

**The trial of Ebenezer Haskell, in lunacy, and his acquittal before Judge Brewster, in November, 1868 : together with a brief sketch of the mode of treatment of lunatics in different asylums in this country and in England, with illustrations, including a copy of Hogarth's celebrated painting of a scene in old Bedlam, in London, 1635.**

### **Contributors**

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TRIAL  
OF  
EBENEZER HASKELL,  
IN LUNACY,  
AND HIS ACQUITTAL,  
Philadelphia, 1868.





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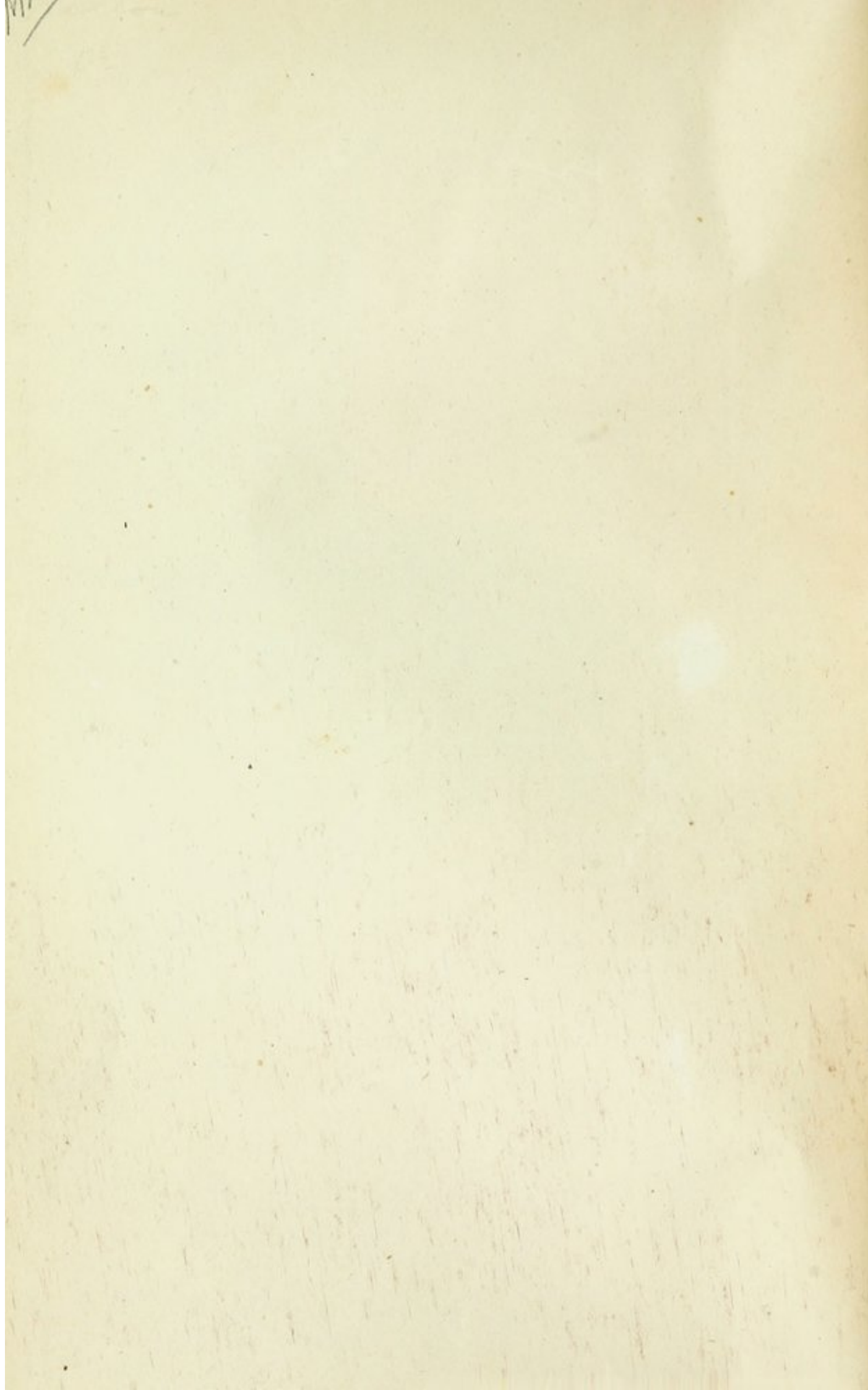
CLEMENTS C. FRY, M. D.

Edward M. Payson.

From the Author:

Dec 13. 1869

















**EBENEZER HASKELL**

PHILADELPHIA.

1862

THE TRIAL OF EBENEZER HASKELL,

IN LUNACY,

AND HIS

ACQUITTAL BEFORE JUDGE BREWSTER,

IN NOVEMBER, 1868,

TOGETHER WITH

A BRIEF SKETCH OF THE MODE OF TREATMENT OF LUNATICS IN DIFFERENT ASYLUMS IN THIS COUNTRY AND IN ENGLAND, WITH ILLUSTRATIONS, INCLUDING A COPY OF HOGARTH'S CELEBRATED PAINTING OF A SCENE IN OLD BEDLAM, IN LONDON, 1635.



PHILADELPHIA:

PUBLISHED BY EBENEZER HASKELL.

1869.



## ADVERTISEMENT.

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Having lived in the community of Philadelphia for upwards of forty years, and having won by honest industry a fair name and fame in business circles, I feel myself acquainted with the temperament of our right-minded citizens, and their sentiments upon all matters concerning the right of every freeman to his personal liberty: and therefore, on this score, feel but little diffidence in presenting my work to their consideration. Having also had considerable personal experience in the matter of which I write, I come before them competent to speak, and perhaps to give them a very fair idea of what transpires within the walls of some of the Insane Asylums that are established in our very midst. The object of these pages is not to vilify, nor to libel or wilfully to injure the good name of any upright man, but simply to speak a few plain unvarnished truths in behalf of the poor, helpless and suffering patients put in these charities, and to show why a strong and positive legislative action should be taken for their protection.

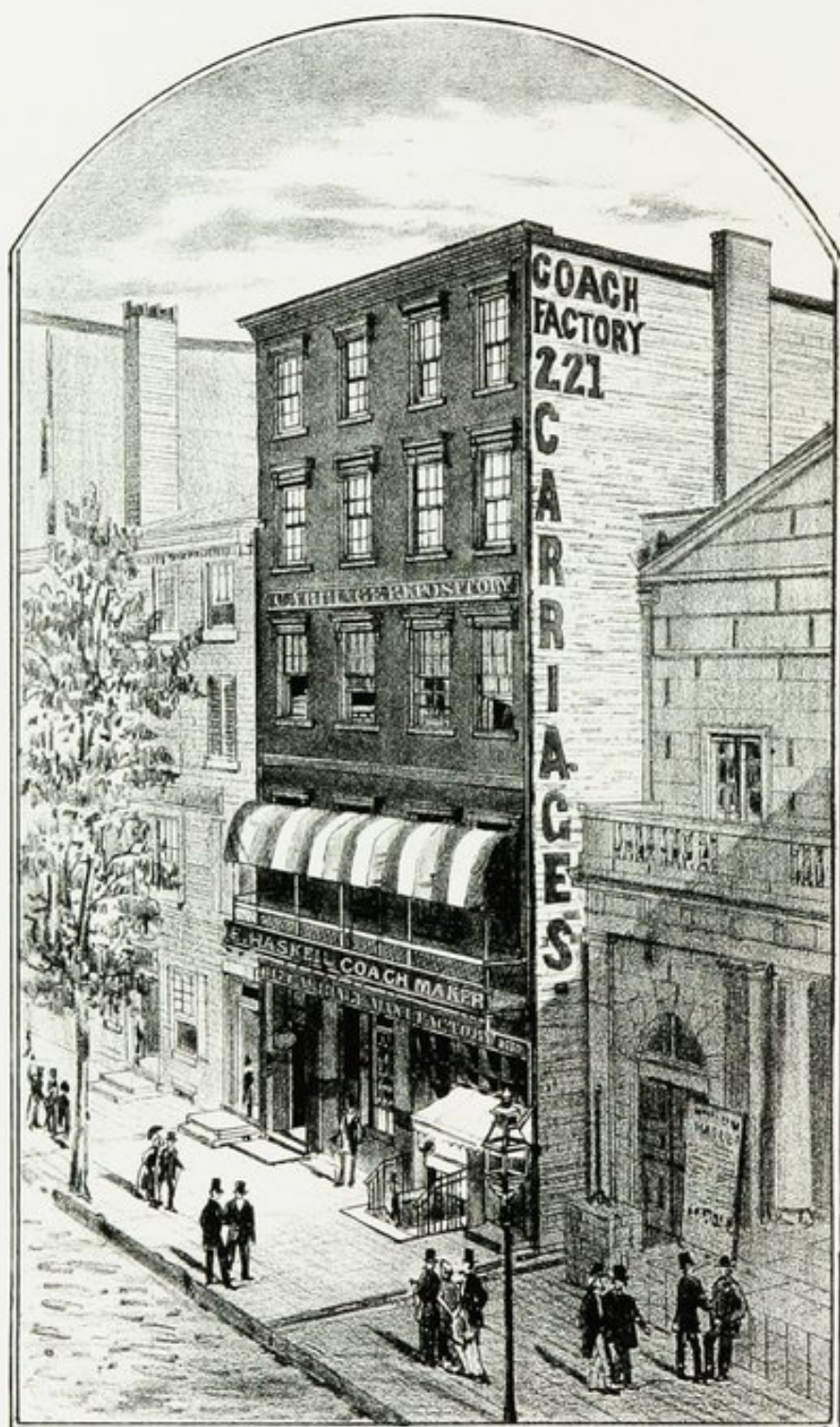
I only ask a calm, deliberate reading from my patrons, and have no anxiety or care as to the conclusions they may reach; and should I but lift one stone upon the pillar of reform in these matters, I shall content myself with this reward of my labor.

E. HASKELL.



1.5 .  
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*This drawing represents Haskell's place of business in Philadelphia, 1864, before the front of the Arch Street Theatre was altered to its present appearance*



## STATEMENT.

A brief outline of the facts connected with the confinement of *Ebenezer Haskell* in the *Pennsylvania Hospital for the Insane*.

*Ebenezer Haskell*, an industrious, sober citizen, more than forty years a resident of Philadelphia, and long and well known amongst the leading business men of that city as an energetic and successful mechanic, on the 8th of April, 1866, being over 60 years of age, files a Petition in the Orphans' Court of Montgomery County, in the right of his wife, *Adelaide A.*, the daughter of *Henry Horn*, deceased, praying a citation for an account against the Executor, *James H. Horn*, of the said *Henry Horn*, who had then been more than four years in possession of the trust, without showing any account.

This causes disturbance in the immediate family of *Mr. Haskell*, consisting of himself, wife, three sons and one daughter.

On the 24th of May, 1866, *Ebenezer Haskell* is arrested, by virtue of a Warrant issued by Alderman Hutchinson, on the oath of his son, *George W. Haskell*, charging him with "threats, and having a large dirk knife." He was brought before the Alderman, and no one appearing against him, was required to give bail in \$1000, for his appearance on the following day, the 25th of May, and in default of bail was committed to the County Prison.

The Constable having him in charge, surrenders him to the Police officers of a neighboring Station House, who, accompanied by his sons, and fortified by a certificate made by a practicing *Dentist*, and reading as follows:

"I have seen and examined *Ebenezer Haskell*, of Philadelphia and believe him to be insane.

"JOHN BIRKEY,

"No. 245 South Sixth St.

"Philada., May 24, 1866."

Took him to the Insane Department of the Philadelphia Alms House.

On the following day, *Dr. S. W. Butler*, who at that time had charge of that department, gave a certificate of his insanity, which, as he subsequently said under oath, on the trial of the question of his lunacy before a jury, "*was necessarily based on the statement of*



*his sons,"* and sent him to the Pennsylvania Hospital for the Insane. Thus, as *Judge Brewster* so forcibly says in his charge to the jury in the same trial, (Legal Int. Dec. 4, 1868, Vol. XXV, No. 48,) "*it appears that a defendant under commitment for a breach of the peace, was taken first to the Almshouse, and then, upon a certificate obtained by the statement of his sons, to an insane asylum.*" \* \* \* \*  
*"If such proceedings can be tolerated, our constitutions and laws professing to guard human liberty are all waste paper."*

On the 12th of June, following, he was released by his wife.

On the 28th of September, 1866, at the request of his wife and three sons, and upon the following certificate :

"I have seen and examined *E. Haskell*, of Philadelphia, and believe him to be insane.

C. S. BAKER, M. D.,  
 623 Master Street.

September 25th, 1866."

He was again admitted to the insane asylum.

The physician who gave this certificate, subsequently said under oath, on the trial of the inquest of lunacy, that he had no conversation whatever with the patient, against whom this certificate was given before signing it, and that he had not had more than two or three brief opportunities of seeing him even.

On the 19th of November, following, he escaped. On the 7th of January, 1867, he was again arrested and returned to the asylum.

On the 5th of February, following, having been previously informed that an inquest of lunacy to test the question of his insanity would commence proceedings that day, and not being permitted to attend these proceedings, as it had been promised him he might do, he again escaped, but was arrested on the same day, having made no attempt to do more than to be personally present at the inquest in which he had so vital an interest—lodged over night at a station house of the Philadelphia police, and taken back to the asylum the next day.

At all the subsequent meetings of the inquest, which were held weekly, and continued till into April, he was present—but always in charge of a keeper, with little or no opportunity to confer with either counsel or friends, or to summon witnesses.

He having been found by this inquest, tried under such circumstances, insane, and his hope of escape by means of a verdict in his favor thus cut off,—on the 25th of April, 1867, made his third escape, and left the State.



He returned again in October, following, and continued to live with his wife and children until the 17th or 18th of June, 1868.

He was then again arrested, and upon the certificate of *Dr. William C. Harbeson* and *Dr. John Buck*, neither of whom had had any previous acquaintance with him, or more than two or three interviews with him, and these not protracted, again committed to the Pennsylvania Hospital for the Insane.

In the early part of August, 1868, a writ of habeas corpus was sued out by his counsel for his release; the Judge before whom a partial hearing was had, before completing the hearing or making a decision, left for Europe. During this delay, on the 9th of September, 1868, he made his fourth escape, by scaling the outer walls of the institution.

In making this escape *Mr. Haskell* broke his leg, but succeeded, nevertheless, in escaping the vigilance of his keepers and getting to his friends, who took him to the Hospital, at Eighth and Pine Streets, Philadelphia, where he remained some nine or ten weeks, till his broken limb healed, having in the meantime been discharged on the habeas corpus from confinement in the *Insane Asylum*.

On the 17th of November, 1868, a trial in the Court of Common Pleas, for the City and County of Philadelphia, commenced before a jury upon a traverse of the inquest previously taken, and lasted till the 28th of the same month, resulting in a verdict establishing the sanity of *Ebenezer Haskell*.

A motion for a new trial, made immediately after the verdict was rendered, after a most able and exhaustive argument in favor of the motion, was overruled by the Court on the 6th of March, 1869, the Judge closing his opinion against a new trial with these words. "The case could not possibly have been prosecuted or defended with greater ability, and we feel satisfied that no advantage would result to the relator (*Mr. Haskell's wife*) by a second trial."

H. R. W.



## THE TRIAL.

IN LUNACY.

COMMONWEALTH	}	Court of Common Pleas,
<i>vs.</i>		November 17th, 1868.
EBENEZER HASKELL.	}	City of Philadelphia.

HON. F. CARROLL BREWSTER, JUDGE.

JURORS.

Adam Newkumet,	John Lynch,	John Hughes,
John Vanfleet,	Theodore Mitchel,	Charles Lowry,
D. McLaughlin,	John S. Heylin,	George Taylor,
John S. Wright,	David U. Sheaff,	Isaiah Stratton,

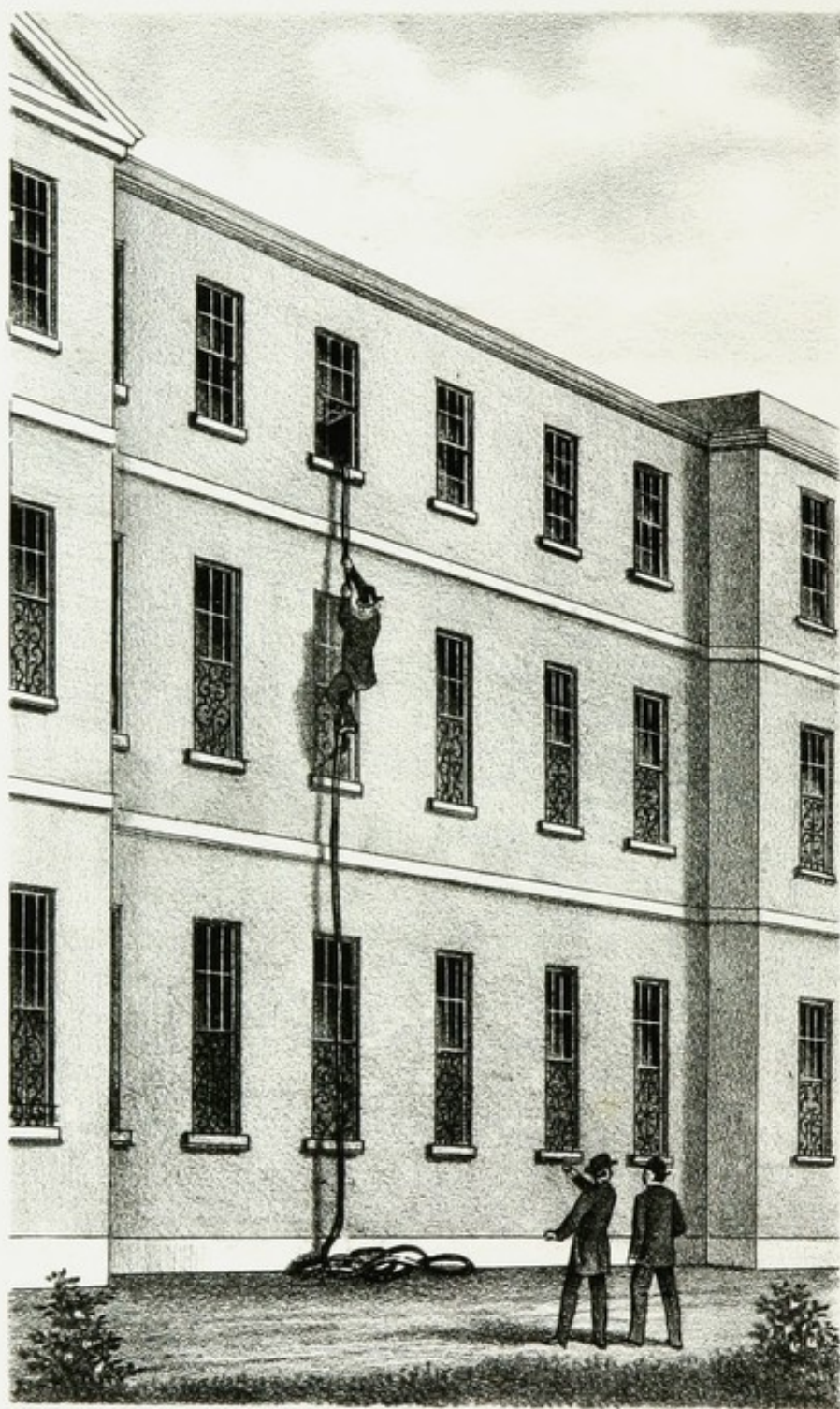
George W. Biddle, Attorney for the Asylum. H. R. Warriner  
Attorney for the defendant.

## THE EVIDENCE.

Doctor S. P. Jones, witness for the Asylum, affirmed—I am a Physician, and have been since 1855; last nine years in Pennsylvania Hospital for the Insane, in charge of Male Department. Male and female separate. Average number in that department 165 now, about 1200 in all the time. I have seen a great deal of insanity; know Haskell since 25th of May, 1866, when he was first admitted; he came in the usual way. All that time nothing attracted my attention; his mental condition was excited; he was extremely loquacious; that condition continued to some extent during the time he was there (in latter part calmer); in first part he showed enmity toward his family; he remained until 22d June; he was then removed at wife's request against my advice. I saw him daily during that period; his mental condition during the whole time was unsound; calmer towards the last, though not well; his talk was about his family and the Horns, particularly James Henry Horn, administrator of the estate of his father-in-law. Said he was locked up to prevent him from bringing suit against Horn. Symptoms of mania are frequently enmity toward family, aversion to relatives, frequent from mania is active insanity, excitement and wildness, four forms, viz: melancholy, mania, dementia and monomania. Dementia means absence of mind, monomania on one subject, mania the act in form, and frequently aversive to nearest and dearest.

I next saw him on 28th Sept. 1866, remained until November,





*Ebenezer Haskell escaping from the Penn  
sylvania Hospital for the Insane, in  
Philad.<sup>a</sup> 1867.*



1866, he was discharged on November 19th. He escaped a few days before—(second time same condition)—not quite as well as when he left. I saw him daily, and had fair opportunity to know his condition, his excitement continued during the whole time, and he left no better. He spoke of his children, wife and Horn, and said they had locked him up to get him out of the way and keep him from the suit he had brought.

He escaped I think this time by sawing off a bar. He was an excellent mechanic. He removed screws as few mechanics couldn't do. Third admission in January 7, 1867, I saw nothing on him and took nothing from him. Mr. Haskell afterwards claimed a knife which I had in the fire proof; he did not describe it; never saw it on him. He sued me before Alderman Hutchinson, Coates near Broad. He was discharged on May 17, 1867. He had escaped a few days before. Saw him daily as before, he continued excited and no better when he left. He was insane in my opinion when he left. I don't remember how he left. He escaped several times and was brought back. Discharge means simply entry on books not certified of cure. Saw no difference. [Offer to prove his condition in June, 1868, up to present time, objected to and overruled.]

Next saw him June, 1868, found him in hospital in same condition. He was still insane but did not show as much excitement as formerly, but his ideas were the same. He escaped. I saw him four or five days after at Hospital, his leg broken, he laughed about it and said it was better to be there with a broken leg than in the Asylum with a sound one. Have not seen him since until to-day. During my whole knowledge from the spring of 1866 to the fall of 1868 he was insane.

Cross-examined by H. R. Warriner, counsel for Mr. Haskell.

I have but one letter from him. He was put in 4th ward first time. At night in room alone. During the day in room with fifteen or twenty other persons. I think he was removed to the south wing, 2d ward. He has always been in south wing, 7th ward. We visit all the wards alike. We have different *wards* for different degrees. Department indicates patient's condition to a certain extent. He was put in one of the 4th wards, a medium ward. Not among the most excited, in the calmest; at other times he was put in 7th ward; on last admission he was placed there, but removed to 2d ward again. Alone at night but not in day time; other excitable patients around him in day time.

Attendants were always expected to be in the ward with him, it was their duty. 7th ward is on first floor, light, three rooms in



the ward, with small windows high up. Haskell slept in one of those rooms, locked in—alone. Generally with the most excited in the house, craziest with mania.

I found my opinion upon his general manner and demeanor and extreme loquacity to every one; when he could find no one else to talk to he would talk to the patients; his extreme hatred and enmity toward his sons, toward James Horn, his brother-in-law, because he did not settle up. He told me he did not attempt to injure the business of his sons. He said this during the third time of his being there. He had some schemes for making money—a steamship line from here to Portland. I think the manner in which he tried to get it up was evidence of insanity; also his engaging horses and carts to dig cellars, or buying lots as he told me, on ground rent without money. All these things together, without a disease which indicates a change in normal condition. There is no insanity because people talk a great deal. If he has always been loquacious it would weaken the argument I have used. There must be a change. If it was a normal condition for Haskell to talk as he did, I should think his mind was not properly balanced, and he might not be insane on that point. *Haslam* says no man is sane; there was but one sound mind in the universe and that is the Creator himself.

