murder which cannot possibly have been true. And it demonstrates the penalty that society must pay, in waste and suffering, for its persistent failure to deal humanely or constructively with the problem of the criminal psychopath.*

Hume confessed, the article contended, not because he was guilty of killing, could not be tried twice for the same crime, and wanted money for his confession; rather, his imprisonment had rendered him mad, which caused him subsequently to lie outrageously, rob banks, and shoot and kill people. The authors are, in essence, determinists as far as psychopaths are concerned, and voluntarists as far as everyone else and themselves (of course) are concerned. For them, the function of the law is therapeutic, and nothing else: it is to "cure" people of their propensity to do terrible things.

Playfair and Sington did not consider the possibility that psychopathy is not a discrete illness or entity, such as bacterial meningitis, curable by the administration of antibiotics, but a personality trait on a continuum, the normal distribution of which might be moved by circumstances, including prevailing ideas, methods of upbringing, family relations, and legal arrangements—such as punishment for crime—in the direction of either more or less aggregate psychopathic behavior. They lived at a time when, the tide of Freudianism still high, it was supposed that individuals could be altered—improved—by "therapy," as the volume of a radio could be turned up or down. The authors never acknowledged that if no such therapy existed, an alternative would have to be found; or that a purely utilitarian and therapeutic theory of response to criminal behavior is as compatible with the most revolting cruelty as it is with the cooing reassurance of psychotherapy. If what is called punishment is justified only by its results, it is perfectly possible that, had Hume been mercilessly tortured and abused in his English prison, his

spirit and his body utterly broken, he would not have gone on to rob and kill. Yet no one, I take it, would advocate such an experiment.

We know that Hume was a psychopath because of the way he behaved; and he behaved the way he did because he was a psychopath. When we look into his past, we can find many things that might "explain" his development: he was born out of wedlock at a time when stigma attached as much to the offspring as to the parent; he was placed in an orphanage at an early age, where he was maltreated (at least, according to his account), and then returned to his mother, who claimed to be only his aunt. He claimed to have had a large chip on his shoulder.

In fact, not all the cards were stacked against him. Hume went to a good school with high academic standards. His maternal uncle was an eminent scientist, a professor of physics and a Fellow of the Royal Society. Hume himself was intelligent and even inventive. He developed an electric toaster, of which he manufactured and sold 50,000 units at a profit; in other words, he could easily and legitimately have become rich by his own laudable efforts. But he preferred to waste his substance on the high life and on shifty or criminal activity, which was more exciting.

How do we become what we are? Many have suffered far worse than Hume in childhood, and had none of his advantages, but do not become killers, or even accessories after the fact. There is something ineffably mysterious about the human condition that defies full explanation, though the condition itself dictates that we try to find that explanation.

Setty was murdered a week before I was born, probably by Hume. Many years later, in my work as a doctor in a prison, and as a witness in murder trials, I wrestled not only with the explanation of human behavior but with the very concept of the explanation of human behavior. Once we found it, how would we

know that we had found it? I prefer the essential mystery, the lack of final explanation, even if it means that we sometimes confront people like Brian Donald Hume, to give him his full name.

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