I can't distinguish the excitement of anger from excitement of mania. Excitement is the same. It would require a certain continuation to amount to insanity. A man taken from his business against his consent, would be indignant and excite anger. I think a sane man would get quiet and try to get out as he did. He spoke about money matters, when he talked about his imprisonment, and about the steamers he was eager and excited. Don't know his manner before he came there first time. I thought he was improving. First time he told me he came from the Alms House. We had a certificate from Dr. Butler, who has charge of insane department. No other doctor signed it. 1st. The certificate was in request of G. W. Haskell (from certificate.)

Several members of family signed, his wife and sons—three sons.

C. S. Baker complained about a letter to his daughter. His bodily health seemed to be good; never gave him medicine. We frequently give medicine to patients.

Nothing in his physical condition to create insanity; no affection of brain.

The excretions from the skin are often offensive; they often attend insanity; it is one of the attending circumstances. I observed none of those things in Mr. Haskell.







*Ebenezer Haskell escaping from the Pennsylvania Hospital for the Insane.  
Philad<sup>a</sup> Sep. 9<sup>th</sup> 1868.*



His eye was always about the same; somewhat glassy. Many persons are so; don't consider that important.

He was in 2d and 7th Wards; on second occasion he quietly sawed off a bar, went through the air tube, and escaped. I consider that no symptom of insanity. This is not a pleasant place for some men.

James Horn was one of the bondsmen. He accused Horn of using influence in the family. The inmates of 7th Ward were in adjacent room to his sleeping room all night, and often very noisy. He complained of that very much. I think it disadvantageous to a man bordering on mania, to prevent him from sleeping, and annoyed by noise of insane persons.

If he was a sane man he would not remain angry all the time.

Haskell talked calmly with his wife the time he was removed. Other times he was excited.

My interviews varied,—sometimes fifteen or twenty minutes; sometimes a minute or two; sometimes a half hour. Third time he was in 7th Ward with noisy patients. He brought suit against me. He claimed a knife. He did not sue me for clothes; they were given to him after demanded. I gave the knife to his son after I was sued. I went to see the Alderman and offered him the knife. No settlement. Met defendant. Haskell was there. He talked with me then. He was excited. He calmed down after talking; I can't give the reason.

I frequently have patients calm down. I let them know that I am friendly.

I don't recollect how he got out the third time.

I have never seen him use violence to any one. I trusted to him and his word of honor. When he escaped over the wall he never offered to strike or attack any one.

I never saw him angry with any one. Can't recollect the particulars of interviews with sons. I have never seen anything about him to indicate him dangerous. I never saw him attempt anything.

I never investigated Portland Steamers. Thought it a wild scheme for any man like Mr. Haskell, at his time of life and his circumstances. I don't think any sane man would attempt to go into business.

If he was outside, I should not consider his wanting to go into business as inability.

I don't know whether people buy on ground rent; if he sold at advance I could not consider it as insanity.



I have no knowledge about family disputes. He has never stated anything to me which I know to be false.

He has stated the truth, (endeavored to.)

I think his talk about conspiracy was hallucination, although they put him there.

It is absurd that his friends would put him there for such a reason.

He told me he cited James Horn to settle his account. There was a law suit between them.

It is possible that they might have backed Haskell up for that purpose. Not probable.

The 7th Ward has the most excited patients. I did not think anything he did at Hospital, in 8th Ward, indication of insanity.

He was a great deal of trouble to us. We permit visitors to receive them. Never stopped a letter to carrier, or Habeas Corpus. I sent them. Have stopped others.

I believe we received instructions to stop letters, but none to his counsel.

Never a letter came to him he didn't get. I read letters of patients, and send them or not, as I think proper.

I referred to proceedings or instructions.

When they had no money it would depend on lawyer's generosity.

I said to you, (Mr. Warriner,) not to send him postage stamps. Haskell threw letters over the wall.

Re-examination by G. W. Biddle:

Mania is frequently produced by melancholy. Mr. Haskell said after his escape from a Station House, he was disturbed by the vermin. Haskell said he told the officer that he was crazy as hell; (I suppose he was in fun.)

He liked the 7th Ward. He was worse than some and better than others. We have three Wards for excited patients; two or three in a Ward.

This is the knife I was sued about. He claims it.

He told me he had a brother, a clergyman, who had been insane on religious matters. I think it better for him and his family, that he should be confined, and that Haskell is not of sound mind in comparison to the average of men.

Doctor S. Butler.—I had charge of Insane Department of Almshouse from 1859 to 1866. I consider myself a judge of insanity. I signed a certificate in regard to Mr. Haskell. I was at that time in charge of Almshouse. I saw Haskell and believed him at that time insane, he manifested every appearance of it.



*This drawing represents the outside appearance of the seventh ward, Pennsylvania Hospital for the Insane Philadelphia 1868.  
E. Haskell*





Examined by Warriner.

I have distinct recollection of seeing and examining Haskell. I received him as usual. My examination lasted about five or ten minutes. He was very indignant and excited. He was there one night and then taken to Kirkbride's. He was taken there without a certificate. They got my certificate for Kirkbride's. He protested that he was not insane. Others' opinions, and what his sons said, led me to believe him insane. Anger is a prolonged insanity. I think both sons were not present. This was in the visiting *Hall*. I think I saw him when he just came in. I don't know whether anything was taken from him. I think I talked to him some. That is my impression. He protested to me that he was not insane. I suppose he knew I was the Physician. I can't answer positively, that I gave or made an examination before his sons; my opinion was, necessarily, based on what I saw, and opinions of others.

Dr. Thomas G. Morton affirmed—

Am thirty-four years of age, graduated in 1856, have been practicing ever since; am an attending Physician of Surgical department in Hospital at Eighth and Pine streets. I have had only ordinary practice among insane patients; have visited the insane Hospital (Dr. Kirkbride's,) frequently; have never been through the Hospital. But I remember Mr. Haskell, saw him ten days ago; saw him at the Hospital the 11th of September last, in 1868. I first saw him at the Hospital. He was in with a broken leg; he seemed, probably, a little excited, but I noticed nothing peculiar about him more than in other patients that come there. I saw him every day afterwards. Mr. Haskell was rather an unruly patient; he insisted on removing his surgical dressings; he was remonstrated with, and was finally removed to one of the lower cells—same line where we keep Mania-a-potu patients. Saw him on several occasions when the bandages were off. I remonstrated. Again my impressions were that he thought he could get along as well without bandages; four or five times I saw them off. I never saw a patient do this before—(take off bandages.) I have seen patients with unsound mind do it—I speak now of Mania-a-potu patients. I thought there was a screw loose somewhere—mentally, I mean to say; I would not go so far as to say his mind was unsound. I hardly think he acted as a man of sound mind would have acted; he spoke of members of his family; he remarked that he wanted to get out as soon as possible, so that he could prosecute them for his imprisonment; he spoke of his sons. I had not seen enough personally of Haskell to justify me in signing a certificate.



## EVIDENCE FOR THE DEFENCE.

Sarah G. Morgan sworn—William Morgan is my husband; we live No. 142 North Ninth Street. I was born in this city. I have known Ebenezer Haskell for a long time; know his wife and daughter, and Mrs. Ashby, his sister-in-law.

Mr. and Mrs. Haskell visited my father's while I was there. They and we were on intimate terms. Mr. Haskell worked for my father when he first came from Boston, on Fourth street. Worked for father until he went into business for himself.

Have been very intimate with both, and heard both Mr. and Mrs. Haskell tell their family troubles.

He was very excitable on every topic, especially on politics. My family were on the opposite side; he was never abusive or profane in method of argument.

He has a little conceit of his own abilities; talkative, persistent, wanted to have his own way. He was always so; no change in this respect in any point. No evidence of insanity whatever in conversation of Mr. Haskell.

Had conversation with Mrs. Haskell after he had been put in Hospital.

Mrs. Haskell said she was standing between two fires; that her husband wanted her to be on his side, and brother Jimmy and two sons wanted her to be on their side; and as they held her money, and it was her interest, she thought she ought to lean to their side, and as she had her hand in the lion's mouth to take it out gently.

She seemed to be affected, and said he had always been a kind and affectionate husband and father—*none better*.

I told her it was a great pity. She said her family had always been against her since she married Haskell; but now she had come in possession of property from her father, she had to go to the other side.

She said her family had always been her enemies—her sisters, brothers, father and mother.

The second time I met her I was still at my father's. A couple of months after the first interview.

I asked her how things were, and she said Mr. Haskell and she had become united again, and all was now well.

She said she had seen her error, and so had brother Richard, sons and sisters.

I thought the influence of Mr. Haskell doing something in regard to Court business produced this result.



She said that they had found out something they were to sign, and they had all signed it, and now they were going to pursue the course and make Jimmy settle the estate.

She said this was the whole and sole cause of all their unhappiness.

She said she had an excellent husband, and I know her to be a good wife and mother.

That he was a kind father generally, brought his son William with him to spend the evening with my husband and myself.

He was a constant companion of my father. I never saw anything insane in him.

I took him in and sheltered him when his sons threw him out. He slept in my house one night. I stopped at the hospital one time and saw him just leaving with crutches.

When I came home they told me that Mr. Haskell had taken tea with them. But he had left before I got home.

I have conversed with him frequently; he never used profane or abusive language against his wife or children.

Spoke of wife and daughter. Had his daughter's likeness taken several times.

He said whatever he proposed was objected to; he wanted a settlement and not the money little by little. For sake of family. He did not want a dollar of it.

It did not seem unreasonable to me.

Never heard him say anything unreasonable of his family except that the boys were led by Horn.

He was very indignant but not abusive.

Her account and his account corresponded.

I have not seen him to converse with him since he was discharged from hospital.

When he was angry he was very excitable. I consider him sane.

First conversation was in February or March, 1868; second in mild weather.

These are the only two conversations I have had with her. I never visited their house.

Her father was dead when she came back from the west, and James had her property.

Mrs. Haskell said she did not want her sons to go into the army. She said she had no one to love her except her own family.

Mr. and Mrs. Haskell looked for a house together. Mr. Haskell said he had an interest in the Brandywine street house; and I inferred he had loaned money.



M. McCuen sworn—I am a member of the Philadelphia bar. I met Mr. Haskell at Dr. Kirkbride's mad house; was locked up in same ward with him. Dr. Jones did not visit me. I kept myself in my room and declined to receive Dr. Jones' visits; I had two reasons for this, he was simply a turnkey and not an expert; he said, threateningly, that he would keep me there for five years, if he could do it. This was not the language of a physician, but of a turnkey; I also detected him in tampering with my private letters. I went to him and asked him in presence of the person to whom it was addressed, to give it to me, and he did. He confessed he had opened and read it—broken the seal. The Institution claims the right to open all letters, but I never conceived that a Physician and a gentleman would descend to violate the seal of a private letter. I thought if correspondence was forbidden, he would have returned my letters to me unopened. He kept it ten days, when I asked him for it. They claim the right to do as they please with the poor wretches they entrap into that prison. I was never violent or excited while there. I knew that if I permitted my just indignation to show itself, they would bring that against me, to prove me insane. I said that if occasion came I would escape; then they put a ruffian, a man of great size, very rough and brutal in his manner and appearance, into my room, one of the keepers, to see that I did not escape. This was in day time—at night they put me in a cell. Dr. Jones swore here the other day, that it was a room—I call it a cell; it is in Ward No. 7, where all the violent and noisy patients are kept. Mr. Haskell was in the same cell, but at another time. I call it a cell because its walls are of stone; it is without ventilation or light, except a single slit in the wall, ten feet from the floor; the slit is less than a half foot wide inside, and three feet high; the bedstead is chained to the floor; on the inner door there are three strong locks, and two on the outer door, five in all. My clothes were taken from me, all except my drawers and stockings kindly left me by the keeper. The violent patients howled and made a great noise all night, around me; I was pursued and threatened by one of them, and had to call for relief to a keeper; my sufferings were intense from the heat, this was in July, 1866; my bed was every morning saturated with sweat; the heat in those low cells is intense. *Tom Moore*, the keeper, said it was not a place fit for a dog; I was kept there a month because they were paid to do it. It was never alleged against me that I was a lunatic, but that I was a habitual drinker. I was released from there on a writ of habeas corpus, by his honor, Judge Brew-



ster; the writ was issued the 27th of January, 1868, and made returnable on the 29th; on the evening of the 28th, Dr. Jones came to me and said he would like to have a few words, that he had consulted Drs. Kirkbride and Biddle, and that if I chose to go away I was free; that if I went to Court I would find Biddle there, but not Kirkbride or him, (Jones.) I told him that they had used me like a felon; had misused and maltreated me, and that now, when I invoked the law and it was ready to help me, they wished to get rid of me. I said if they were not in Court I would bring them there on a bench warrant. They came into Court and replied to the writ of habeas corpus, that they did not have possession of me, as they had discharged me cured; they only found I was cured when the writ was served on them. The 7th Ward is where the violent patients are kept; in daytime they are turned into a yard with high stone walls about it, herded together. I have seen the patients strapped; I have never seen any in a straight jacket; I have seen them on a saddle though; Dr. Kirkbride invented it; the patient is thrown into it on his back, and strapped fast; leather bracelets with rings and straps are put on his hands. I was put into the Asylum on the certificate of a Physician, on the 20th of September, 1865; was released by his honor, Judge Brewster, February, 1868, but in that time I had escaped, been recaptured, and placed there again, but previous to my final release by his Honor, they were paid \$25 per week for keeping me a prisoner there. I do not know whether it is to come out of my own or my father's estate—that is not decided yet.

Mrs. Mary Brown sworn—I live 1606 Ridge Avenue; Henry A. Brown is my husband's name; have known Ebenezer Haskell for about 30 years, very intimately. I formerly knew his wife. I considered myself her partner and friend. We were on intimate terms, and neighbors. I then lived in Prune street, next door to Mr. and Mrs. Haskell. Then their family was young. They were very excellent people. Mr. Haskell was always excitable in his disposition, a little opposition would rouse him; disagreeable somewhat in conversation, because he got so easily excited. I have never seen any change in him since the trouble with his family. I have seen him very angry, but not any more so than others in same circumstances. Have heard from Mrs. Haskell about the trouble first. There was no trouble until her father died, and about settling the estate. I visited them in the West, in company with my daughter and her child, we stayed with them perhaps two days and one night. I saw no unkindness, but the family seemed all unhappy



about being there; wanted to get back to Philadelphia. Mrs. Haskell said she was nearly crazy to come back. She said that Mr. Haskell was the most unhappy, but I thought she was. She said they were trying to get back again. This was, I think, in 1864 or 1865, the year before they returned. Mr. Haskell at that time requested me to call on James Horn, and say to him that if there was anything unkind between them, and he (Mr. Haskell,) had said anything against him, he wished to be forgiven. Two sons were gone. Mrs. Haskell said they had gone partly to elude the *draft*. One of the sons was in Decatur, or some place near by. Henry was at home. They told me of no disturbance. I saw Mr. Haskell next in Philadelphia, when they all came back; the two oldest boys came first, and the rest afterwards. We were living in Wallace street, and after they came to Brandywine street we visited them, and they us; all harmonious in the immediate family. But Mrs. Haskell expressed great dissatisfaction with the treatment she had received from Horn's family.

Mrs. Haskell told me about distribution of her mother's personal property, jewelry, &c. She was also dissatisfied with her brother in not settling up her father's estate. She said all the family were dissatisfied, because it should have been settled before they came from the West.

Mrs. Haskell told me, one day, that Mr. Haskell had cited her brother to appear and file his account in Court, that they all wished him to do it, but *she* had refrained from doing it for fear of enmity.

The Horn family were all very much opposed to Mr. Haskell, because they said he should not handle one cent of the Horn money.

I was in the habit of conversing with Mrs. Haskell on family matters and difficulties with her husband. She said she would like to join with her husband, but was afraid of the enmity of James Henry Horn.

She said she did not know how much her father left, or how much she was entitled to, or whether she got full interest. After there had been a great deal of conversation, she told me that she had received a letter from her brother about the citation, and had a conversation with her brother of two hours, at his office. \*She said she had signed a paper which debarred Mr. Haskell from any further action in the citation. She said there had been coldness before that, and they took no notice of her or her family since she came back from the West.

She said that the effect was to make her husband very much en-



raged; it disappointed him very much. I advised her against doing so.

She said Mr. Haskell carried on awfully about it, and there was no peace in the family any more.

This was six or seven months, perhaps, after they had become domesticated.

It was four or five weeks after that he was arrested.

He was very much excited both before and after; especially after it was done.

He said he had no doubt of his wife joining him, or with him, until afterwards.

He said her brother would cheat her; it is her interest to sign, and I know she will sign.

When he found she had signed a paper in opposition, he was very much excited.

Then I heard of the trouble between Ebenezer Haskell and his sons, for the first time.

Mrs. Haskell told me there was one thing she was very sorry for. It was that his son William had attacked his father; she said that Haskell had gone on as if he was crazy; he wanted William to sign a bond to secure Harry a portion of the interest in the shop and give him a trade.

That William would do it, the boys would not do it.

That they were no longer boys, but men; and that William had seized him by the collar, doubled up his fist at him and called him some dreadful name to frighten him, but that he was so violent they could not help it.

They would say he was crazy.

Mrs. Haskell was the only one who said he was crazy. Then we missed him for a few days, and I went to Mrs. Haskell's house, and she said we had to put poor Mr. Haskell in the insane asylum.

A good deal of arguing and sorrow about it. A week or so after that I received a note from E. Haskell, requesting me to come over to the insane asylum.

I went over but I could see no difference, no change in him. Talked an hour about his being put in there; how he was taken, and cause which led to it.

I was there three times to see him. I don't remember how long he was there; I left for the country before he came out.

I saw no change in the three interviews; never saw any change.

I think his wife took him out the first time; she told me she had.



I saw him often, and have been intimate with him from that time.

I think I did not see him afterwards. I went out again and was refused admission. I was invited in the parlor, but they said I could not see Mr. Haskell, by instructions from his friends—his sons, and his wife.

I said to the doctor, you know he is no more crazy than you are or I am. The doctor turned away and said, "Oh well, you can see him." Mrs. Sturges was with me. I conversed with him and saw no change.

Saw him next, a week or a fortnight after, at the hospital. Same then.

He stayed a week at my house after his second escape from asylum. Nothing at all wrong about him. Indignant about his treatment, and tried to get out, but was afraid of being caught again.

I never knew him to tell a falsehood.

Dr. M. F. Groves, sworn—I reside at the N. E. corner of Front and Catharine Streets; am a physician; have practiced medicine for thirty-seven years; am acquainted with Mr. Haskell; am a relative; we married cousins; have known him about thirty years; I never considered him an insane man.

I have seen no change in his character for the last twenty years. I have seen no indication of mental disease since his return from the West. Has been a very frequent visitor; was present when Dr. Jones was examined; heard all he testified. I take a different view of the case from Dr. Jones. Mr. Haskell always to my knowledge has been a self opinionated man, always ready to force his opinions upon you. If you did not entertain the same opinion as himself, he would be very apt to throw out the idea that you were behind the age, bigoted, or that you had not the intelligence he had.

I looked upon him as always ultra in his views, expressions, and actions. Since his return from the West he got this idea in his head of settling up the estate of Henry Horn.

After the death of Mr. Horn he made efforts, so *he* informed me, to have the estate settled.

He gave this as a reason: he said the estate was accumulated by the death of members of the family; there was no settlement; that Mr. James Henry Horn might die, who was the principal executor; that no one could possibly have the affairs settled. He enumerated a large number of things which had been omitted in the appraisement, of which he had a list.



He showed me the small amount which his wife had received as her share, while others had taken such a large share.

It was on account of his family that he desired the thing disposed of.

He told me it was not for himself, but for his wife and children. At that time everything was harmonious in the family. I am intimate with all the members of the family. No accusation of insanity.

He has always been a man of excitable temperament. Was kind to his family; excellent; never heard any of them speak of being afraid of him. He showed me from time to time the progress he had made toward a settlement. Was perfectly rational. While these proceedings had gone on a little way, he met with a rebuff. In the matter of his wife signing a paper. From that commenced this hostility to wife and family; then commenced this tirade; before that everything went on harmoniously. Was violent against his family, the same as on other subjects. Was an excellent companion; could and would entertain you for hours. I have seen him at times since his escape from the asylum. He narrated his manner of escape. Could not say he was insane.

There is not a subject in medical science that has caused so much controversy as the question of insanity. There may be disease of the brain, or functional disease of brain. All underwriters have concluded on one test of insanity, the want of domestic feeling.

All other symptoms can be met with in sane persons. This lunacy is only an imagination and a delusion,—the delusion is the test. I can't see any indication of a delusion in Mr. Haskell's case. I still consider him a sane man.

John H. Seltzer, sworn—I am an attorney; was formerly a doctor; was engaged as a practitioner for eighteen years, here and in Berks County. Am a member of the bar now one year. Was indirectly in practice for several years. Know Mr. Haskell for years. I have been called as an expert, but I don't know that I am more of an expert than others. I have visited institutions and seen insane people. I have seen Mr. Haskell often last year. I did not see anything peculiar in him; did not hear of any charge of insanity until last week.

Have had experience as surgeon in the army, and my private practice.

I should consider that a man whose limb had been four weeks bandaged, might with care be without bandages.

Know Jaubert's practice to be extensive.



Lower orders of animals heal limbs without bandages; my custom has been to put parts in opposition and wet bandages.

There is always inflammation; bandages create fever; often loosened could not retard healing. I heard Morton and Ritz say there was danger in removing bandages the first three or four weeks too often. In broken limbs there is always a disturbance of mind.

It is natural for a man in pain to take off bandages; I seldom knew a patient who did not remove bandages.

I consider Mr. Haskell's recovery very rapid and extraordinary. I saw him use his leg yesterday.

I should have told him it would take six months to heal it. I don't see anything in his eye or talk to indicate insanity. The eye is a strong point. I would not take him to be insane.

Insanity is a disease. He has always been talkative and excitable, and I see no change in him now.

On the part of the commonwealth, other medical men were examined to support the allegation of Mr. Haskell's supposed insanity, but none of them would go to the extent of Dr. Jones' testimony given above.

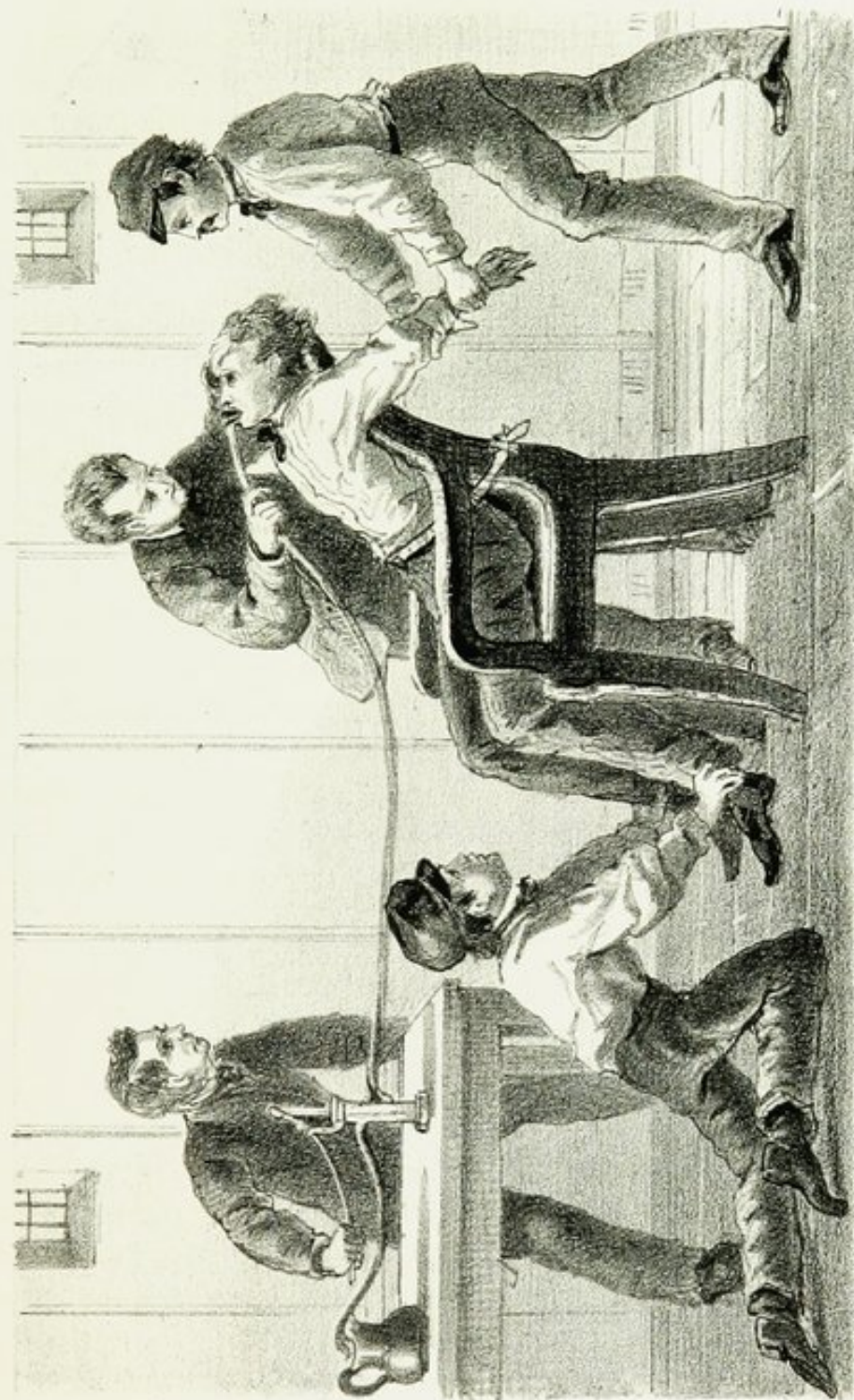
For the defence some sixty or seventy witnesses testified in corroboration of statements made by the witnesses on that side of the case, already noted, going over pretty much the same ground.

Long and able arguments by counsel then were made, and the following learned and fearless exposition of the law was given by his Honor, Judge Brewster, in his charge to the jury.

### THE CHARGE.

*Gentlemen of the Jury:* This case has occupied your attention for a number of days, some of our sessions having been protracted beyond the usual hour of adjournment. A large number of witnesses have been examined on both sides, and the case has been presented by all the counsel concerned in it with marked ability and learning. Throughout the whole of this tedious investigation I have been struck with the patience and care which has marked the discharge of your duties, and I doubt not that the verdict you will render will be a satisfactory conclusion of this important case.

It is my duty to instruct you as to the legal points involved in this issue, and to render you such aid as is in my power to enable you to apply the law to the facts.



*Medical treatment of a patient who refuses to eat, at the Penn.<sup>a</sup> Hospital  
for the Insane, Jan.<sup>y</sup> 25<sup>th</sup>. 1867.*  
F. Haskell.





In these investigations a party and his counsel present simply the picture of his case. It is your duty and mine to compare and consolidate these views, to reject the false lights and shadows, if any, and thus to make a truthful representation of the whole cause.

I shall arrange what I have to say to you under three divisions: the issue you are to try, the law, and the facts.

Firstly, then, this issue is presented to you upon proceedings in lunacy. The petitioner avers that the defendant has been for some time past, and now is "so far deprived of his reason and understanding that he is rendered altogether unfit and unable to govern himself or to manage his affairs." This language is taken from approved forms.

The defendant pleads that he "has been, and now is, of sound mind and understanding, fit and able to govern himself and to manage his affairs."

This assertion on the one hand and the denial on the other make up the issue you have been sworn to try. It may be stated to you in the form of a question thus: Is the defendant so far deprived of his reason and understanding as to be unable to govern himself or to manage his affairs?

The law of this case involves but few principles. The presumption is always in favor of sanity; this is a received principle even in criminal cases. The party alleging the insanity of himself or of another is bound to prove his averment.

A lunatic, or person *non compos mentis*, has been defined to be one "who hath had understanding, but by disease, grief, or other accident, hath lost the use of his reason—sometimes enjoying his senses and sometimes not." Tomlin's Dict'y, II, 138. And this definition has been adopted by other writers. Persons *non compos mentis* have been divided into four classes, but it is quite unnecessary for us to trouble ourselves with these subdivisions, for our act declares that the word "lunatic" shall be construed "to mean and include every person of unsound mind, whether he may have been such from his nativity, as idiots, or have become such from any cause whatever."

Although it is here, as in other cases, comparatively easy to make or cite a definition, we find ourselves embarrassed when we endeavor to gather from the authorities a precise statement of the boundary line which marks our jurisdiction in these investigations.

In Lord Donegal's case, 2 Ves. Sr. Chanc. Rep. 407, a commission of lunacy was refused by Lord Hardwicke, though it was admitted that the weakness of the defendant's understanding was extreme.



In another case, *Ridgway vs. Darwin*, 8 Ves. 65, debility of mind producing inability to manage her affairs was held to place the party within the jurisdiction of the court.

Of late years the question has not been in many cases whether the party is absolutely insane; but the court has issued a commission, provided it has been made out that the party is unable to act with any proper and provident management. Lord Eldon, in *Ridgway vs. Darwin*, 8 Ves. 66.

The same learned judge alluded to the cases as often "difficult and delicate," and the tests given by different writers are far from being in accord.

Dr. Haslam has said that "false belief is the essence of insanity."

Sir John Nicoll, *Dew vs. Clark*, Hagg's Rep. 7, says: "The true criterion is, where there is delusion of the mind there is insanity.

\* \* \* The belief of facts which no rational person would have believed is insane delusion."

Mr. Locke, in his "Essay on the Human Understanding," says that the difference between idiots and madmen is that "madmen put wrong ideas together, and so make wrong propositions, but argue and reason right from them; but idiots make very few or no propositions, and reason scarce at all."

Dr. Andrew Combe says, "It is the prolonged departure without any adequate external cause from the state of feeling and modes of thinking usual to the individual when in health, that is the true feature of disorder in mind."

Lord Erskine's test was "a delusive image," which he calls "the inseparable companion of real insanity." But he speaks of intricate cases which "frequently mock the wisdom of the wisest in judicial trials." And all the definitions we find have been severely criticised as faulty.

Mr. Stock, on the Law of Non Compos Mentis, p. 9, says: "If it be difficult to find an appropriate definition for the various species of lunacy, it is quite as difficult to find anything approximating to a positive evidence of its presence. There is not in lunacy, as in fatuity, external signs not to be mistaken. The varieties of lunacy are as numerous as the varieties of human nature. It may exhibit every mood and take every tone, from the most sublime to the most ridiculous. It may surround its victim with unreal persons and events, or merely cause him to regard real persons and events with an irrational favor or dislike." He concludes that definitions and tests are alike hopeless.

Chief Justice Hale also acknowledged the embarrassment of such



a question. He said: "It is very difficult to define the indivisible line that divides perfect and partial insanity; but it must rest on circumstances duly to be weighed and considered both by the judge and jury."

In a criminal case, *Com. vs. Freth*, 3 Phil. Rep. 105, my learned brother, Judge Ludlow, gives us some of the tests in such cases, "the capacity to know whether the act was right or wrong \* \* and mental power sufficient to apply that knowledge."

A review of all the authorities I have been able to examine satisfies me that the true test in all these cases lies in the word "power." Has the defendant in a criminal case the power to distinguish right from wrong, and the power to adhere to the right and to avoid the wrong? In these cases has the defendant, in addition to the capacities mentioned, the power to govern his mind, his body, and his estate? If he possesses this power over his imagination, he will be able to expel all "delusive images," and the like control over his will would subdue all homicidal and other monomania.

You will not understand me as saying that a man is ever endowed with perfect or absolute control over all his faculties. But I use the word power with reference to that control which humanity can expect from humanity. Like all our other attributes, it will vary in degree from great weakness to great strength, but in the rational creature it is never absolutely extinguished.

Mere existence of weakness of intellect is not of itself sufficient to establish insanity, for it may co-exist with some degree (though it may be the minimum) of power.

Lord Hardwicke, in *ex parte Barnsley*, 3 Atkyns, 172, says "There may be a weakness of mind that may render a man incapable of governing himself from violence of passion and from vice and extravagances, and yet not sufficient under the rule of law and the Constitution of this country to direct a commission."

And in Lord Ely's case, *Ridgway's Parliamentary Cases*, 521, the same Chancellor is quoted as exclaiming, "God forbid that a weakness of mind only should be a sufficient reason for granting the custody of a person and his estate. For then drunkards, violent, careless, and silly people would all be taken in."

Lord Chancellor Bowes, in refusing a new commission in the same case, *Ibid*, 525, said, "Unsound mind does not relate to a degree of weakness, but incapacity." A man may be weak, therefore, in the control of his temper, he may be lazy, obstinate, passionate, speculative, even dissipated and vicious, but still not be of



unsound mind, for he may possess the controlling power without caring to invoke it; or may have weakened his self command by frequent indulgence, without having in fact extinguished it. The principle I have given you is sustained further by the pleadings in this case to which I have already called your attention. The relator has averred that the defendant "has been so far deprived of his reason and understanding as to be rendered altogether unfit and unable to govern himself or to manage his affairs."

I trust that this explanation of the question submitted to us may relieve the case of some of the difficulties which may have been supposed to surround this delicate subject, and may enable us to approach the solution of the facts of this case free from the confusions of science, which sometimes perplex the most learned.

Let us then apply this test of power to the evidence in this case.

Has the defendant been so far deprived of his reason as to have lost his power to govern himself or to manage his affairs? I shall not in presenting this branch of the case attempt to repeat to you the whole of the testimony on either side. You have listened to all of it and the thorough discussion it has received, with great attention. I shall therefore content myself with an effort to present the principal points of this case, and to classify the testimony. You will understand that no comment I may make on the evidence is in any way binding on you.

I understand it to be admitted by the relator that the defendant was at one time sane. Her petition for a commission of lunacy against the defendant was sworn to December 21, 1866. In it she says that he has been deprived of his reason "for three years last past." Mr. William Haskell gives the date of the change as 1862, while the family were out West. To the same effect is the testimony of Miss Annie Haskell, and Mr. George Haskell.

We may, therefore, regard it as admitted that the defendant was at one time free from the taint of mental disease. According to all the testimony he had lived for many years prior to 1862, in this city, where he had acquired some property and considerable reputation as a carriage maker. He seems to have become embarrassed pecuniarily about the year 1862, and his property in Arch Street was sold by the Sheriff. In 1862, he removed with his family to Illinois, and attempted, but unsuccessfully, to establish himself there.

It was during his sojourn in the West that the "change" alluded to by some of the witnesses was first noticed. The daughter describes it thus: "One evening mother was sewing; George was



on the sofa; father came down in his night clothes, and cried out he wanted to go home; we could not pacify him." This is corroborated in the main by other members of the family, one of whom states that the next morning the defendant could not recollect anything of the occurrence. Prior to that time Mr. Haskell had been very affectionate to all his family.

According to the testimony of his children, he became, after this, abusive, passionate, and violent. Ellen Dougherty, the servant, says that she noticed the change when he had been "home from the West six months; he first commenced," she says, "about money; there was confusion in the house until he was taken to the hospital; he used profane language to his wife and children."

Having thus fixed the time and the first symptom spoken of by the relator's witnesses, I will call your attention to the other matters relied on as evidences of the defendant's insanity.

1. It is alleged that he carried a pistol and secreted a knife and a screwdriver, and threatened to use one or more of these weapons against his wife.

2. That he also threatened violence to Mr. Horn, to his daughter, to the president, and was hostile to his sons and his family.

3. That he was extremely loquacious; spoke of a patent that he had secured; of a projected tub factory; a carriage factory of large dimensions; of a steamship line; and of other enterprises considered by some of the witnesses as wild and chimerical.

According to his son William, the defendant added to these various projects the intention to study law, to become an author, inspector of boilers, &c.

4. That he tore up the carpets at his home, and put the furniture in the street.

5. That he imagined he had been poisoned.

6. That he has declared he was crazy; that he went out in the yard, pulled up his pants, sat in the glare of the sun, talked to himself, wanted a neighbor's tree removed into his yard, said he owned all the street, threatened to burn the asylum, and moved the bandages from his broken leg.

7. That he made a ridiculous will, and wrote letters containing libels against his wife, one of his sons, and other members of the family.

And lastly, that he sued his son William, upon what is alleged to be by him an unfounded claim.

[The judge then took up the points made by Mr. Biddle for the Commonwealth, and, after reviewing them in detail, said:]



There may be other charges developed by the evidence before you, but I believe that the principal allegations of the Commonwealth's case may be all ranged under the above heads. If you recall any other statements you must give them their proper weight.

These several matters have been referred to by Drs. Jones, Butler, Harbeson, Morton, Ritz, Birkey, and Groves, by Messrs. McCartney, Wm. Haskell, Henry J. Haskell, Geo. Haskell, Loveaire, Albertson, Birkey, and Knight, and by Miss Dougherty and Miss Annie Haskell. You will perhaps attach importance to the evidence of the medical experts. Dr. Jones, Dr. Butler, Dr. Harbeson, and Dr. Birkey are all of the opinion that he was insane at the times of which they speak.

Dr. Morton and Dr. Ritz saw him after he left the insane asylum, and whilst he was in the surgical ward of the Pennsylvania Hospital, in Pine street, for treatment of his broken leg.

They refer to the fact that he insisted on removing his bandages, although cautioned that this course would retard his cure.

Dr. Morton testifies that defendant "did not act as a man of sound judgment would act," but he says, "I would not go so far as to say his mind was unsound."

Dr. M. F. Groves, the last medical expert called by the Commonwealth, has known the defendant thirty years. He speaks of his threats, bad language, and bad behavior, but admits that he has on a previous occasion sworn "that defendant was a wicked man, and that his conduct was wickedness, not lunacy." He adds, "I have not seen enough of him lately to change my opinion."

The Commonwealth further contends that there is proof of insanity in the defendant's family.

Mr. Wm. Haskell speaks of his uncle's derangement, and adds that his father told him "his cousin was deranged."

Dr. Groves says the defendant "was satisfied his brother was crazy." He told me of an aunt "who had hanged herself."

It has been ruled that this evidence is entitled to consideration. *Smith vs. Kramer*, 1 Am. Law Reg., old series, 353.

The documentary evidence will also be considered by you. The record of the suit against the son, the will, and the letters are all relied on by the relator as sustaining the allegations of insanity. You will, perhaps, regard the letters attacking the wife and child as requiring more of explanation at his hands than the other papers would seem to demand. I shall not read them, for the letters will be sent out with you, and you doubtless remember



their substance. The two to which I particularly allude, contain a serious charge against the wife and an imputation against the child. The wife is described by a number of witnesses as an excellent and amiable lady. Whatever may be your finding, I presume all parties will wish that these letters had never been written. Whilst we condemn the matter and style of this correspondence, we should be careful to remember the defendant's explanations in this behalf. He alleges that they were written under the aggravation of most unusual and distressing injuries. That he had been (as he contends) taken from his home, placed in a station house cell infested with vermin, in the insane department of a public almshouse, and in an insane asylum, where he was confined for months, locked up at night in a ward with raving maniacs. He avers that all this was in pursuance of a conspiracy to punish him for simply attempting to secure to his wife her just share of her father's estate.

A libel is a foul thing, and a libeller is in some aspects of a case the most loathsome of all created beings. He frequently destroys the happiness of the unoffending and the pure, and universally provokes to a breach of the public peace. Of this tendency of libels we have read since the commencement of this trial a sad and fatal illustration in another State. But, bad as the heart of the libeller must be, it by no means follows that his reason is impaired, or else he could never be punished. I have no hesitation in condemning these letters, whether they were the product of a reasoning or of an insane mind. Whilst I speak thus freely of them, I also feel required to notice another feature of this case. It appears by the transcript of Alderman Hutchinson, that on the 24th of May, 1866, a warrant was issued against this defendant on the oath of his son, George W. Haskell, charging the defendant with "threats, and having a large knife or dirk." This warrant, at the request of the prosecutor, was given to officer Widener, who arrested the defendant and took him before the alderman. The transcript records that "the prosecutor not being present, the defendant was held in \$1000 bail for a hearing on the 25th instant, at 10 A. M., and in default of bail the defendant was committed." At the time fixed, the transcript says, "neither the prosecutor nor defendant appeared," and this (with the exception of the note, that a transcript was subsequently issued to the defendant,) is the last entry upon the record. The committment, as you are aware, commanded the officer receiving it to take the defendant to the county jail, where he was to be detained in default of bail for a



hearing on the next day. But Mr. William Haskell testifies that this requirement of the law was not complied with. He says: "*Father was taken before Alderman Hutchinson, and from there the officer took him to Dr. Kirkbride's.*" It was afterwards explained to you that because the papers had not been prepared, the defendant was not taken to the asylum directly from the office of Alderman Hutchinson, but was in the first instance lodged in the Almshouse. This is corroborated by the testimony and certificate of Dr. Butler, the resident physician of that institution. That gentleman says that the defendant was received there May 24, 1866. This was the date of Alderman Hutchinson's commitment.

On the next day, (May 25, 1866,) Dr. Butler signed a certificate stating that he had seen and examined the defendant and believed him to be "insane." It is for the jury to say whether this physician was able to point to a single symptom of insanity. He says the "defendant was indignant at being brought there," and adds, "my opinion (as to his insanity) was necessarily based upon the statement of his sons."

*It thus appears that a defendant under commitment for a breach of the peace was taken first to the Almshouse, and then, upon a certificate obtained by "the statement of his sons," to an insane asylum.*

I feel compelled to say to you that herein was a violation of the rights of the public, and of this defendant. If he were sane, the community were interested in his punishment, and he should have been dealt with accordingly. If he were deranged, he was not the subject of a criminal warrant at all. It is also wrong that any man should be placed in an insane asylum upon the certificate of a physician "based solely upon the statement of his sons." *If such proceedings can be tolerated, our constitutions and laws, professing to guard human liberty, are all waste paper.*

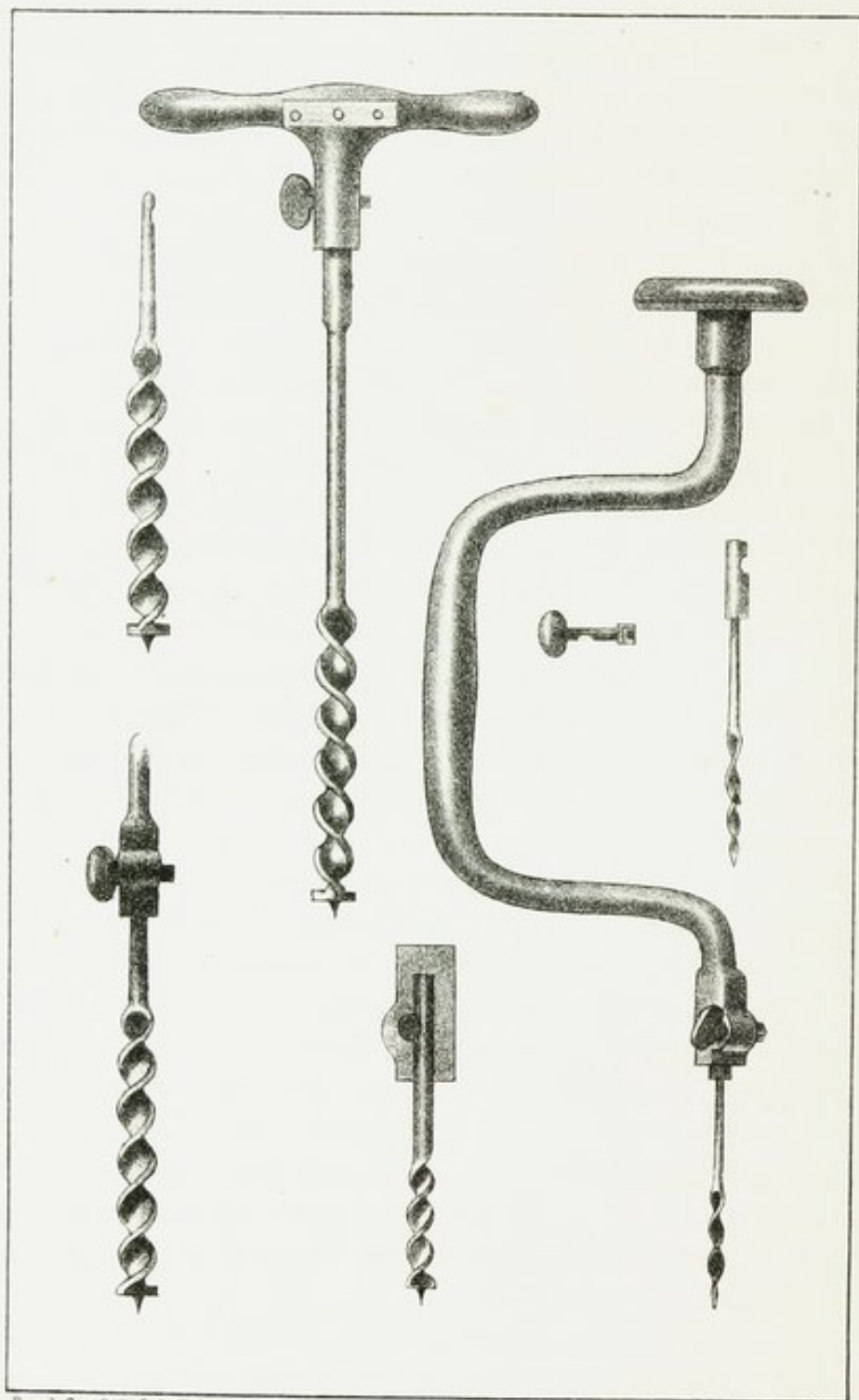
In England this subject has been regulated by statute. There the certificates of two properly qualified medical practitioners are required before a patient can be received into a lunatic asylum. Moreover, the physicians must visit him separately, and examine him carefully. A near relative or intimate friend must concur in the adoption of restraint. The institution must also be licensed, and be regularly visited by the inspectors.

It is to be hoped that the attention of our Legislature will be drawn to this important subject.

In making these remarks I need hardly disclaim any intention of reflecting upon the excellent physicians in charge of the hospital. They are deservedly in high repute here and elsewhere, and







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A Design of the  
**AUGER, BIT AND BRACE CONNECTION**  
*by Ebenezer Haskell, Phil<sup>a</sup>*  
1868.

they had no part in any of these proceedings. I have, however, deemed it my duty to make these comments on this branch of the case, because a sense of justice seemed imperatively to require such a course. But you will understand that no violation of the law by any witness in this case is at all material to this issue, save so far as it may affect his credibility. The defendant may have been illegally restrained, but still be deranged, and you must not allow any sympathy you may feel for him to swerve your judgments one hair's breadth from the true line of your duty.

Bearing in mind, then, the testimony against the defendant's sanity, and especially the positive statements of the medical experts, let us turn to the evidence on the other side.

Mr. Haskell has called to support his pleas a great number of witnesses from many walks of life. He has examined Messrs. Harris, Hartwell, Kneass, Coane, Brodie, Cooper, Thompson, McEwen, Van Cleve, Stotesbury, J. Vanleer, G. Vanleer, Painter, Walborn, Hamilton, Smith, Dow, Hutton, Pascal, Morgan, McElhenny, Espy, Albright, Rawle, Outerbridge, Muirhead, Brewster, Barnes, H. B. Tatham, Duncan, Wilson, Chapman, Stein, Kerrigan, Aldrich, Wm. T. Tatham, Nugent, Gardner, Myers, Lynd, Fell, Rigley, Jacobs, Duffy, Gottschall, Thorn, Arey, Geo. Inman, Henry Inman, Hibbs, Jones, Mrs. Morgan, Mrs. Brown, Dr. Childs, and Dr. Seltzer.

Some of these witnesses have known the defendant but a short time, and have had but little opportunity of forming an opinion. Others have known him for longer periods, while others have known him recently. Many of them have, however, known Mr. Haskell for a number of years, and have been quite intimate with him. They all declare him to be sane. His letters to his counsel and to others are also in evidence. He relies also upon the bit he has invented. You will remember that this was highly spoken of by some of the witnesses, and it seems to have been favorably noticed by others. His explanations as to the legal proceedings have also been submitted to you.

If we look at the medical testimony we find an even balance of numbers. Doctors Jones, Butler, Harbeson and Birkey on the one side, and Doctors Morton, Groves, Seltzer and Childs on the other, present a diversity of professional opinions. This is not unusual. But notwithstanding the difference between the experts and the other witnesses, it may be possible for you to reach a satisfactory conclusion, and this perhaps without much difficulty. We must remember the truth is rarely to be found upon the surface. Those



who seek after it must go to the bottom of the controversy. It should also be borne in mind that it is never safe to adopt blindly an extreme view.

With these general principles before us, let us make an effort to search out the exact fact involved in this issue. It may be covered over with family contentions—unhappy broils elsewhere, and seeming contradictions here—but if we honestly seek for the truth we shall always and certainly find it.

Let us simplify this matter. All writers agree that lunacy is a disease. How, then, will you detect its presence? Precisely as you would discover the presence of any other malady. If the question before us was whether a man had some bodily infirmity, we would perhaps have but little difficulty. We would compare the symptoms of the defendant with the standard of health. He might be weak, infirm, and with a minimum of strength, but unless there were indications of sickness, we would say this man is feeble but not unwell. On the other hand he might have the strength of a giant, and yet be unmistakably sick.

Let us pass now from the body to the mind.

Dr. Duncan in his excellent Treatise on insanity, page 45, says, "We must know the habits and peculiarities of the individual in health before we are prepared satisfactorily and certainly to pronounce an opinion upon the manner in which the same individual shall be affected by disease."

It must also be borne in mind that in deciding upon the sanity of particular acts, we must remember the causes, if any, which produce them. If we saw a man in a paroxysm of grief, rage or laughter, and upon inquiry ascertained that this was frequently recurring, and that it was all without cause, we should probably conclude that his reason was affected. If, on the other hand, we found that there was occasion for the feeling exhibited, we should reason that there was no insanity. It is related that a Spanish king seeing a man in a distant apartment laughing immoderately, exclaimed, "That person is either deranged or is reading Don Quixote."

Now, bearing in mind that this defendant is conceded to have been at one time sane, let us inquire what were his qualities or peculiarities before he was suspected of derangement. The witnesses say he was "always a talker and liked his own way," was "very decided," "opinionated," "could talk himself into a passion at any moment," "very excitable," "wanted his own way," "quick tempered," "stubborn," "queer in politics," "irritable," "deter-



mined," "temperate," "truthful," "correct," "intelligent," "reliable," "sharp," "talkative," "positive." This is the picture of the defendant drawn by those who knew him for many years.

Now if you fix 1862, the date given by the son, Mr. William Haskell, as the year in which the alleged change took place, take up the evidence and say whether you discover any act or declaration after that time variant from his former condition.

If you find that there is no difference, then, of course, there has been no change. If you find that new qualities have been developed, or that the old characteristics have changed, then you must ask yourselves whether this has been accounted for. Change is not of course conclusive evidence of insanity. The reformation of the profligate or the inebriate is rather evidence of the exercise of high reasoning powers. And, indeed, men may turn from good to evil without raising a suspicion of derangement. No one ever doubted the sanity of Judas or Arnold.

How, then, are we to decide whether a change in manners, affection, or disposition is inconsistent with reason?

Dr. Duncan gives this direction to the physician: "If he find that this change of character is unattended by any symptom of physical disturbance, that the digestive system is in perfect order, the head cool, the brain quiet, the expression of the countenance intelligent and tranquil, and if the manifestations of a changed taste and disposition, however decided in tone, are at the same time marked by propriety and moderation, he will have no hesitation in pronouncing a man perfectly rational."

You will, therefore, inquire, gentlemen, on this branch of the case, whether there has been any change in this defendant of the kind referred to? If there is a difference, is it unexplained, unaccounted for, and does it indicate insanity? Do you find any exhibitions of extravagance or improvidence? Do you find in any of the documents before you any incoherence of style or expression? Do you find the presence of any delusion, or do you detect any act or word betraying a want of reason? If so, and it is not accounted for, place it in the scale against this defendant, and if thus reviewing the whole case, you conclude that the defendant has been unfortunately "deprived of his reason and understanding" so that he is unfit and unable to govern his estate or manage his affairs, you will then find a verdict for the plaintiff. Otherwise your verdict should be rendered for the defendant.

The jury, after about an hour's deliberation, returned a verdict for the defendant, thus declaring Mr. Haskell sane, and capable of managing his own affairs,



COMMONWEALTH, EX. REL.	}	C. P., December Term, 1866, No. 183.
ADELAIDE A. HASKELL		
vs. EBENEZER HASKELL.		

Now, December 1st, 1868, Robert H. McGrath and George W. Biddle, Esq., for the Commonwealth, move the Court for a rule on defendant to show cause why a new trial should not be granted.

Reasons on behalf of Commonwealth for a new trial:

1. Because the learned Judge erred in admitting the testimony of Dr. John D. Griscom as a witness to the birth of a child of Ellen E. Horn.

2. Because the learned Judge erred in not admitting the whole record of the inquisition of lunacy in this case.

3. Because the learned Judge in his charge to the jury gave undue weight to the testimony of the defendant, and in contrasting the testimony of the experts and medical witnesses who testified on behalf of the plaintiff and defendant, erred in saying that "in the medical testimony we find an even balance of numbers."

4. Because the whole tenor of the charge was calculated to give undue weight to the testimony presented by the defendant, and to withdraw the jury's consideration from the true issue in the case.

5. Because the verdict of the jury was against the weight of the evidence.

#### COURT OF COMMON PLEAS, JUDGE BREWSTER.

After disposing of the usual business relating to the Orphans' Court, Judge Brewster delivered the following opinion:

##### THE HASKELL LUNACY CASE.

The Commonwealth, ex relatione, Haskell vs. Haskell. This is a motion for a new trial. The first reason urged is as to the admission of the evidence of Dr. Griscom.

The Commonwealth had, as proof of the defendant's insanity, read a letter from the defendant to a member of his wife's family. It contained a libel upon two deceased persons, one of them having enjoyed in his lifetime a character, a matter which had become in this community and elsewhere, a synonym of honor. The argument was that such a letter must have been the emanation of a diseased mind. The defendant in rebuttal offered in effect to prove the truth of a part of the letter. I deplored the introduction of the correspondence and of the testimony thus elicited, but I did not see my way clear to rule out the defendant's offer.



If the relator called the charges delusions, the defendant had the right to show that one of the accusations was founded in fact. I could not exclude an item of evidence clearly admissible because it only explained one half of the letter.

My brother Ludlow, who has heard the argument upon this motion, agrees with the propriety of the ruling upon this question.

The second reason complains that the verdict of the jury upon the commission of lunacy was excluded. We are clearly of opinion that it was not admissible. As, however, the defendant's seventh point stated the finding of the first jury, subsequently allowed the verdict to be read to the jury, and the error, if any, was thus cured.

The remaining reasons complain of the charge and the verdict.

We think the case was fairly submitted, and that finding cannot be disturbed.

It is very possible that there may have been an omission to notice in its proper connection the evidence of one or more witnesses. Under our present system this seems to be inevitable. A judge is not permitted to try a case with anything like the attention which is necessary to guard against the omissions, to notice portions of the testimony. He is expected during a trial to justify bail, read bills in equity, grant injunctions, allow writs of habeas corpus, and all imaginable rules, and in short to attend to every distraction which can divert his attention from the case before him. The trial of this traverse occupied eleven days, and during a part of the time we sat until a late hour in the evening. On review of the whole charge as filed herein by the counsel for the relator, I am somewhat surprised to find that there were not graver errors in my analysis of the testimony than those to which my attention has been called during the argument of this motion.

The remedy for such matters is by exception before the jury retire, and no exception was presented here.

The case could not possibly have been prosecuted or defended with greater ability, and we feel satisfied that no advantage would result to the relator by a second trial.

The motion is overruled.

One of the leading public journals commented upon the conclusion of the case as follows:

"Thus terminated one of the most protracted and remarkable trials on record. The name of *Ebenezer Haskell* will long be re-



membered by those friendly to human liberty. The zeal and the determination shown by Ebenezer Haskell and his friends in this case is without a parallel. We are happy to record the effect it had on the Legislature now in session, in modifying the law to shield persons from the abuse of ill disposed persons making use of good and useful institutions for bad purposes."

*March 6, 1869.*

After my case was finally disposed of, the next step for me was to make another effort. I had petitioned the Legislature the year before to have a new law on the subject of insanity, to protect me from being sent again to the asylum in the same manner as before, for the same process could be at any time had against anybody in this Commonwealth. The following petition I had drawn up and signed by numerous friends.

TO THE HONORABLE THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE COMMONWEALTH OF PENNSYLVANIA, IN GENERAL ASSEMBLY MET:

The undersigned, citizens and residents of the Commonwealth of Pennsylvania, respectfully represent to your honorable body, that there is great need of legislation upon the subject of the restraint and confinement of those persons in asylums for the insane, or mad-houses, who are merely accused of being insane by near friends or relatives. The fact that certificates of insanity may sometimes be procured through the weakness, venality, or corrupt motives of attending physicians, and thus the doors of a fearful prison house be closed, for a time at least, without remedy, upon a timid and sensitive but unoffending human creature, is a startling one, and one which in the judgment of your petitioners demands of the Legislature some action to prevent the possibility of the sane thus finding their way to a miserable incarceration. Your petitioners therefore earnestly request your honorable body to appoint a committee of experts, who shall be just and impartial men, to thoroughly examine every case of confinement in asylums for the insane, public or private, throughout this Commonwealth, and report if any sane be found therein. Also to report, if in their judgment any legislation is required to establish a more efficient system of regulations by which to prevent the confinement of any such in future, and they will ever pray, &c.

On the 20th day of April, 1869, the Governor signed the first,



and on the 24th of the same month, signed the second of the following enactments, which protect all in this Commonwealth.

### AN ACT

To provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same,* That insane persons may be placed in a hospital for the insane by their legal guardians, or by their relatives or friends in case they have no guardians, but never without a certificate of two or more reputable physicians, after a personal examination made within one week of the date thereof, and this certificate to be duly acknowledged and sworn to or affirmed before some magistrate or judicial officer, who shall certify to the genuineness of the signature and to the respectability of the signers.

Section 2. That it shall be unlawful, and be deemed a misdemeanor in law, punishable by a fine not exceeding one hundred dollars, for any superintendent, officer, physician, or other employee of any insane asylum, to intercept, delay, or interfere with in any manner whatsoever, the transmission of any letter, written communication addressed by an inmate of any insane asylum, to his or her counsel, residing in the county in which the home of the patient is, or in the city or county in which the asylum is located.

Section 3. On a written statement, properly sworn to or affirmed, being addressed by some respectable person to any law judge, that a certain person then confined in a hospital for the insane is not insane, and is thus unjustly deprived of his liberty, the judge shall issue a writ of *habeas corpus* commanding that the said alleged lunatic be brought before him for a public hearing, where the question of his or her alleged lunacy may be determined, and where the onus of proving the said alleged lunatic to be insane shall rest upon such persons as are restraining him or her of his or her liberty.

Section 4. Whenever any person is acquitted on a criminal suit on the ground of insanity, the jury shall declare this fact in their verdict, and the court shall order the prisoner to be committed to some place of confinement for safe keeping or treatment, there to be retained until he may be discharged in the manner provided in the next section.



Section 5. If, after a confinement of three or more months' duration, any law judge shall be satisfied by the evidence presented to him that the prisoner has recovered, and that the paroxysm of insanity in which the criminal act was committed, was the first and only one he had ever experienced, he may order his unconditional discharge; if, however, it shall appear that such paroxysm of insanity was preceded by at least one other, then the court may in its discretion appoint a guardian of his person, and to him commit the care of the prisoner, said guardian giving bonds for any damage his ward may commit: *Provided* always, that in case of homicide or attempted homicide the prisoner shall not be discharged unless in the unanimous opinion of the superintendent and the managers of the hospital, and the court before which he or she was tried, he or she has recovered and is safe to be at large.

Section 6. Insane persons may be placed in a hospital by order of any court or law judge, after the following course of proceedings, namely: On statements in writing of any respectable person, that a certain person is insane, and that the welfare of himself or of others requires his restraint, it shall be the duty of the judge to appoint immediately a commission who shall inquire into and report upon the facts of the case. This commission shall be composed of three persons, one of whom at least shall be a physician and another a lawyer. In their inquisition they shall hear such evidence as may be offered touching the merits of the case, as well as the statements of the party complained of or of his counsel; if, in their opinion, it is a suitable case for confinement, the judge shall issue his warrant for such disposition of the insane person as will secure the object of the measure.

Section 7. On statement in writing to any law judge by some friend of the party, that a certain person placed in a hospital under the fifth section is losing his bodily health, and that consequently his welfare would be promoted by his discharge, or that his mental disorder has so far changed its character as to render his further confinement unnecessary, the judge shall make suitable inquisition into the merits of the case, and according to its result may or may not order the discharge of the person.

Section 8. Persons placed in any hospital for the insane, may be removed therefrom by parties who have become responsible for the payment of their expenses: *Provided* that such obligation was the result of their own free act and accord and not of the operation of law, and that its terms require the removal of the patient in order to avoid further responsibility.



Section 9. If it shall be made to appear to any law judge that a certain insane person is manifestly suffering from the want of proper care and treatment, he shall order such person to be placed in some hospital for the insane at the expense of those who are legally bound to maintain such insane person; but no such order shall be made without due notice of the application therefor shall have been served upon the persons to be affected thereby and hearing had thereon.

Section 10. If the superintendent or officers of any hospital for the insane shall receive any person into the hospital, after full compliance with the provisions of this act, no responsibility shall be incurred by them for any detention in the hospital.

Section 11. That nothing in this act shall be construed so as to deprive any alleged lunatic or habitual drunkard of the benefit of the writ of *habeas corpus* or trial by jury, or any other remedy guaranteed to alleged lunatics or habitual drunkards, by any existing laws or statutes of the Commonwealth of Pennsylvania.

JOHN CLARK,

*Speaker of the House of Representatives.*

WILMER WORTHINGTON,

*Speaker of the Senate.*

Approved the 20th day of April, Anno Domini one thousand eight hundred and sixty-nine.

JOHN W. GEARY.

## AN ACT

### TO CREATE A BOARD OF PUBLIC CHARITIES.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor, with the advice and consent of the Senate, shall, as soon as practicable after the passage of this Act, appoint five Commissioners, who, together with the general agent and secretary hereinafter mentioned, shall constitute a Board of Public Charities; one of the persons so appointed shall hold office for one year, one for two years, one for three years, one for four years, and one for five years, unless sooner removed; appointments to fill vacancies caused by death, resignation or removal before the expiration of terms, may be made for the residue of such terms, by the Governor, subject to the consent of the Senate, and all appointments



to fill vacancies caused by expiration of terms shall be made in the same manner, and shall be for the period of five years each.

Section 2. The Commissioners, before entering upon their duties, shall, respectively, take and subscribe the oath required of other State officers, which shall be filed in the office of the Secretary of the Commonwealth, who is hereby authorized and directed to administer said oath; they shall have power to elect a President out of their own number, to appoint a General Agent and Secretary, and to adopt such regulations for the transaction of the business of the Board and the management of its affairs as they may deem expedient.

Section 3. The said Board shall be provided with a suitable room in the State Capitol, in which it shall hold its meetings, and it shall meet therein at least once in every three months, the time for such regular meetings to be fixed at the time of its organization. The Commissioners shall receive no compensation for their services but their actual traveling and other necessary expenses, which shall be paid by the State Treasurer upon the certificate of the Auditor General.

Section 4. The General Agent and Secretary of the Board of Public Charities shall hold his office for three years, unless sooner removed; he shall be a member of the Board *ex officio*, and it shall be his duty, subject to the control and direction of said Board, to keep a correct record of its proceedings, perform such clerical services as it may require, oversee and conduct its out-door business, visit all charitable and correctional institutions in the State at least once in each year, except as hereinafter provided, and as much oftener as the Board may direct, examine the returns of the several cities, counties, wards, boroughs and townships in relation to the support of paupers therein, and in relation to births, deaths and marriages; and he shall prepare a series of interrogations with the necessary accompanying blanks to the several institutions of charity, reform and correction in the State, and to those having charge of the poor in the several counties thereof, or any sub-division of the same, with a view to illustrate in his annual report the causes and best treatment of pauperism, crime, disease and insanity. He shall also arrange and publish in his said report all desirable information concerning the industrial and material interests of the Commonwealth bearing upon these subjects, and shall have free access to all reports and returns now required by law to be made; and he may also propose such general investigations as he may think best for the approval of the Board. He shall be paid annu-



ally the sum of three thousand dollars and his actual traveling expenses.

Section 5. The said Commissioners shall have full power, either by themselves or the General Agent, at all times to look into and examine the condition of all charitable, reformatory or correctional institutions within the State, financially and otherwise, to inquire and examine into their methods of instruction, the government and management of their inmates, the official conduct of trustees, directors and other officers and employees of the same, the condition of the buildings, grounds and other property connected therewith, and into all other matters pertaining to their usefulness and good management; and for these purposes they shall have free access to the grounds, buildings, and all books and papers relating to said institutions; and all persons now or hereafter connected with the same are hereby directed and required to give such information and afford such facilities for inspection as the said Commissioners may require; and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this Act shall subject the offender to a penalty of one hundred dollars, to be sued for and collected by the General Agent in the name of the Board.

Section 6. The said Commissioners, by themselves or their General Agent, are hereby authorized and required at least once in each year, to visit all the charitable and correctional institutions of the State receiving State aid, and ascertain whether the moneys appropriated for their aid are or have been economically and judiciously expended; whether the objects of the several institutions are accomplished, whether the laws in relation to them are fully complied with, whether all parts of the State are equally benefited by them, and the various other matters referred to in the fifth section of this Act, and in their annual report to the Legislature to embody the result of their investigations, together with such other information and recommendations as they may deem proper.

Section 7. The said Board shall also require their General Agent at least once in every two years to visit and examine into the condition of each of the city and county jails, prisons, and alms or poor houses, and shall possess all the powers relative thereto mentioned in the fifth section of this Act, and shall report to the Legislature the result of the examination, in connection with the annual report authorized by this Act.

Section 8. It shall be the duty of all persons having charge or oversight over the poor in any city or county of this State, or in



any sub-division thereof, and all persons having charge or control of any jails, or prisons, or workhouses, and of all other persons having charge or control over any other charitable, reformatory, or correctional institution, not now by law required to make an annual report of the condition of the same, to make report annually to the said General Agent, at such time and in such manner as he shall prescribe, of such facts and statements concerning the same as he may require; and all charitable, reformatory, and correctional institutions now required by law to make annual reports, shall hereafter make and transmit the same to the said General Agent on or before the first day of January in each year; and all such institutions now receiving, or that may hereafter desire to receive State aid, shall annually give notice to the said General Agent on or before the first day of November in each year of the amount of any application for State aid they may propose to make, and of the several purposes to which such aid, if granted, is to be applied.

Section 9. Whenever any such institution shall thus give notice of asking for State aid, the General Agent shall inquire carefully into the ground of such request, the purpose or purposes for which the aid is asked, the amount which will be required, and into any matters connected therewith—and in the annual report the result of such inquiries shall be given, together with the opinions and conclusions of the Board thereon.

Section 10. The several members of said Board are each hereby authorized to administer oaths in examining any person or persons relative to any matters connected with the inquiries authorized by this Act.

Section 11. No member of said Board shall be interested directly or indirectly in any contract for building, repairing or furnishing any institution which by this Act they, or any one of them, are authorized to visit or inspect; nor shall any trustee or other officer of any of the institutions embraced in this Act be eligible to the office of Commissioner or General Agent hereby created.

Section 12. The Board of Public Charities shall annually prepare and print for the use of the Legislature a full and complete report of all their doings during the year preceding, stating fully in detail all expenses incurred, all officers and agents employed, with a report of the General Agent and Secretary, embracing all the respective proceedings and expenses during the year, and showing the actual condition of all charitable and correctional institutions within the State, with such suggestions as the Board may deem necessary and



pertinent; and the General Agent and Secretary is hereby authorized to prepare the necessary blanks and forward the same in good season to all institutions from whom information or returns may be needed, and to require a prompt return of the same, with the blanks properly filled.

Section 13 The said Board may at its discretion, if the General Agent shall be unable by press of duties to conduct the correspondence of the Board, appoint a Corresponding Secretary at a salary not exceeding one thousand dollars per annum, who shall conduct the correspondence of the Board and perform such other clerical duties as may be required of him.

JOHN CLARK,

*Speaker of the House of Representatives.*

WILMER WORTHINGTON,

*Speaker of the Senate.*

Approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JOHN W. GEARY.

On the morning of May 24th, 1866, while sitting at breakfast I was kidnapped by a policeman and forcibly taken to the Philadelphia Almshouse. It never occurred to me that a charge of insanity was preferred against me, causing the outrageous arrest.

The questions put to me by the keeper, were as follows, viz:

"Where is your native place?"

"How old are you?"

"What is your occupation?"

After that my pockets were searched, and forty-three dollars in money, and my gold watch, worth one hundred dollars more, were taken from me.

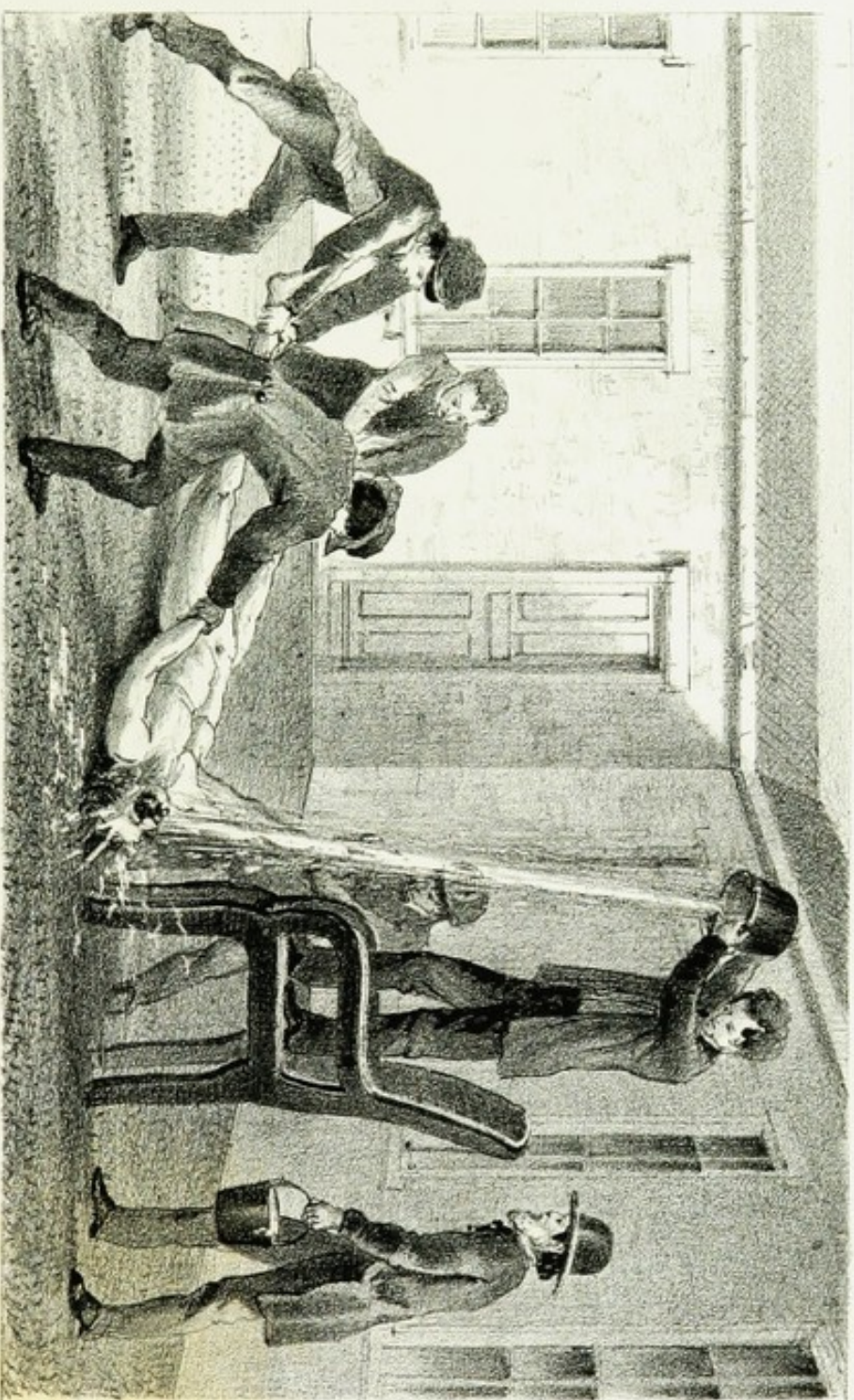
Next I was ordered to take off my clothes, then the barber came to shave off my beard and hair close to the skin, and a straight jacket was close at hand to be placed on me instead of the clothing removed. After a short consultation with the keepers or managers I was directed to follow a rough looking fellow with a bunch of keys in his hand, through several doors. At last one opened into the outer ward, which contained upwards of 500 black and white males of every grade one can imagine. Some of them half naked and full of sores, and diseases of all sorts and kinds, half of them were lying on the ground, some were standing on their heads, others were singing, while some were dancing. Forty or fifty of



them had leather mittens on their hands strapped close to their bodies, others had straight jackets on, which are a kind of shirt pulled down over their bodies, their arms inside pinioned close to their bodies. Such frightful objects of misery are indescribable. From what I have said the reader may form a faint idea of human beings huddled together within the sound of the church bells of the City of Philadelphia, with a Christian population of several hundred thousand, living in affluence, ease and comfort, as unconcerned as though no such place of torture was allowed in the country. The whole present Almshouse system of management would be a disgrace to any heathen nation on the face of the earth. Death is far preferable to the misery endured in the Blockley Almshouse of Philadelphia; in short it is a living sepulchre. The few days I was there sickened my heart at the cruelty practiced by those monsters in human shape called nurses. I have seen poor sick and feeble old men kicked and knocked down, hit in the face and on the head with a large bunch of keys, their eyes blackened, noses bleeding, lips cut and swollen, which all added to make life a burden. There is a great want of proper attendants; nearly all the nurses are without education, and brute force used continually upon all under them. The day the committee propose to visit a public or private institution should not be made known in the institution. When it is known everything is cleaned up in good order to deceive, so that the report will read "in excellent condition," and such like. To prevent abuse the authorities should send committees once a week, made up from outside the institution and in no way connected therewith.

I have seen marks of thumb and finger nails on the throats of the poor victims, being choked by the rough nurses, remain for two weeks. While I was locked up in the seventh ward in Kirkbride's mad house I have witnessed a struggle on the floor with a poor victim and his keeper over half an hour; the poor fellow had his hands strapped close to his body and fought with desperation; he was finally conquered by choking until he was black in the face, his tongue protruding from his mouth and his eyes nearly strained from their sockets, the froth and blood oozing from his mouth; he was then taken off from the floor by two stout keepers, and put into a dungeon naked, with a bundle of straw for his bed. I was confined during the night for over three months in a dungeon which joined this poor victim's; at first his yelling and howling kept me from sleeping. We are all creatures of circumstances and soon become reconciled; when he stopped it awakened me, the





*The fractious patient in spread eagle form receiving medical treatment of Douch bath in the Penitential Hospital for the Insane, July 4th. 1868.*  
F. Haskell.





same as the howling did at first. In the day time about thirty of us were let out of our cells and dungeons with the liberty of going up and down the corridors and into a small yard off the ground floor. It is necessary if you want to place a human creature in this mad house to pay thirteen weeks' board in advance. As soon as payment of his board bill is discontinued the person remains there for three months more free of charge; after that time he is removed to the Almshouse or some other Poor House and supported at the expense of the county or State treasury.

### THE SPREAD EAGLE CURE

Is a term used in all asylums and prisons. A disorderly patient is stripped naked and thrown on his back, four men take hold of the limbs and stretch them out at right angles, then the doctor or some one of the attendants stands up on a chair or table and pours a number of buckets full of cold water on his face until life is nearly extinct, then the patient is removed to his dungeon cured of all diseases; the shock is so great it frequently produces *death*.

If all the persons in this commonwealth found intoxicated and not able to govern themselves in a proper manner should by LAW RECEIVE SUCH MEDICAL TREATMENT, say four buckets full of cold water applied in that way for the first offence, and for the second two more added and so on until the desired reform is accomplished, it would do more to prevent crime and INTEMPERANCE than any other means. The tax payers would save a vast amount of money collected now to support the paupers of every grade in this community. Let a steady stream of water seven or eight feet in height fall down directly on the face of the patient, it will have the same effect as if he was held under water the same number of feet for the same time; a person cannot breathe when the water is falling down directly in his mouth any better than he can ten feet under water; it is a shock to the whole nervous system, and it drives the blood from the brain, which has been forced up there in many ways, which causes the patient to lose his proper balance of mind. It is well known by the medical faculty, they have long since established that fact, that when a person sleeps the brain contracts and produces a vacuum between the skull and the brain, (if the person is in a healthy condition;) when a person is excited the blood rushes up to the brain and causes him to lose his reason; all agree that the brain is the grand centre of thought which gives motion to the body. The nerves start out from the brain in fine



threads and spread over the whole body to give it motion as the will of the mind directs for good or evil. When the brain becomes excited for a considerable time on any subject the effect will be very readily made known to those that are not excited. The cause of insanity is a diseased brain, produced in many ways, as other diseases are; in most cases, in the first symptoms, the person is very excitable, the blood rushes to the brain, he will not be controlled; if you attempt to force him he becomes more excited; you must keep calm, and show no signs of excitement; such a course will do more to quiet him down than any other; I have tried it several times with a raving maniac in his cell, while I was in the Pennsylvania Hospital. They always quiet down when you show them you are friendly and give them the liberty of their limbs—no bodily restraint should be used of any sort on a diseased human creature if you expect to help him out of the disease; in no other way can you calm him down; he will in most cases commence to talk on many subjects; if you humor him a little in that way, he will place confidence in you; then let him know that you are his friend, and he will do as you desire him; on the contrary, if you attempt to compel him by force, and confine his limbs or place him in a dungeon or a cell alone, it makes him more raving than before—no one likes to be alone. A patient was placed in a dungeon next to mine in the seventh ward, in the Pennsylvania Hospital, naked, with no article of furniture except a bundle of rye straw for his bed; he raved and thumped against the door day and night, during the most of the time. In the morning when I was taken out, I said to my attendant it was cruel to keep that poor creature in that dungeon so long alone, and if he would take him out I would sit by him and talk with him while he (the attendant) was attending to the other patients in the ward. The poor fellow was released by the attendant, and put under my care in the bath-room—locked in for over an hour; after washing him off, a blanket was wrapped around his body; then we commenced to converse about his home and matters of a pleasant nature; it was wonderful how he quieted down in so short a time; I almost forgot I was in a mad-house, locked in a room with a raving maniac; my kindness was well received by him, and I was fully compensated in my own mind.

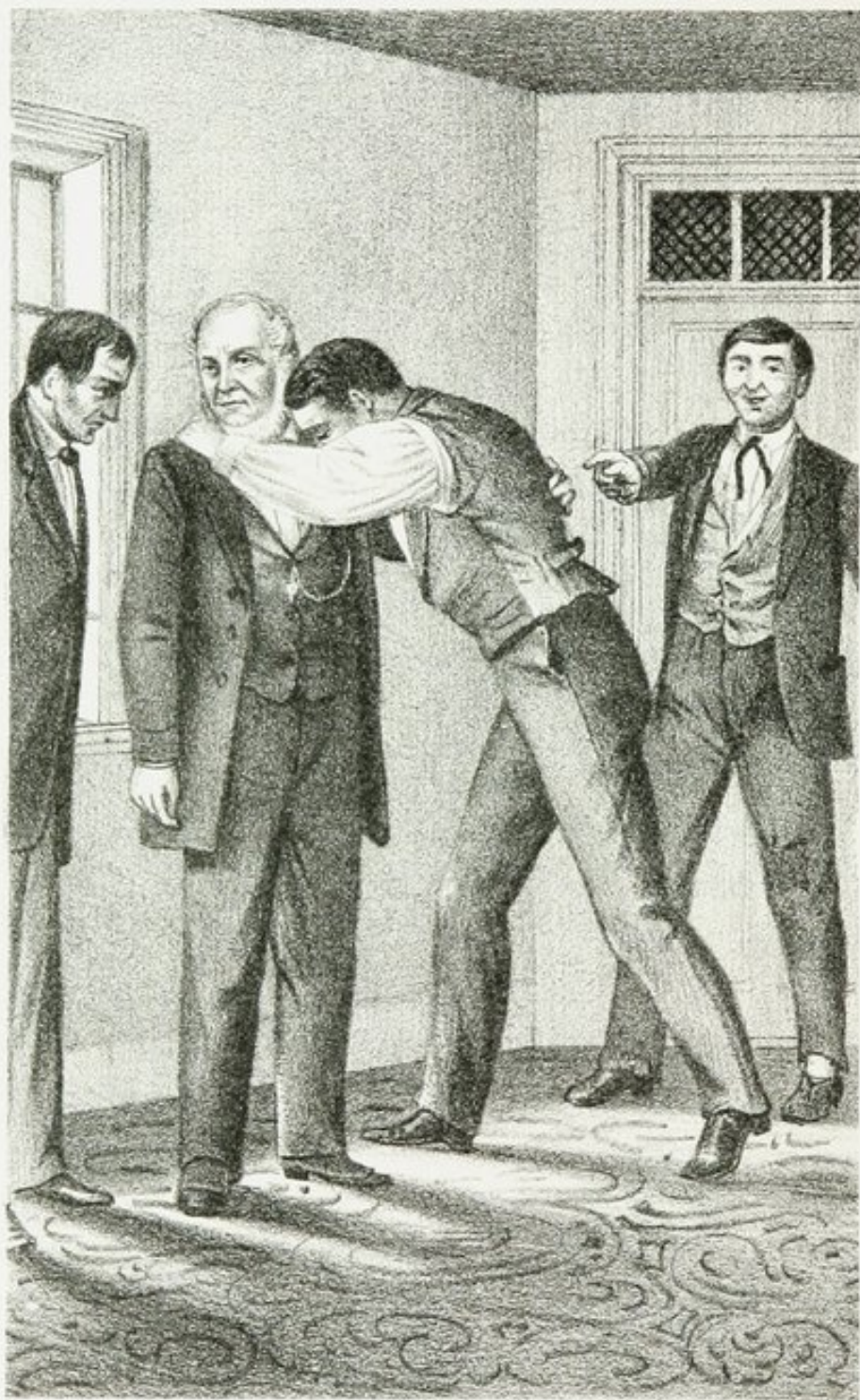
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#### THE SUFFERINGS OF A SUICIDE.

Next day after the 4th of July, 1868, I was removed from the







*The patient is fearful the Stomach pump will  
be applied again. July 20. 1868.*

*E. Haskell.*



seventh ward to the second—it has the best class of patients in the hospital. The doctor said the seventh ward was too rough, the douche bath had to be applied to quiet down the excited and unruly patients; he said it would be more pleasant for me in the second ward. He ordered the attendant to have me removed up to that ward out of the noise produced by the excited patients in the lower ward. I had not been there long before a new and more excited and unpleasant patient was placed in that ward than in the one from which I had been removed. He was from Washington, and been in the employ of the Government as a book-keeper; too close application to business caused his appetite to leave him; he could not eat for several days, and as a last resort the stomach pump was brought out and applied to him, to prevent starvation. The operation is dreadful at first. In this case the passage to the stomach was highly inflamed by disease, and when the tube was forced down, it had to pass through the whole length of the inflamed part, in order to pump the food into the stomach. The poor fellow's sufferings were dreadful. After the operation was over, he was so much exhausted that he had to be carried to his room. He had such a dread of the pumping, he told me death was preferable to life; he said he could not stand the torture again. He then begged me to relieve him by taking his life in some way, to put him out of his misery. I tried to pacify him by saying if he was not better in the morning, I would grant his wish. That seemed to quiet him a little, and after a long persuasion we got him to his room. His moans and cries continued throughout the night and up to one o'clock, noon, the next day, when he approached me in a most pitiful manner, and implored me to protect him, and not let them apply that pump to him again. Just as he laid his head on my shoulder, word came from the centre of the hospital that he was wanted there, his sister wished to see him. After he was taken there by his attendant, they met each other and remained together over an hour, when all of a sudden he slipped out of sight and crept up stairs, through a room, out on to the portico over the front entrance, and leaped down head foremost, a distance of thirty-five feet, striking his head on the granite steps. He was removed to the medical ward, and an examination was made; the leg and arm were broken, the face so much torn to pieces he was not able to speak, and about nine o'clock he expired. It was a sad affair to all. His sister was overwhelmed with grief, to think it was her being there that caused the accident. The body was removed to Norristown, Montgomery county, where they resided. No blame could be attached to the doctor or his attendant.

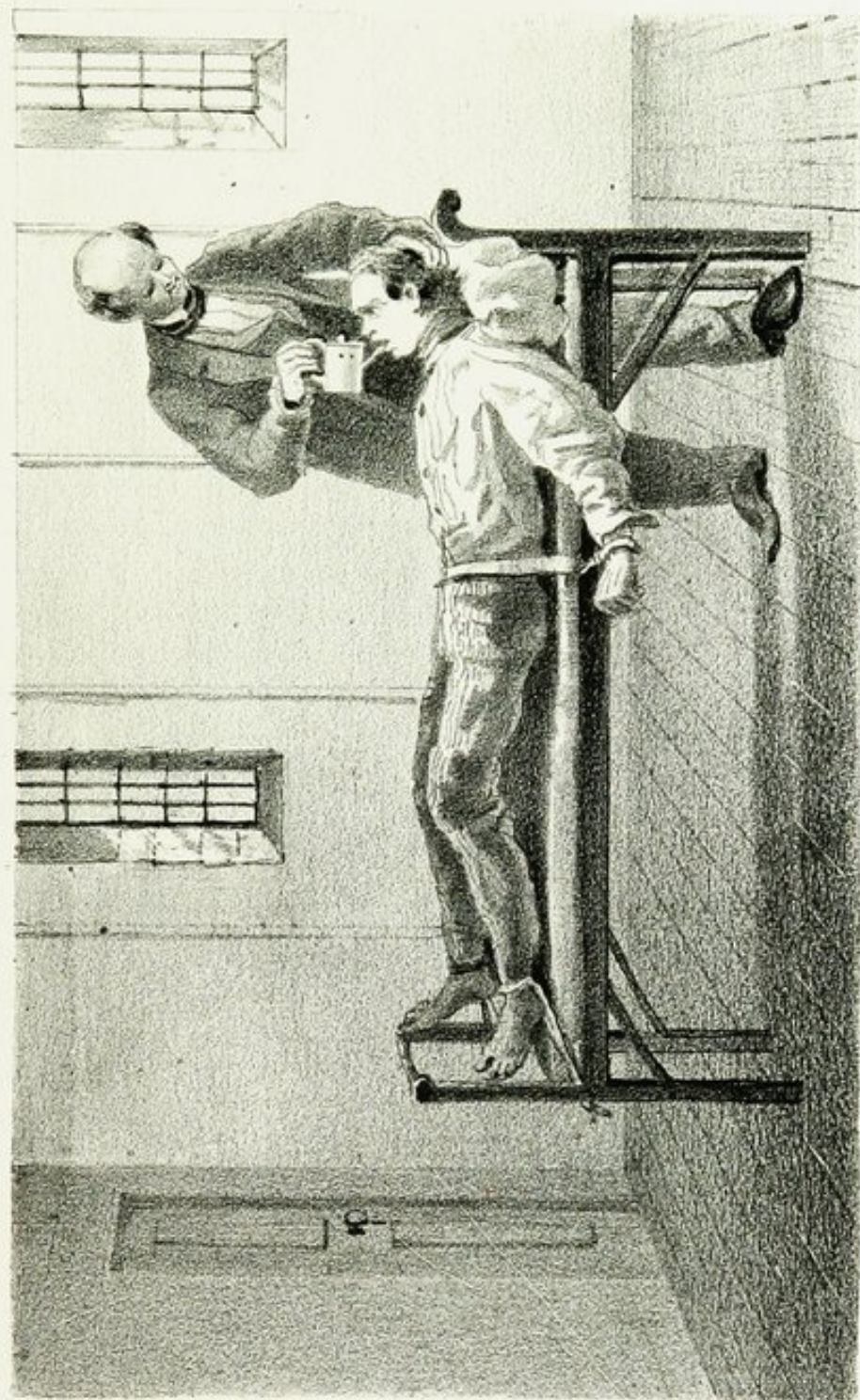


## TREATMENT IN THE PENNSYLVANIA HOSPITAL,

*Eighth and Pine Streets, Philadelphia.*

After escaping from the West Philadelphia Hospital, (Kirkbride's) with a leg broken September 9th, 1868, I was conveyed to the Hospital at Eighth and Pine streets, and placed in the large reception surgical ward. Dr. Markoe was sent for and was at my bedside in a few minutes; in twenty minutes my clothing was all removed, the broken limb set, bandages on, and some refreshments sent me, and I was told to keep as quiet as possible until morning. The next day Dr. Morton came to me with Dr. Markoe; he made an examination, and found me properly attended to; they both treated me kindly; everything was conducted with care and proper attention by them for several days; other new patients constantly arriving took their attention from me, and the nurses were placed over me, with instructions to follow their example. I soon found a different kind of treatment—or you may call it little or no attention at all. The neglect and bad treatment in all public or charitable institutions is by the nurses in the *wards and cells*, and not by the heads of the institutions. They know but little about it. I speak from my own observation on the spot. I have witnessed the most cruel and barbarous treatment by a nurse in the hospital at Pine street that could be inflicted on a human being. The person was brought to the hospital with the *mania a potu*, and put into a cell, strapped on an iron bedstead, with a hard mattress under him—the term familiarly used in the hospital, *made into a spread eagle*. The person is stretched out flat on his back, with a strap around the bedstead, up over the breast of the victim, and buckled under the bedstead; his legs are pulled wide apart and strapped to each corner at the foot of the bedstead, the arms are pulled out straight from the body, and strapped down under the bedstead, leaving his head scarcely room to turn one quarter around; in that position a person was kept three days and three nights; on the fourth night, at 9 o'clock, death relieved him of his agony. Such treatment to any human being is barbarous in any Christian or heathen country. This is what is called the *spread eagle* treatment in all public and private *institutions* in this country. When given the *douche* bath, so called, he is made a *spread eagle* in the same way. The *douche* was applied to three persons while I was in *Kirkbride's Insane Asylum*, in the same manner; one of them died from the shock the same night. I was threatened by the nurses in both hospitals to





*The maniac patient in spread eagle form receiving medical treatment in the Pennsylvania Hospital at 8th. and Pine Streets, Oct. 15th. 1868.*  
*E. Haskell.*





be strapped if I kept talking or attempted to make my escape. I did, however, make my escape, nevertheless, and am once more free from their tyranny.

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## HOW COMMITTEES EXAMINE THE PENNSYLVANIA HOSPITAL FOR THE INSANE.

On every alternate Saturday, after their banquet, which lasts mostly from two till four o'clock, P. M., the committee men commence to visit the different wards. The number of the committee is two or three, selected from yearly elected managers from their own *secret body*. The time occupied in passing through each ward is not over five or eight minutes at most. There are sixteen wards in the male department to be examined, besides the engine-house, the wash-house, and several other rooms, say twenty, at least; allowing eight minutes each, will make two hours and forty minutes; five minutes each is the average. The whole time is not over one hour and a half.

In July, 1868, an extra Committee of *Physicians*, eighteen or nineteen in all, visited the Hospital; they were making a tour throughout all the hospitals in the United States; they arrived in carriages, at two o'clock, P. M.; after a shake of hands and complimenting Dr. Kirkbride awhile for his elegant establishment, they were informed that a banquet had been prepared, to be disposed of next. They all got seated around the table at half-past three o'clock, and they remained two hours and a half at the table; some of them were so *full* that they had to be *conducted* from the table to their carriages. It being six o'clock, there was no time left to visit a single ward; they all retired from the banquet at the Asylum no wiser than when they came. A short time after a report was published, showing the excellent condition of the inmates in the Asylum; that all the patients were happy, and as well cared for as the inmates of the Continental Hotel.

The legacies bequeathed the Asylum in 1868, were \$55,000—\$50,000 from the Fisher estate, and \$5000 from Isaac Barton. In the committee's annual report for 1868, they say the salaries of the Superintendents in the Pennsylvania Hospital for the Insane, were \$35,656 05. Kirkbride alone, receives in all about \$10,000 for his services. He gave no account in his report of the \$55,000, and opposes any outside investigation of the institution.

John Warner Grigg died in New York, August 24, 1869, leaving to the Pennsylvania Hospital another legacy of \$50,000.



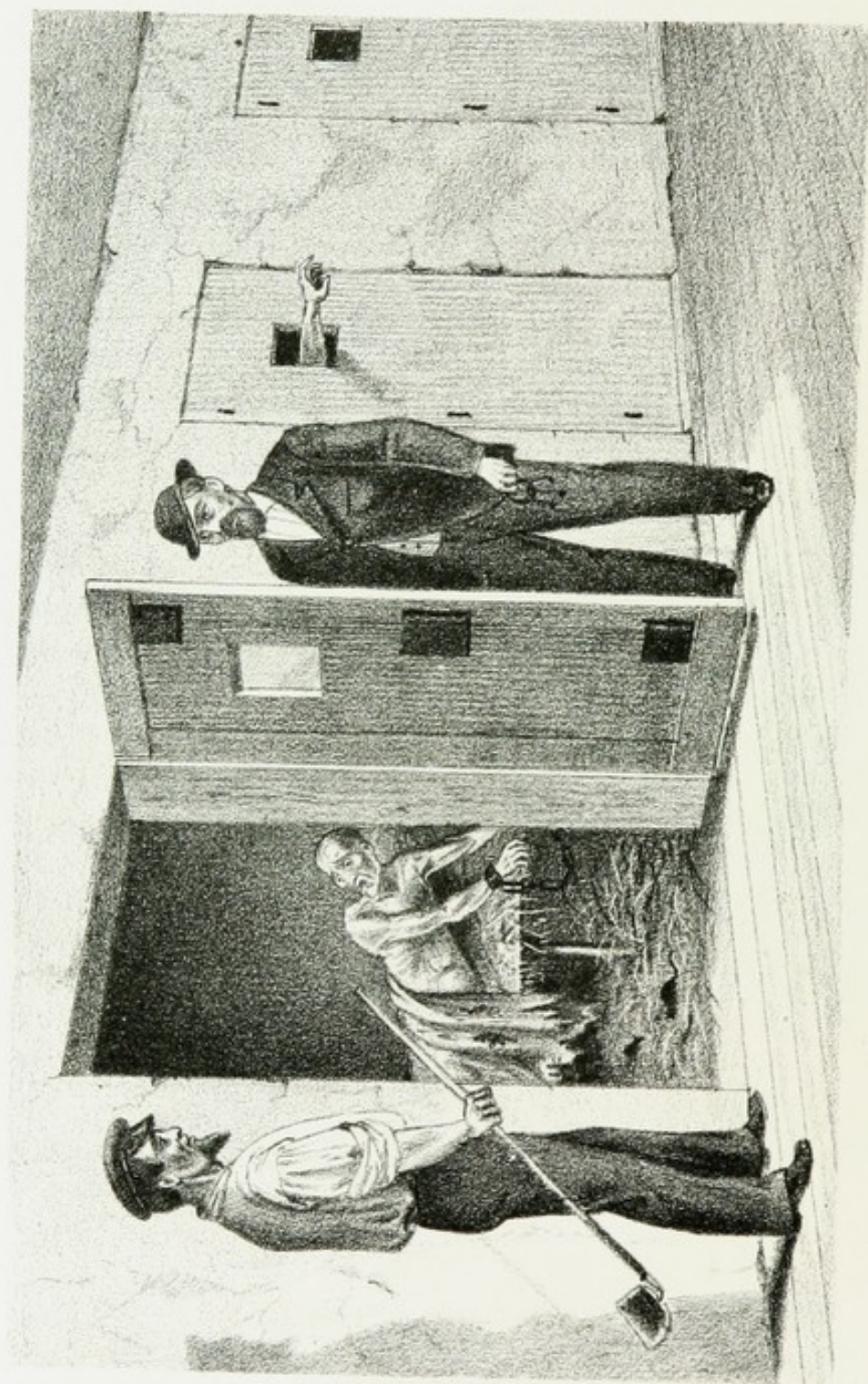
## A VISIT TO SOMERSET COUNTY MAD-HOUSE IN 1869, IN THE STATE OF PENNSYLVANIA.

*To the Editor of the Morning Post.*

DEAR SIR:—The interest you have taken on different occasions lately, in the important question of the protection of the sane from illegal imprisonment, and the proper care of the insane, encourages me to send you this letter. I know what a terrible condition of affairs exists in some of our institutions for the insane. The state of things at Blockley Hospital, at Philadelphia, and at Bellevue, in New York, and in most of the Almshouses in the large cities, is bad enough, but it is in the country mad-houses, more especially in those in retired and sparsely settled regions, that reform is needed. The horrors of some of these places can scarcely be imagined by the comfortable dwellers in towns. In the experience of which I intend to speak; I saw things which I might not believe without my own eyes—and it is hard to ask other men to believe them on my avouchment. Not many weeks since I was one of a party who were journeying from the pleasant town of Somerset, in this State, Pennsylvania, to Bedford Springs. We had joined forces, agreeing to charter a private conveyance. A little distance out of Somerset we approached the county poor-house. Entering the house we were shown the ordinary workings of the establishment, which do not call for any special comment. The insane department had yet to be visited. This we found in a small one-story building, somewhat removed from the main structure. It was properly a single room about nine by fifteen feet in dimensions, with a ceiling about ten feet high. This limited room was divided into six compartments, three on a side, with a passage-way of two feet running through the centre. Each lunatic had therefore a sort of bunk about three feet wide by five feet in length, which served him for all living and dying purposes. The door of one of the cells was open, and we saw lying upon his bench a wretched creature, heavily ironed, and covered and surrounded by filth indescribable. He had a greasy old coverlet wrapped about him, and he vainly endeavored to get some comfort out of the contracted space in which he was confined. The keeper said that occasionally when he was in a quiet state this man was guarded in a short walk about the yard, (always chained however,) but that for the most part he lay just where we saw him, and that all the offices of nature had to be performed in his cell. To prove that this was a fact, evidence was not wanting; the stench of the place was almost







*A patient in the Somerset County Madhouse Pa. having his dungeon  
cleaned out. Feb. 15. 1869.  
E. Haskell.*



insupportable. The other cells were closed, but we had a glimpse of a second horror. At a little casement in one of the doors appeared an awful white face. This belonged to a white man, who was never let out on any pretence. Small comfort as that would be perhaps his door even was never opened except when it became necessary to clear his den out, an operation performed with a hoe and rake, as the cages of animals are cleaned in the menageries. A hand as awful as the face—it had killed a woman, and it looked as though it might have done it, was stretched out of the hole. That meant tobacco, the keeper said. Tobacco was the only recollection this poor soul had of the world,—some was handed to him, and its filthiness was of course added to the other delights of his apartment.

I have spent more time in writing this description than I did in that foul building, misnamed an asylum, but it left an impression upon me that will remain for life. Such abject misery I never saw before, and hope to God I may never behold again. I say there are things above ground, and in the days in which we live, and that this of which I speak is one of those things to which Dante's pictures of men roasting in fire, or frozen into ice, or turned into trees, are bagatelle. The preachers tell us we are created in the image of our Maker,—we are treated worse than wild beasts. That is the literal truth, and any man who will can prove it for himself. I know too that they are paupers and cannot have the comfortable surroundings of those whose friends are able to pay for them, but it may be at least demanded that they be treated humanely. The clergymen that are soliciting aid in their churches for the heathen, five thousand miles away, would do better by trying to aid the poor creatures near at hand in their own State. A decent man would not put a dog he valued into such a den (chained up,) as I saw in the Somerset County Mad-house.

*February 15, 1869.*

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### THE MAD-HOUSE AT PITTSBURG.

The Board of Inspectors in the early part of 1868, in this State, report as follows: The insane are in some instances confined in rooms small and close, with no means of admitting a proper supply of fresh air either summer or winter, and being in the basement are often extremely cold in winter. Others in small rooms built



expressly for them, where they remain constantly, their food being passed into them through a small opening left for the purpose

The report goes on to state: Some are kept with a chain on the ankle and fastened to a staple in the floor, allowing only a few feet of motion around a fixed point. Males and females are found in adjoining and often in opposite rooms; even in that state of excitement when they will wear no clothing.

The report teems with like abuses done to the insane by the superintendents of the so-called charitable institutions. In conversing with a patient who was said to be deranged, the commissioner appointed by the Governor could see no evidence of insanity. He was chained to a sixty-five pound weight, which he was obliged to carry about with him wherever he went.

In a building known as the insane hospital, in a row of badly constructed and worse ventilated cells, divided by thin board partitions, were found insane men and women confined to the floor by chains worn bright by constant use through many long years of confinement in this dreary abode,—*treatment that would drive a sane man mad.*

Some of these poor wretches had been confined in this place for more than twenty years; there was no record of them; their history seemed to be traditional only; no one knew or cared for them. One patient over eighty years of age had been chained for twenty years. The commissioner says in speaking of another institution that he visited, that the patients confined in the wards appropriated to the imbecile and insane are most shamefully neglected. Can any man or woman read these statements of the commissioner without feelings of shame and horror. Are we not all equally guilty for permitting these things to exist. The public after the disclosure made by the State Medical Association, and the special commissioner, have a right to demand that these hospitals shall be properly inspected.

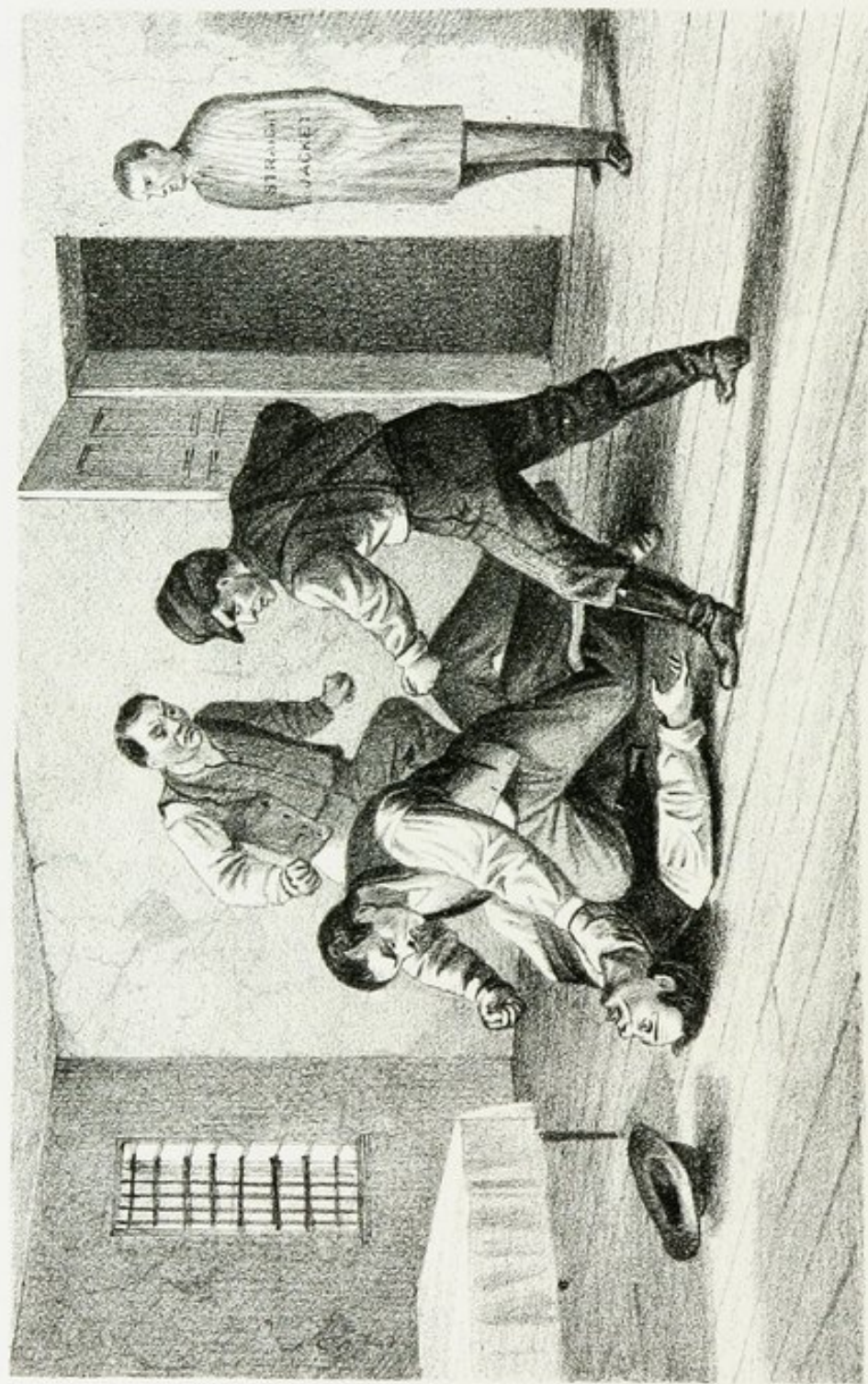
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### THE DISCIPLINE IN NEW YORK SING-SING.

A convict proving refractory was put under the shower bath; the falling water soon deadened the part it struck, and from the effects of it the person died. The bath will answer for those who have fairly begun to enjoy the Christian privileges which most of our penitentiaries now afford. The inquisition is effectual every-







*Death of Parks in Taunton Madhouse, Massachusetts. - Patrick Milan  
of Readville in a Straight Jacket. 1869.*

*E. Haskell.*



where. The Japanese, it is likely, will soon give up immersion in hot oil as a punishment; and if it were adopted in our American prisons we would hear no more nonsense about rebellious convicts. As long ago as Voltaire, he said that a traveler could tell when he had entered a Christian country from the prevalence of prisons. It may be accounted for from the want of sympathy on the part of the public, wherein the shower bath and black hole are held up to ridicule, and only an insignificant criminal is murdered in one of them.

In *Massachusetts (Taunton) Lunatic Asylum*, the death of Mr. Parks recently caused the Legislature to investigate the case. In the evidence of Patrick Milan, of Readville, a former patient of the asylum, it appears that he saw the struggle between Parks and the attendants; three men held down the patient. Young was kneeling on his breast choking him and striking him with his fist, Lamson was stamping Parks' breast with his heel and kicking him in the side with all his might, waiting for a chance to hit fair between the struggles of the patient, who hallooed as often as there was any breath in his body.

When Parks was completely exhausted he was taken to his cell, where the witness heard more violence in the night.

The witness was asked, why didn't you make public such doings? he did not dare. He said he had known patients to be beaten for making complaints. One day the keeper, Charles Acorn, told witness to bathe, and upon his refusing (he not feeling well,) the keeper knocked him down and kicked him so severely that he was still lame from the injuries then received. He said he had also been kicked and bruised when he was in a strait jacket.

George O. Shattock, counsel for the asylum, cross-examined and bullyragged the witness, but failed to impair his testimony, which is their mode of procedure in cases of lunacy everywhere. A reform in the management of all our institutions is needed, and a change in the laws will save the tax-payers of this Commonwealth thousands of dollars.

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### JUSTICE TARDY BUT SURE.

It will be remembered that Ebenezer Haskell, a respectable manufacturer and an estimable citizen, over sixty years of age, after being three years a prisoner in Dr. Kirkbride's Asylum, and while there robbed of considerable property, for no other reason



than that he cited James Henry Horn to file an account as administrator of an estate in which Haskell was interested, escaped from that institution, and after a long and exhaustive trial was declared by the judge and jury to have always been, and to be now, an entirely sane man.

Before this verdict was rendered, the counsel for Dr. Kirkbride said that "it was not Mr. Haskell that was on trial, but the asylum." The jury found the asylum guilty of repeatedly kidnapping and imprisoning a perfectly sane man, and consequently the counsel for the institution, not being satisfied with the verdict, moved for a new trial. But, curiously enough, the name of Mr. Biddle did not appear on the record, but instead, Mr. McGrath, who was in no wise connected with the asylum. This motion was made directly after the finding of the verdict in December last; but notwithstanding the best efforts of Mr. Haskell's counsel to obtain an argument, it was impossible for them to accomplish it until Friday last. That they got it then was owing entirely to the fact that on last Saturday week Mr. Haskell commenced suit in the Supreme Court against Dr. Thomas S. Kirkbride, Dr. S. Preston Jones, and their confederate, Dr. Harbison, for conspiracy and false imprisonment.

To interfere with this suit, and by a new trial to create a prejudice against this victim of the asylum's cupidity, its counsel whose name was not upon the record used all his skill and peculiar tactics to induce the court to grant a new trial.

The court yesterday refused Mr. Biddle's motion, and Kirkbride, Jones and Harbison will have an opportunity afforded them when this trial for conspiracy comes off, to show to the public a view of their asylum, that they have heretofore kept secret; and they will also learn that kidnapping of sane men is in the end an unprofitable speculation.—*Philadelphia Morning Post*, March 8, 1869.

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### A YOUNG BRIDE SPIRITED AWAY AND IMMURED IN A LUNATIC ASYLUM.

A singular case came up on Saturday before Judge Bedle, at the Hoboken County Court House, Hudson City, New Jersey. It was an application for a writ of *habeas corpus* to deliver from the custody of the Governors of the Trenton Lunatic Asylum, a Mrs. Merritt, now confined in that institution. From the affidavit made by the applicant and others, it would appear that on the 4th of



July last, Colonel H. D. Merritt, of Hudson City, was married to Mrs. Frances M. J. Morton, widow of the late William Morton.

She continued to reside with her husband at her own residence, near Manwah, in the county of Bergen, until the 9th of July. Early in the morning of that day, her brother, Edward Livingston Price, of Newark, a lawyer, and member of the last Legislature, went to her house, and sent word that he wished to see her down stairs. She went down, leaving her husband in the room. Her brother, who had a carriage in readiness, put her in it against her consent, and had her taken to the Bergen County Poor House, where she was locked up until the 17th. She was then taken to Hackensack, before a jury summoned by commission appointed by the Chancellor, in pursuance of a petition filed on the 10th of July. Without friends, or any one to appear for her to contradict the statements as to her insanity, she was found to be insane, and on the morning of the 18th of July was taken by her brother and confined in the Lunatic Asylum of Trenton. From the time she was taken from the house until her confinement in the asylum, her husband was unable to discover her whereabouts, and it was only a few days ago he learned from a gentleman in Jersey City that she had been placed in an asylum. Immediately on becoming acquainted with this, he applied through his counsel, Senator Winfield, for a writ of *habeas corpus*, which was allowed by his honor, Judge Bedle, returnable yesterday morning. The matter duly came before the court. Dr. Buttolph, superintendent of the asylum, returned that Mrs. Merritt was placed in his custody by her brother, Mr. Price. Mr. E. L. Price asked for a postponement for four weeks, and asserted that the adjournment would cause no inconvenience. The lady, he said, was properly cared for. The members of her own family had declared she was insane; a jury had so found, and the husband would have been notified had it been known where he then was. The case was adjourned.

For two weeks a close watch was kept over the lady, by a physician, and he could not detect the least indication of insanity. She was discharged by the Court.

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#### KIRKBRIDE'S ASYLUM AND THE TRIBUNE.

*The Tribune*, during the continuance of the Haskell trial in this city, published editorially an article which bore severely upon the present obnoxious law which permits a sane man to be kidnapped



and confined in an insane asylum for any indefinite time, upon the certificate of either a physician or dentist.

Subsequently *The Tribune* sent a special correspondent to visit and report upon Kirkbride's Asylum, and his account being published, we are prepared to endorse the general correctness of every statement embraced in it. It is, of course, an altogether one-sided view of that great suburban palace-prison, a view obtained through the spectacles of Doctors Kirkbride and Jones, who the able correspondent informs us, escorted him over the entire edifice. He found the floors well scrubbed, the parlors richly furnished, the stairs carpeted, the bed-rooms cleanly, the curtains expensive, the grounds extensive, the ventilation good, and supper excellent.

All which everybody already knew, for these things are exactly what are shown to all casual visitors, and are the cheap bids which the superintendent offers to an easily satisfied public. Unfortunately, however, for the superintendent and his astute assistant Jones, they were not able to convince *The Tribune* correspondent that the ugly records of the courts were untrue, which showed the asylum's complicity in kidnapping and imprisoning sane men in a hole "not fit for a dog;" in robbing them of all clothing; in violating the seals of private letters and abstracting their contents; in incarcerating entirely sane persons on the certificate of a dentist; in permitting a patient to drown herself, at midday, within the sound of Dr. Kirkbride's voice; in attempts to bribe the press; in other acts which shame all manhood. No, these things could not be proved untrue, for they are matters of record, and consequently the correspondent went home, and said all that was shown him was fair to the eye, but *The Tribune* did not take back a word of what it had previously stated editorially, for the wise old *Tribune* knew that the asylum was not yet so lost to all reason as to exhibit anything against itself, for how could *The Tribune* forget that it was Doctors Kirkbride and Jones who were so polite to their correspondent?

Imagine that mild mannered young gentleman, Mr. Twitchell, escorting our friend, Mr. Sheppard, through the bloody rooms in Pine street, the day after the murder, and explaining to that officer what a sweet-tempered young gentleman he was, and that he must not mind the ugly records of the court, which would slander him—the saintly youth, Twitchell—and then imagine the benevolent Doctors Jones and Kirkbride escorting *The Tribune* correspondent through its rooms, and telling him what a sweet place it was, and how really magnanimous they were in not asking







*Ebenezer Haskell escaping from the Pennsylvania Hospital for the Insane Philadelphia  
Sep. 9<sup>th</sup> 1868.*



higher board from kidnapped prisoners than the Continental Hotel demanded of its guests. The whole picture is plain before us now, and we see at the side of Jones the venerable form of *The Tribune* writer, while at his other side appears the benevolent Kirkbride, who explains how Mr. Haskell would break his leg and hide all day with it and his mortal agony in the bushes, rather than be recaptured by "the pet prize-fighter" of the establishment, to be locked up again in the cell without light or air, and while this story is going on, Jones sweetly sings that popular air about the spider and the fly. *The Tribune* correspondent listened serenely, but inwardly rejoiced that Birkey was dead, Butler visiting Haskell's sons, Baker at Horn's, and Harbison busy with that long-neglected midwifery case, for he felt that if anybody would sign the bond either of the above gentlemen would furnish the certificate, which would make him better acquainted with the peculiar workings of that institution than he could otherwise possibly be.

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#### KIRKBRIDE'S NEW DRAG-NET FOR INSANE ASYLUMS.

The above caption very accurately describes a new law which the Association of Superintendents of Asylums for the Insane proposed to have passed by the Legislatures of all the States. The title they have given it, however, is: "Project of a Law to Determine the Legal Relations of the Insane." It was only a few days ago that one of our evening papers, which has gained an unenviable notoriety recently as the only advocate of the present vile law, and the operations of Birkey, Butler and Biddle, informed the public that the Superintendents had been a number of years in preparing the draft of this new drag-net for their asylums.

No one acquainted with the records of the numerous cases that have been before our courts during the last year will suppose for a moment that the gentlemen having charge of mad-houses have any serious intention to do anything towards reducing the receipts of those institutions. If they have, they need only look over two or three sections of this projected law to discover their error. The fact is, that the whole design of it is only to fasten their gates more surely upon their victims, and at the same time to protect themselves from being mulcted in damages for so doing. The design is so transparent that a child may see through it. The present law, which permits a sane man to be kidnapped and robbed of liberty and property on the certificate of a wretch like Harbi-



son, exists only by custom, and has its vitality only in the *absence* of a statute. Consequently when these Shylocks—as some of them have recently proved themselves to be—imprisoned a sane man for “one hundred and thirty dollars, paid in advance,” (vide Haskell’s case,) they render themselves liable in damages. This question was very emphatically settled in the Hinchman case, where the conspiritors were obliged to pay ten thousand dollars by the verdict of a jury. And at the present hour, there are two suits for damages hanging over the Superintendent of Kirkbride’s Asylum, for his alleged conspiracy in incarcerating sane men, while their friends and relatives were robbing them of their property.

Should this law pass, Dr. Kirkbride can snap his fingers at his prosecutors. Naturally Dr. Kirkbride is anxious it should pass, and as a verdict against one of their number would reflect upon them all, so do all the rest of this association of superintendents share his anxiety.

The first section of this bill is as follows:

“Insane persons may be placed in a hospital for the insane by their legal guardians, or by their relatives or friends, in case they have no guardians; but never without the certificate of one or more reputable physicians, after a personal examination, made within one week of the date thereof; and this certificate to be duly acknowledged before some magistrate or judicial officer, who shall certify to the genuineness of the signature, and to the respectability of the signer.”

The second section says:

“Insane persons may be placed in a hospital or other suitable place of detention, by order of a magistrate, who, after proper inquisition, shall find that such persons are at large, and dangerous to themselves or others, or require hospitable care and treatment, while the fact of their insanity shall be certified by one or more reputable physicians, as specified in the preceding section.”

Between this and the old law, which has no other legal sanction than custom, what is the difference? Apparently a little—this, that the certificate shall be *acknowledged*; mark that word, *acknowledged*, not *sworn* to before a magistrate—and Birkey, Butler, or Harbison, or such bought tools as they are, have simply to go before a Fourth Ward Alderman and say “I signed that certificate.”

That is the *pretence* of difference between the statute and the present law. And now see what the real difference is. While the



*acknowledgment* of a scoundrel like Birkey gives no character nor weight to his certificate, it *legalizes* his iniquity and *protects him from any process of law*. But that is the least of the harm aimed to be accomplished by the framers of this new drag-net. Heretofore a person who conceived himself to be unjustly deprived of his liberty, even such an one as Twitchell, could demand a hearing on *habeas corpus*, where he could be represented by counsel and surrounded by a crowd of his fellow-citizens, and guarded by the ever vigilant eyes of the press, but this statute of the superintendents proposes to do away entirely with all this. At present the alleged lunatic, if the superintendents did not cut off his communication with the entire world, could claim the privilege of the *habeas corpus*, could have a Sheriff's Jury (which is always a packed jury) to decide upon his sanity, and after that he could *traverse* their finding, and appeal to a jury of his fellow-citizens, in the selection of whom he could have some influence. But all these safeguards this projected statute breaks down, and it proposes to make *legally* insane any one whom a Harbison or Butler may be bought to *acknowledge* so.

Having caught their victim and safely landed him within their strongholds, the windows of one of which, says Dr. Kirkbride in his annual report, "are enclosed with ornamental iron railings," they have him fast, and there they may keep him until the crack of doom, unless some respectable person petition the Court for his release. Suppose the victim is kidnapped in the night, as Moore, as Haskell, as Stewart were, how is the respectable person to know where his friend is gone? But if the respectable person can prove his *respectability* and find the whereabouts of the victim, he may take the following proceedings, as explained by this bill in section five:

"On a written statement being addressed by some respectable person to any high judicial officer, that a certain person then confined in a hospital for the insane, is not insane, and is thus unjustly deprived of his liberty, the Judge, at his discretion, shall appoint a commission of not less than three nor more than four persons, one of whom, at least, shall be a physician, and another a lawyer, who shall hear such evidence as may be offered touching the merits of the case, and, without summoning the party to meet them, shall have a personal interview with him, so managed as to prevent him, if possible, from suspecting its objects. They shall report their proceedings to the Judge, and if, in their opinion, the party is not insane, the Judge shall issue an order for his discharge."



A commission "of three, and not more than *four*," not one of whom may be chosen by the defendant, are hereafter to usurp the place of a regular jury. Fishermen for asylums, the net is too wide and deep for its strength. It will not hold so miraculous a draught as is expected of it. But if these gentlemen are hungry, cannot they go dine on such wages as are already given them? The salaries at Kirkbride's fishery alone last year amounted to no less a sum than \$35,656.05, and doubtless they are all as nobly paid for their charitable labors.

The constitution and the law declared that a public hearing before a magistrate, where he could be represented by counsel, the privilege of the *habeas corpus*, and a trial by a jury of his fellow-citizens, could not be denied to Antoine Probst, and yet the projected law denies all these sacred rights to such estimable citizens as Moore, Haskell, Stewart, Mrs. Walker, and every other unfortunate, who may be trapped into an asylum. And in lieu of them we are offered a poor substitute of a commission of "three or not more than four, one of whom shall be a physician and another a lawyer." What physician—Jones, Birkey, Kirkbride, Harbison or Butler? What lawyer—George W. Biddle or Lucas Hirst?

The party in whose behalf this inquisition sits is not even permitted to confront his accusers, not permitted to know who they are, not to appoint his counsel, not to examine witnesses nor to know them—the very intent of the inquisition is that it shall "*be so managed as to prevent him, if possible, from suspecting its object.*"

Why, in comparison to this, the fatal *Star Chamber* proceedings were white as snow.

In God's name, why should the dozen sane men and women, lately proved to be sane by our courts, though imprisoned by Dr. Kirkbride for years, be denied the chance of liberty that is granted to a thief or murderer? What have respectable men done that one law should be made for them as black and infamous as the code of Draco, and another, fair and good, be made for scoundrels like Twitchell and Jerry Eaton?

There can be but one object in it, and that is that those magnificent palace prisons may be maintained at any cost, and that their respective superintendents may say at the end of the year we have paid ourselves nearly \$36,000 salary.



## THE VICTIMS OF MAD-HOUSES—A DEMAND FOR INQUIRY.

There must be some means adopted, with all possible promptitude, for inquiring into the management of our lunatic asylums and the agencies by which persons are there incarcerated.

Within the past year a very considerable number of cases have come to light in this city and vicinity, in which perfectly sane individuals had been confined, under false pretexts, in these asylums. The latest of such cases, which is at this time undergoing investigation, gives a new interest to the subject.

One of our criminal lawyers received some days ago a letter from an inmate of Bloomingdale Asylum, declaring that he had been sent there by his relations on false charges, and asking that measures be taken for his release. On going to the asylum the lawyer was denied the opportunity of an interview with his correspondent; but being convinced by inquiries elsewhere that the victim was wrongly confined, he obtained a writ of *habeas corpus*, which was returnable to-morrow. Yesterday, however, the alleged lunatic made his appearance at the lawyer's office, saying he had been dismissed from the institution; but the lawyer, convinced that the discharge was given merely as a means by which the making of a return to the writ might be avoided, directed the man to go back to the asylum, in order that the case might be brought before the court at the proper season. We now trust it will be thoroughly investigated.

If the circumstance were without precedent, we should be less earnest in directing attention to the subject. It is but a few months since the case of Commodore Meade, who was incarcerated in this same asylum, stirred up the whole community. It was but last month that the release of a respectable old lady, also from the Bloomingdale Asylum, was obtained through legal proceedings; and it was shown on the trial, that she also, though of perfectly sound mind, had been confined at the instance of certain relations, for their own purposes. Still another case is awaiting decision in this city of an elderly lady confined as a lunatic, the evidences of which are alleged to consist only of her ritualistic practices, and her determination to dispose of her property according to her own will. Nor are such cases confined to this city. A lady was incarcerated in the Trenton Lunatic Asylum, a short time ago, who had given evidence of unsound mind only by the fact of marrying the man she loved. She was spirited away from her husband, who



had great difficulty, some time after, in discovering her whereabouts; but on doing so, and bringing her case before the court he promptly procured her release. We had also an account not long since from Philadelphia, by which it appeared that an entirely sane widow lady had, for pecuniary reasons, been shut up as a lunatic, and it was only after the greatest trouble that she succeeded in getting the case brought before the court and securing her freedom.

These are facts at once disgraceful and alarming; and when we see such incidents occurring immediately around us—when we see men and women of perfectly sound mind seized and incarcerated in mad-houses, in order that the persons procuring their confinement may carry out some nefarious purpose—it is time that we demanded the adoption of means for inquiring into the management of our lunatic asylums. There is little difficulty in wicked and designing persons procuring the confinement of a victim on the charge of lunacy. It is only necessary that they should procure the order of a magistrate and the certificate of lunacy from two physicians. We must have some changes in the law providing for commitments for lunacy. When a man is accused of a criminal or a civil offence he is regularly tried before a court of proper jurisdiction; he is permitted to produce witnesses in his own behalf and to furnish all the exculpatory evidence he is able to find. Surely, there ought also to be some effective legal means for guarding the rights of men and women accused of lunacy. It is not necessary that the means should be of a kind similar to those provided for the defence of persons charged with violating the law; but they should assuredly be sufficient to provide for self-vindication, and to secure a safe defence against false charges. It is so terrible to learn of such cases as we have recited—it is so appalling to think of sound minded people confined in mad-houses—that every guard against the possibility of such occurrences should be secured by legislation and upheld by legal penalties.—*New York Times*, Sept. 14, 1869.

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#### A LUNATIC CHAINED TO A WALL FOR SIXTY YEARS.

The London Gazette of August 9th, has the following: A shocking case of cruelty to and detention of a lunatic has just come to light in Leicestershire. It appears to have been known that a lunatic named John Bagley Wylde, a relative of the late Mr. Wylde, a magistrate of Costock, near Nottingham, had for some



years past been in the care of a small farmer named Henry Black, who occupied a farm at Sheepshead, near Loughborough, Leicestershire; but the circumstance and other facts connected with his incarceration were not brought to the knowledge of the chief constable until a few days ago.

The latter communicated with the Commissioners in Lunacy, and a Commissioner, Dr. Buck, of the Leicester and Rutland County Lunatic Asylum, Mr. E. Warner, J. P., and Superintendent Hague paid a visit to Mr. Black's farmhouse at Sheepshead. On entering the living-room, a sad scene presented itself. Seated on and chained to a chair by his wrists was a poor idiotic man, 74 years of age. His legs were also secured by manacles, and the chair was in turn chained to the wall. This position he occupied all day, even when partaking of his meals. Visiting his bedroom, the gentlemen found that at night he was subjected to similar cruelty. There were leg-irons at the foot of the bed, and it seemed that at night irons also encircled his legs and wrists. The wretched man, however, is said to have been treated kindly in other respects, and his well-nourished, healthy, and perfectly clean form showed that he had been well attended to. In answer to inquiries, Black stated that the man had been insane since he was 14 years of age; that he had been in his custody, as found, for the past thirty years, and that for thirty years previously he had been in charge of another custodian, and chained in the way described. Black also stated that he received £1 a week for the maintenance of his charge. From the appearance of Wylde, it seemed as if his confinement, with all its dreadful accompaniments for so long a period, had lost its terrors for him, for when released from his chains he exhibited no joy whatever. Information was at once laid against Black for not taking proper care of Wylde, and the same day he appeared before Mr. Warner and Mr. Johnson, two magistrates of the Loughborough bench, to answer to it. The result was that Wylde was at once removed to the Leicester and Rutland Asylum, at Leicester, where he is to remain for the present in charge of Dr. Buck. As to Black, no further proceedings have as yet been taken against him.

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#### CERTIFICATE.

I have seen and examined E. Haskell, of Philadelphia, and believe him to be insane.

1866.

M. D.



## APPLICATION.

I request that the above named E. Haskell may be admitted as a patient into the Pennsylvania Hospital for the Insane.

WM. HASKELL.

*December 21, 1866.*

## OBLIGATION.

In consideration of E. Haskell being admitted as a patient into the "*Pennsylvania Hospital for the Insane*," established and maintained by "the Contributors to the Pennsylvania Hospital," we do jointly and severally promise to pay to the Steward of the said Hospital, or to his order, quarterly, in advance, seven dollars cents per week, for board, and to provide or pay for all requisite clothing and other things deemed necessary or proper for the health or comfort of said patient—to pay for all glass or furniture broken or destroyed by said patient; to remove him when discharged; and if taken away *uncured* against the advice and consent of the Superintending Physician before the expiration of three calendar months, to pay board for thirteen weeks.

Witness our hands the 21st day of 12th mo., 1866.

JAMES H. HORN, Flourtown. [SEAL.]

[STAMP.]

RICHARD J. HORN. [SEAL.]

TO THE PHYSICIAN OF THE PENNSYLVANIA HOSPITAL  
FOR THE INSANE.

Receive the above named patient, if brought within            days  
from this date, if physician's certificate is first signed.

SAMUEL MASON, *Manager.*

*Philadelphia, 12th mo. 21, 1866.*

\$91.00 to be paid on admission.

PHILADELPHIA, December 21, 1866.

Having seen Mr. E. Haskell insane, and knowing that insanity is hereditary in his family, I am satisfied that he is now performing insane acts, which make him a proper subject for confinement in an institution for the insane.

S. W. BUTLER, M. D.

The above certificate is given in such form on account of the inability to find Mr. E. Haskell after two or three attempts.

S. W. BUTLER, M. D.

Mr. E. Haskell, referred to in the foregoing, has recently been in the Pennsylvania Hospital for the Insane, from which he escaped. Dr. Jones, in immediate charge, as well as myself, have no doubt whatever that his mental condition is as represented, and that he should be under the care of an institution.

THOMAS S. KIRKBRIDE, M. D.

*December 22d, 1866.*

The above certificate has no one to represent the M. D. James H. Horn and Richard J. Horn are the only responsible names on it as security for the payment of my board for the illegal detention during the time the inquisition was held over me to declare me a lunatic, that I might not proceed with the suit against James H. Horn.

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#### CERTIFICATE.

I have seen and examined E. Haskell, of Philadelphia, and believe him to be insane.

WM. C. HARBISON, M. D.,  
No. 228 North Twelfth street.  
JOHN BUCK, M. D.,  
No. 826 North Nineteenth street.

*June, 15, 1868.*

#### APPLICATION.

I request that the above named E. Haskell may be admitted as a patient into the Pennsylvania Hospital for the Insane.

ADELAIDE A. HASKELL.

*June 15, 1868.*

#### OBLIGATION.

In consideration of Ebenezer Haskell being admitted as a patient into the "*Pennsylvania Hospital for the Insane*," established and maintained by "the Contributors to the Pennsylvania Hospital," we do jointly and severally promise to pay to the Steward of the said Hospital, or to his order, quarterly, in advance, ten dollars per week, for board, and to provide or pay for all requisite clothing and other things deemed necessary or proper for the health or comfort of said patient—to pay for all glass or furniture



broken or destroyed by said patient; to remove him when discharged; and if taken away *uncured* against the advice and consent of the Superintending Physician before the expiration of three calendar months, to pay board for thirteen weeks.

Witness our hands the 16th day of June, 1868.

WM. HASKELL, No. 1712 Coates street. [SEAL.]  
[STAMP.] G. HASKELL, No. 1712 Coates street. [SEAL.]

MR. SAMUEL MASON—

*Dear Sir:*—Mr. Wm. Haskell has shown us the certificate of Drs. Harbison and Buck, in reference to the insanity of Ebenezer Haskell. If you are satisfied with this certificate, and in other respects, we see nothing in the pendency of the traverse filed by Mr. Haskell to prevent your receiving him into the Hospital.

Very respectfully yours,

ROB'T H. MAGRATH,  
G. W. BIDDLE.

*Philadelphia, June 16, 1868.*

# TO THE PHYSICIANS OF THE PENNSYLVANIA HOSPITAL FOR THE INSANE.

Receive the above named patient, if brought within four days from this date.

SAMUEL MASON, *Manager.*

*Philadelphia, 6th mo. 16, 1868.*

\$130 to be paid on admission.

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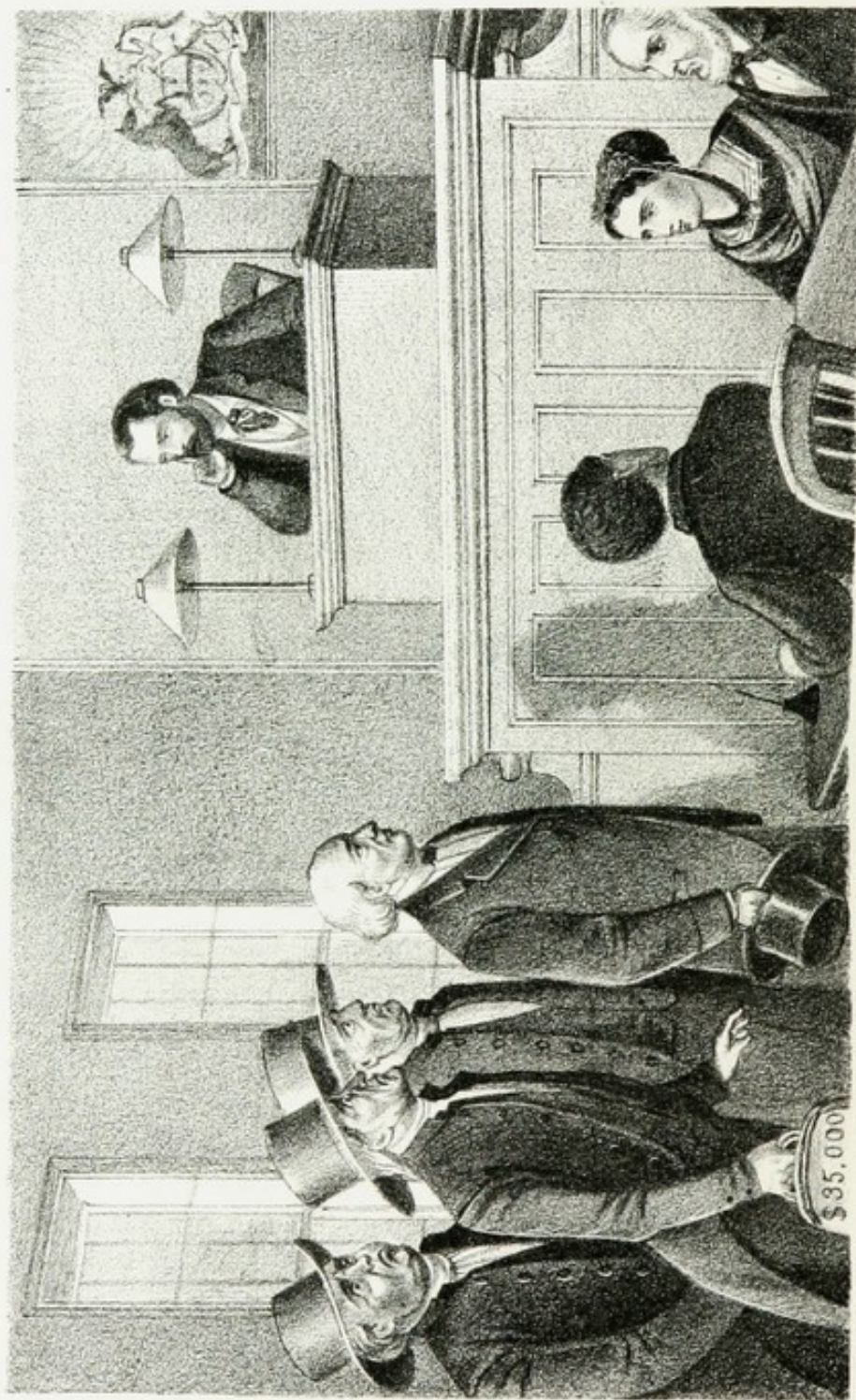
## THE LAST CASE OF LUNACY IN THE COURT OF QUARTER SESSIONS, BEFORE JUDGE BREWSTER.

His Honor, Judge Brewster, had before him, on Saturday, Richard Thomas, an alleged lunatic, who applied by writ of *habeas corpus* through his counsel, H. R. Warriner, for his discharge from the Frankford Madhouse, in Pennsylvania.

The petitioner is sixty-three years of age, and of a gentle and highly respectable appearance. His estate is estimated at over \$100,000, by his guardian, Mr. Corbitt, in quaker uniform, living in the State of Delaware. In his evidence he said the petitioner was first placed in the asylum in 1826, forty-three years ago, and after remaining there six months he was discharged from the asylum.







*Scene in Court before Judge Brewster. Mr. Corbitt from Delaware with  
his friends in Quaker Uniform with \$35,000 of Mr. Richard Thomas'  
Interest money. July 1869.*

*E. Haskell.*



Mr. Richard Thomas' father having died, and placing confidence in Mr. Corbitt, he made him guardian and administrator of his estate, which was quite large. Mr. Thomas' father previous to his death was desirous that Mr. Corbitt should marry his daughter, and thought he would be a proper person to manage the estate; and the daughter after her father's death changed her mind and refused to marry Mr. Corbitt. The will of the deceased Mr. Thomas gave Mr. Corbitt control over the family and their whole estate during his lifetime. He claims the right to hold the person of Richard Thomas, in the same manner that he holds his property. Mr. Thomas has been locked up in the madhouse most of the time since his father's death by the authority of Mr. Corbitt; in his evidence he said the longest period he was there at any one time was three years; and as his trustee he opposes his discharge on the ground that the will gives him the custody of his body as well as his money; and having always held that power since the father's death, he did not see the necessity of a change at this time. Mr. Corbitt testified that the estate had accumulated largely; its accumulation in interest beyond Richard Thomas' expenses, by his (Corbitt's) good management, was thirty-five or thirty-six thousand dollars.

Judge Brewster remarked to Mr. Corbitt, that although the will gave him the control of his estate it could not control the person of Richard Thomas to put him in a dungeon or a common sewer. This remark of the judge took the quaker by surprise. The evidence being heard upon both sides the matter was submitted with argument to his Honor, who proceeded to state the facts.

The medical testimony satisfies me that the petitioner was not insane, but was at times merely childish, a condition that frequently attaches to advanced age, and for this reason his treatment should be all the more mild and considerate. Being sane, he was therefore not a proper subject for the asylum. His brother and sister-in-law, both persons of the highest respectability, had signified their desire to have him live with them. Such a request as this cannot always be looked upon with jealousy, and had there been the slightest probability of this brother profiting at the petitioner's expense, by having him in his custody, the motion would be at once rejected. But no sinister motive could be found for this simple and generous offer, no other motive than one of fraternal love. Moreover, there was no possibility that anything would be made by the brother, for the petitioner's estate was in the hands of the trustee, a most worthy gentleman, with whom



untold GOLD might be safely entrusted, and he certainly would permit the funds to be used only in the most honorable and provident manner. Therefore, no objection arose from that source. It was well that a judge should consult the wishes of a petitioner in such a proceeding, and this gentleman being of a sound rational mind had been consulted, and his answers were entirely consistent with reason. He desired to live with his brother, to be indulged in music at times, to exercise in the open air with horses and carriages when inclination prompted, and to be relieved from that painful morbid sensation which always attends what is considered undue restraint. These sentiments were eminently reasonable, and as his estate was large enough to meet the expenditures easily; there was no reason why they should not be gratified. Entertaining these views his Honor granted the discharge, and ordered the petitioner into the custody of his brother, No. 1344 Chestnut street, at the same time requesting the trustee that he should continue to have a care over him, and report to the court anything in his conduct that he deemed improper, or any circumstance relating to the matter that he deemed worthy of attention.

H. R. WARRINER,

*For the Petitioner.*

ALBERT S. LETHWORTH,

*For the Respondent.*

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*Philadelphia, June 21, 1869.*

We, the undersigned, being anxious to settle all previous issues and lawsuits between ourselves, do hereby constitute and appoint William D. Rogers, Samuel W. Jacobs, and William E. Albright, all of this city, to adjust and settle all pecuniary differences between us; and furthermore, we do hereby bind ourselves, our heirs, executors, and assigns, to abide by the decision which the above-named arbitrators may make.

It is expressly understood that the above arrangement precludes all suits or damages hereafter arising out of the above disputes.

[STAMP.]

E. HASKELL,

WILLIAM HASKELL,

HENRY HASKELL,

GEORGE W. HASKELL.



The undersigned, being mutually requested by Ebenezer Haskell of the first part, and William Haskell, George Haskell and Henry Haskell of the other part, to adjust, settle and dispose of suits at law now pending, and all questions of disputes which may hereafter arise, growing out of the recent arrest and confinement of Ebenezer Haskell in the Pennsylvania Hospital for the Insane, do report as follows, to wit:

*First.*—The judgment which Ebenezer Haskell obtained against William Haskell, in the District Court of this city, for five hundred dollars shall be paid by the said William Haskell. It is to be understood that all costs and expenses attending the above named judgment up to the time of the final settlement, which might be collected by law against the said William Haskell, shall be paid by him.

*Second.*—William Haskell, George Haskell and Henry Haskell shall jointly and severally enter into security under the approval of H. R. Warriner, Attorney for Ebenezer Haskell, for the payment of four hundred and twenty dollars per annum, payable monthly, thirty-five dollars, for the maintenance and support of Ebenezer Haskell during his natural life.

*Third.*—William Haskell, George Haskell and Henry Haskell shall pay all arrearages for board, in accordance with the sum established by the court, up to the time this arrangement takes effect.

*Fourth.*—William Haskell, George Haskell and Henry Haskell shall furnish or cause to be furnished, for the use of Ebenezer Haskell, a portion of the household furniture lately in use by the family while residing in Brandywine street, subject to the approval and consent of Mrs. Haskell.

The said furniture shall be delivered free of expense to Ebenezer Haskell, at the place which he may designate. In default, from any cause whatever, of the delivery of the above-named articles, William Haskell, George Haskell, and Henry Haskell shall pay or cause to be paid to Ebenezer Haskell, within fifteen days after this settlement, the sum of two hundred dollars as an equivalent.

*Fifth.*—For and in consideration of the foregoing, Ebenezer Haskell shall execute a release to such of his sons, William, George, and Henry, covering all suits at law now pending, and shall also be prohibited hereafter from commencing or sustaining any action at law against his said sons, or any of them, growing out of the arrest and confinement of himself, the said Ebenezer Haskell, at the Pennsylvania Hospital for the Insane, under penalty of the for-



feiture of his entire yearly allowance forever thereafter, and the security which his said sons may give him shall therefrom be discharged and released.

*Sixth.*—The claim of the said Ebenezer Haskell, for allowance over and above the amount made by the court, is refused.

*Seventh.*—In case it is found necessary in giving security to establish a trust, we suggest that H. R. Warriner, attorney for Ebenezer Haskell, and Robert H. McGrath, attorney, shall be empowered to select the trustee.

All of which is respectfully submitted. It is understood that the security entered into in court by the said William, George, and Henry Haskell, for the payment of a weekly sum of six dollars, for the support of the said Ebenezer Haskell, shall be discharged and released.

SAMUEL W. JACOBS,  
WM. D. ROGERS,  
WM. E. ALBRIGHT.

*Philadelphia, June 26, 1869.*

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*Know all men by these presents,* That we, William Haskell, George W. Haskell and Henry Haskell, sons of Ebenezer Haskell, of the city of Philadelphia, and Adelaide A. Haskell, of said city, are held and firmly bound unto Robert H. McGrath, of the said city, trustee, in the sum of seven thousand dollars, (\$7000,) lawful money of the United States of America, to be paid to the said Robert H. McGrath, trustee, his certain attorney, executors, administrators, or assigns, to which payment well and truly to be made we bind one and each of our heirs, executors and administrators jointly and severally, firmly by these presents. Sealed with our seals, dated the twenty-ninth day of June, in the year of our Lord one thousand eight hundred and sixty-nine. The condition of this obligation is such that if the above bounden William Haskell, George W. Haskell, Henry Haskell and Adelaide A. Haskell, their heirs, executors, administrators, or any of them, shall and do well and truly pay or cause to be paid unto Ebenezer Haskell, for his maintenance and support during his natural life, the just sum of four hundred and twenty dollars per annum, in monthly instalments of thirty-five dollars on the first day of each month, so long as the said Ebenezer Haskell shall live, the first payment to be made on the first day of August, A. D., 1869, without any fraud or



further delay, then the above obligation to be void or else to be and remain in full force and virtue: *Provided*, however, and it is hereby expressly agreed that if at any time default shall be made in the payment of the said monthly instalments of thirty-five dollars as aforesaid for the space of fifteen days after such payment shall fall due, then and in such case the whole principal debt aforesaid shall become due and payable immediately, and payment of said principal debt and all monthly instalments as aforesaid due thereon may be enforced and recovered at once, anything herein contained to the contrary thereof notwithstanding: *And provided further*, that upon the recovery and receipt of said principal sum or debt by the said Robert H. McGrath, Trustee, he shall immediately invest the same in good and safe securities, and shall pay over the interest or dividends accruing therefrom at the rate of six per cent. per annum in monthly instalments as hereinbefore provided to said Ebenezer Haskell, for and during his natural life, and from and after his death shall pay over the said principal sum to the said William Haskell, George W. Haskell, Henry Haskell and Adelaide A. Haskell, the obligors herein named; it being the true intent and meaning hereof to secure to the said Ebenezer Haskell the monthly sum of thirty-five dollars for his maintenance and support so long as he shall live, but in no event to pay over to him or enable him to receive the whole or any part of the said principal sum of seven thousand dollars (\$7,000.)

WILLIAM HASKELL, [L. s.]  
 GEORGE W. HASKELL, [L. s.]  
 HENRY HASKELL, [L. s.]  
 ADELAIDE A. HASKELL, [L. s.]

Sealed and delivered in the presence of us,

JOHN D. GROVES,  
 C. D. PARTRIDGE.

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To Samuel Hood, Esq., Attorney of the Court of Common Pleas, at Philadelphia, in the County of Philadelphia, in the State of Pennsylvania, or to any other attorney of the said court, or of any other court there or elsewhere.

WHEREAS, William Haskell, George W. Haskell, and Henry Haskell, sons of Ebenezer Haskell, of the city of Philadelphia, and Adelaide A. Haskell, of said city, in and by a certain obligation, bearing even date herewith, stand bound unto Robert H. McGrath, of the said city, trustee, in the sum of seven thousand dollars,



(\$7,000,) lawful money of the United States of America, conditioned for the payment unto Ebenezer Haskell, for his maintenance and support during his natural life, the just sum of four hundred and twenty dollars per annum, in monthly instalments of thirty-five dollars, on the first day of each month, so long as the said Ebenezer Haskell shall live; the first payment to be made on the first day of August, without any fraud or further delay. Provided, however, and it is thereby expressly agreed, that if at any time default shall be made in the payment of the said monthly instalment of thirty-five dollars, as aforesaid, for the space of fifteen days after such payment shall fall due, then and in such case the whole principal debt aforesaid shall become due and payable immediately, and payment of said principal debt, and all monthly instalments as aforesaid, due thereon, may be enforced and recovered at once, anything therein contained to the contrary thereof notwithstanding. And provided further, that upon the recovery and receipt of said principal sum or debt by the said Robert H. McGrath, trustee, he shall immediately invest the same in good and safe securities, and shall pay over the interest or dividends accruing therefrom, at the rate of six per cent. per annum in monthly instalments, as thereinbefore provided, to the said Ebenezer Haskell, for and during his natural life, and from and after his death shall pay over the said principal sum to the said William Haskell, George W. Haskell, Henry Haskell, and Adelaide A. Haskell, the obligors therein named. It being the true intent and meaning thereof to secure to the said Ebenezer Haskell the monthly sum of thirty-five dollars, for his maintenance and support so long as he shall live, but in no event to pay over to him or enable him to receive the whole or any part of the said principal sum of seven thousand dollars.

These are to devise and authorize you, or any of you, to appear for us, our heirs, executors, or administrators, in the said court or elsewhere, in an action of debt, there or elsewhere brought, or to be brought against us, our heirs, executors, or administrators, at suit of the said Robert H. McGrath, trustee, his executors, administrators, or assigns, on the said obligation, as of any term or time past, present, or any other subsequent term or time, or elsewhere, to be held, and confess judgment thereupon against us, our heirs, executors, or administrators, for the sum of seven thousand dollars, lawful money of the United States of America, debt besides cost, or otherwise, as to you shall seem meet. And for you, or any of you so doing, this shall be your sufficient warrant. And we do



hereby for ourselves, our heirs, executors, and administrators, remise, release, and forever quit-claim unto the said Robert H. McGrath, trustee, his certain attorney, executors, administrators, and assigns, all and all manner of error and errors, misprisions, misentries, defects, and imperfections whatever, in the entering of the said judgment, or any process or proceedings thereon or thereto, or anywise touching or concerning the same.

In witness thereof, we have hereunto set our hands and seals, the 29th day of June, A. D., 1869.

WILLIAM HASKELL, [L. s.]

GEORGE W. HASKELL, [L. s.]

HENRY HASKELL, [L. s.]

ADELAIDE A. HASKELL, [L. s.]

Scaled and delivered in the presence of

JOHN D. GROVES,

C. D. PARTRIDGE.

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## A BRIEF HISTORY OF THE PENNSYLVANIA HOSPITAL IN PHILADELPHIA.

At the close of the year 1750, the first step was taken towards the establishment of a hospital in Philadelphia. Dr. Bond began the enterprise by soliciting subscriptions. Among the subscribers was Benjamin Franklin, who highly approved of the project. Franklin first prepared the public mind by publishing a series of articles in the newspapers, and thus succeeded in increasing the number of subscribers. A memorial was addressed to the Provincial Assembly, setting forth the urgent necessity then existing for a hospital, and asking for a charter to the contributors, and for pecuniary assistance. After some hesitation on the part of the country members, a bill was finally passed on the 7th of February, 1751, without a dissenting voice, incorporating the contributors to the Pennsylvania Hospital, and appropriating two thousand pounds currency, towards the erection and furnishing of a building, to be paid (when an equal amount should be subscribed by individuals,) to a permanent fund. The members of the Assembly concluded that the inhabitants of the city ought exclusively to bear the expense. Thus it appears that legislators in those times were not more far-seeing than in our own. A little management was necessary. Franklin's sagacity found a remedy for the difficulty. He told the



opposition members that two thousand pounds could be raised by voluntary contribution. At first they refused to believe it—two thousand pounds was a very great sum of money. Then he proposed that they should make their grant conditional upon the subscription of that sum by the citizens. They seized upon the idea, and willing to gain the credit of charity without expense, no longer hesitated to vote for the bill.

Dr. Franklin says in his memoirs that he remembers none of his political manœuvres which at the time gave him more pleasure, or in which, after thinking of it, he more easily excused himself for a little indirectness.

No sooner was this Act published than its influence was felt in a great increase of the subscription list, and in a short time considerably more than the amount required by the charter having been subscribed, a meeting of the contributors was held at the State House to choose a Board of Managers. Benjamin Franklin and eleven others were chosen out of the contributors, as managers. Very soon after the election, the managers transmitted to England, to Thomas and Richard Penn, the Proprietaries of the province, an address narrating what had been done, and suggesting that as the Assembly had granted a charter and a sum of money for the erection of a building, and the people had subscribed and were still subscribing largely towards a permanent fund, it might please the Proprietaries to grant a plot of ground to build on, so that all in the province might participate in the honor of so good a work. In the mean time, in order to carry on the benevolent desire, a private house on the south side of Market street, west of Fifth street, was hired; (formerly the mansion of Judge J. Kinsey.) Its grounds occupied nearly one-third of the square; the rent paid by the managers was forty pounds a year. In December, 1754, the whole square on which the hospital now stands, except a depth of sixty feet on Spruce street, was purchased for five hundred pounds. The next object was to erect a suitable building, and a plan was prepared, and so arranged that a part sufficient for immediate wants might be built at once, and additions afterwards made, as occasion might require. The corner-stone was laid on the 28th of May, 1755, which is chiseled out in a stone over the entrance in the centre of the hospital, facing on Eighth street. At that time the population of the city was less than thirty thousand. A subscription of two hundred and fifty pounds was made by William Allen, Chief Justice of the province. The rich widows and other single women raised money to pay for drugs, which had



been imported from London, which in the aggregate amounted to one hundred and forty pounds. At the suggestion of Franklin, twelve tin boxes were provided, marked with the words "Charity for the Hospital," in gold letters, one of which was kept in the house of each of the managers.

The fact is curious as marking a characteristic trait of our great philosopher, statesman and economist, with a mind powerful enough to grasp the lightnings and to control the fate of an empire with the aid and the pen of Thomas Paine. Dr. Rush says when Paine's "Common Sense" burst forth from the press, it had an effect which has been rarely produced by types and paper in any age or country. When completed, it was shown to Dr. Franklin, Samuel Adams and Judge Wilson, and they approving of it, it was printed by Robert Bell, a Scotchman. As the pioneers of the revolution, we owe everlasting gratitude to their names and memory.

Thomas Paine was born in England, January 29th, 1737, of Quaker parents; he held a place in the Excise Office for a number of years, up to 1774. Doctor Franklin was then in London. He furnished Mr. Paine with a letter of introduction to one of his most intimate friends in the British Colonies. Under Dr. Franklin's direction, he sailed for America, and arrived in Philadelphia in 1775. On the 1st of January, 1776, the first number of Paine's *Common Sense* was put forth. This book was the most important cause of the separation from the mother country. In this book was written for the first time, "*the Free and Independent States of America.*" Jefferson, Franklin and Madison confessed that the cannon of Washington was not more formidable to the British than the pen of the author of "*Common Sense.*" Paine was employed by Mr. Atkinson, a book-seller on Second street, and as editor of the *Pennsylvania Magazine*. Dr. Rush says he received for his services \$125 per annum.

In the meantime, Dr. Franklin arrived in Philadelphia, from England, and took charge of the editorship of the *Magazine*. In 1776, Paine accompanied the army with General Washington in his retreat from the Hudson river to the Delaware river. He continued at intervals to write his "*Common Sense*" numbers for publication while with Washington's army, until, unknown to him, in 1777 Congress unanimously appointed him Secretary of the Foreign Department. His uprightness did not prevent intrigue between Congress and him, in relation to one of their Commissioners (Silas Dean) in Europe. Paine resigned his Secretaryship on the 8th of January, 1779, and refused to receive any pay from Congress for



his services. In 1780, Congress was in want of pecuniary means, and proposed that a loan should be negotiated with France, and that Colonel Laurens, with Mr. Paine, should proceed to Paris. Previous to going, (the finances of the country were in their worst possible state, and Washington feared the immediate dissolution of the army for want of pay,) Paine headed a subscription list with \$500—all the money he could raise. This increased to \$1,500,000, which supplied the immediate distresses of the Government. They sailed in February, 1781, and obtained six millions of livres as a present, and ten millions as a loan, in all, two millions and a half of silver, with which they arrived safely at Boston, in August; also a ship and brig, with military stores. This was carted through the woods to Philadelphia, without delay, by teams of oxen.

After the establishment of the independence of the United States of America, Paine's glorious object was accomplished, and feeling his exertions no longer requisite here, he embarked for France, and arrived at Paris in 1787. After remaining in Paris a short time, he left for England, arriving there on the 3d of September, just thirteen years after his departure for Philadelphia. He then hastened to Thetford, to visit his mother, on whom he had settled a comfortable allowance to maintain her. The merchant in whom the trust was vested had become a bankrupt. Paine had to make other provision for her support.

While Paine was in Paris, the Marquis Lafayette came into his bedroom one morning before he had risen, and announced the flight of the king, saying, "the birds are flying." To which Paine replied, "'tis well; I hope there will be no attempt to recall them." In a conversation with Franklin, before leaving America, Franklin said to Paine, "Where liberty is, that is my country." Paine replied, "Where liberty is *not*, that is my country," in reference to his exertions for liberty in the United States, England and France.

Paine was always charitable to the poor beyond his means, a sure protector and friend to all Americans in distress that he found in foreign countries. When Bonaparte returned from Italy, he called on Mr. Paine, and invited him to dine with him, and in the course of his conversation he declared that a statue of gold ought to be erected to him in every city of the universe, assuring him that he always slept with his book ("Rights of Man") under his pillow, and conjured him to honor him (Bonaparte) with his correspondence and advice. Paine associated with none but those of intelligence and respectability. He was honest in all his transactions in public or private life. The intelligent and far-seeing mind was



looked upon by those in favor of liberty and a change in the distracted condition of affairs as a good adviser. His boldness and determination in exposing the wrongs of governments made him unpopular among the crowned heads of Europe.

Paine, with his pen, made England lose her Colonies in America. No one can wonder why old England passed an act that his book (*Rights of Man*) should be burned by the common hangman. They kept a number of vessels of war constantly on the watch for him, to prevent his crossing the Atlantic to France, his influence was so much dreaded. No human being's efforts have done more for liberty. He had from his youth a strong resolution and constant temper, and adopted the opinions he promulgated in his manhood. His language was simple and easy to be understood.

In 1792, Paine arrived in Paris, where he found Robespierre dictator. He had not long been there, before he was arrested by the order of Robespierre as a foreigner, with others, and imprisoned eleven months. Robespierre had issued a decree that all foreigners should be beheaded. Paine was to have been one. It is remarkable how he escaped. On the day before the execution Robespierre was dethroned, and supplied Paine's place at the guillotine block. Affairs took a different direction. Paine did not immediately regain his liberty. Mr. Monroe, the American Minister, had him eventually released, on November 4th, 1794. Mr. Monroe kindly invited him to his house, where he remained eighteen months.

In Thomas Paine's *Crisis*, No. 1, he begins—O, ye that love mankind! ye that dare oppose not only tyranny, but the tyrant! stand forth! Every spot of the old world is overrun with oppression. Freedom hath been hunted round the globe—Asia and Africa have long expelled her; Europe regards her like a stranger; and England hath given her warning to depart. O! America, receive the fugitive, and prepare in time an asylum for mankind! These are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from the service of his country; but he that stands it *now* deserves the love and thanks of man and woman. What we obtain too cheap, we esteem too lightly. The harder the conflict, the more glorious the triumph. A noted Tory, a tavern keeper at Amboy, was standing at his door with his child, speaking his mind, said he, "Well, give me peace in my day." A generous parent should have said, if there must be trouble, let it be in my day, that my child may have peace. Not a place upon earth might be so happy as America. The world is my country; to do good is my religion.



Here is a copy of a letter of Thomas Paine to a friend:

"A thousand years hence—for I must indulge a few thoughts—perhaps in less, America may be what England now is. The innocence of her character, that won the hearts of all nations in her favor, may sound like a romance, and her illimitable virtue as if it had never been. The ruins of that liberty which thousands bled to obtain, may just furnish materials for a village tale, or extort a sigh from rustic sensibility, while the fashionable of the day enveloped in dissipation shall deride the principle and deny the fact.

"When we contemplate the fall of empires and the extinction of the nations of the ancient world, we see but little more to excite our regret than the mouldering ruins of pompous palaces, magnificent monuments, lofty pyramids, and walls and towers of the most costly workmanship, but when the empire of America shall fall, the subject for contemplative sorrow will be infinitely greater than crumbling brass or marble can inspire.

"It will not then be said, here stood a temple of vast antiquity, here rose a Babel of invisible height, or there a palace of sumptuous magnificence; but here, ah! painful thought, the noblest work of human wisdom, the greatest scene of human glory, the fair cause of freedom rose and fell."

A letter from Thomas Jefferson will not be out of place here. In July, 1802, while Jefferson was President, he addressed a letter to Thomas Paine, in which he thus expresses himself:

You express a wish in your letter to return to America by a national ship. Mr. Dawson, who brings over the treaty, and who will present you this letter, is charged with orders to the captain of the *Maryland*, to receive and accommodate you back, if you can be ready to return at such a short warning. You will in general find us returned to sentiments worthy of former times; in these it will be your glory to have steadily labored, and with as much effect as any man living. That you may live long to continue your useful labors, and reap the reward in the thankfulness of nations is my sincere prayer. Accept the assurance of my high esteem and affectionate attachment.

THOMAS JEFFERSON.

Thomas Paine embarked from Havre, in France, on the 1st of September, and landed in Baltimore on the 30th of October, 1802. On his arrival you can have no idea of the agitation it produced on that occasion. From New Hampshire to Georgia, (an extent of fifteen hundred miles,) every newspaper was filled with applause



or abuse. Mr. Paine visited Washington, and was kindly received by the President, Thomas Jefferson; he invited Mr. Paine to return to the United States, and in a letter to him said, "When you arrive, if there is an office in my gift suitable for you to fill, I will give it to you. I will never abandon old friends to make room for new ones."

Mr. Paine's reply was, "I have no occasion to ask, nor do I intend to accept any office or place in the Government. My property in this country has been taken care of by my friends, and is now worth six thousand pounds sterling, (\$30,000,) which put in the funds will bring me four hundred pounds sterling per year, or \$2,000. Remember me in friendship and affection to your wife and family, and in the circle of our friends."

Thomas Paine, shortly after his arrival, retired on his farm at New Rochelle, in the State of New York, where he remained most of his time until his death. He died June 8th, 1809, aged seventy-three, and was buried on his farm, leaving an estate, according to his will, worth upwards of \$40,000. He died as he had lived, an enemy to priestcraft, tyranny and slavery. In a part of his will he says, "I herewith take my final leave of the world. I have lived an honest and useful life to mankind; my time has been spent in doing good, and I die in perfect composure and resignation to the will of my Creator, God."

The interest excited by the institution was not confined to the province. Subscriptions were received from other provinces and also the West Indies, and large sums were contributed from the mother country, especially by members of the society of Friends. Dr. John Fothergill, of London, subscribed largely in money, books, and anatomical models. Among the benefactions was a lot of ground lying north of the city, presented by a German named Matthew Koplin, with a letter in the language of his father-land, stating that he desired to offer this gift to the hospital, because he thought it likely to be managed very differently from some in his own country, in which large sums collected as alms were appropriated by the governors of the charity to the enriching of themselves and their friends, who were thus enabled to live in superfluity and voluptuousness, keeping their horses and coaches like rich people, and all at the expense of the poor and needy. How jealous the donors to charities felt in the management of their bequests. The same evil will be likely to take place in the Pennsylvania hospitals if they are not closely watched. In the year 1760, an Act of Parliament was passed in London, vesting in trustees the



estates of the Pennsylvania Land Company, New Jersey and Maryland, in order that they might be sold and the proceeds distributed. The act was procured by the friends of the hospital granting to that institution all the money which might remain unclaimed in the hands of the trustees upon the 24th of June, 1770.

The insane, instead of wandering through town and country, with injury to themselves and the public, were properly cared for, and the poor and homeless stranger, overtaken by sickness, or perhaps seeking relief for his infirmities, was no longer left to suffer. Dr. Franklin continued to take an active share in its concerns until he went abroad; he was the first secretary of the board of managers and its second president. At the breaking out of the revolutionary war it had passed its period of infancy, and was in a vigorous youth, with every promise of a noble maturity. In the excess of party bitterness, four of its most efficient managers were banished to the wilds of Western Virginia. The British army, upon entering Philadelphia, took possession of its wards, appropriating the building, bedding, medicines, &c., to their own use. In January, 1792, a new application was made to the Legislature for assistance.

The result of this application, supported as it appears to have been by the public sentiment, was an Act of Assembly granting to the Hospital the sum of ten thousand pounds out of the arrears due to the Commonwealth under the Loan Office Act. A further grant of twenty-five thousand dollars was made in April, 1796, the whole amount somewhat exceeding seventy thousand dollars.

Stephen Girard placed his wife in the hospital, in the insane department. The cause has never been stated. It was to prevent her from spending his money too freely. He could have no other object, for she was a poor sailmaker's daughter, living with her father in Water street, not far from Girard's residence, at the time he married her. She was called very handsome. Her beauty attracted the old gentleman when she went to the pump barefooted; her hair was black, and hung in ringlets over her bare neck and shoulders; the fashion at that day being short sleeves and low neck, and the skirt reaching about midway between the knee and ankle. She was much younger than Girard. He became jealous of her, and the marriage was not a happy one for either. She died in the hospital, after remaining there twenty six years. Shortly after Girard placed her there, she gave birth to a child; (this was, very likely, Girard's reason for keeping his wife in the hospital—he did not want the trouble of raising a young family to



squander his estate;) it died shortly after its birth, in May, 1791, and was buried in the hospital ground—the wife of Stephen Girard was buried there also. He paid \$12 per week for her board, besides clothing. Her maiden name is not recollected. I transacted business with Girard occasionally, at his banking-house, on Third street, in 1829, 1830 and 1831. An old friend of mine, a bookseller, who lived near neighbor to Girard, published his life in 1832, immediately after his death. The publisher's name was Thomas L. Bonsall; his store was on the north side of Market street, third door above Front. Stephen Girard lived many years on Water street, four doors above Market, and was buried from there. I was at the funeral. The body was taken to Sixth and Spruce streets, and deposited there without any church ceremony. His will was opened and read. It displeased the clergymen—they could not handle any of his large estate. Some years later the remains of Stephen Girard were removed from Sixth and Spruce streets, to the Girard College, and placed in the sarcophagus, where it now lies, under the marble statue at the entrance of the College. He left by his will, in all, \$33,477.31 to the Pennsylvania Hospital, Eighth and Pine streets. He was in his eighty-third year at the time his death.

I have published this sketch of the life of Girard for the information of those who are not familiar with his private history.

In 1799, a proposition was made to the Board of Managers by George Latimer, Collector of the port of Philadelphia, to receive as inmates of the hospital, the sick and disabled seamen of both public and private service, for a suitable compensation to be paid by the Government of the United States.

This proposition was accepted by the managers of the hospital, in consideration of a stipulated sum per week being deducted from the wages of the seamen to pay for their board when disabled by disease.

On December 28th, 1801, in the Court of Quarter Sessions and the Mayor's Court, a joint memorial was presented from the Guardians of the Poor, the Inspectors of the City and County Prison, and the Managers of the Hospital, expressing their alarm at the increase of the numbers in their care, and attributing it to intemperance. That the number of taverns and other public houses should be reduced. A large number of the taverns and licensed drinking places at this present time could be very readily closed by the public authorities. Let the next Council ticket be made with a view of reduction, and the revenue derived from the



license law would be made up in the reduction of pauperism and cost in the Court of Quarter Sessions. Let the old Roman law be put in force: "He that commits a crime while intoxicated shall be punished severely for the first, and more severely for the second time," and so on—it will remedy the plea of intoxication as an excuse for crime and wrong doing.

[I hope my readers will pardon me for wandering a little outside the track of the history of the Pennsylvania Hospital.]

In December, 1802, a proposition was made to extend the usefulness of the institution by the establishment of a Lying-in Department for poor and deserving married women. A donation was given by the First Troop of Philadelphia Cavalry of the revolutionary war, of an annual income of six hundred dollars. In December, 1807, a regular dispensary for out-door patients was established. In September, 1800, the managers wrote to Benjamin West, soliciting him for a contribution from his pencil. This request was answered by Mr. West, who suggested the subject of Christ healing the sick. In August, 1810, notice was received that the painting might be soon looked for. The whole community were on tip-toe. The picture when exhibited in England excited such a glow of admiration that English patriotism took the alarm, and nobles and commons, rich and poor, united in the determination to retain it in that country. West made a copy, which he resolved should exceed the original. The two countries were at war with each other at that time, and the copy of the picture did not arrive in this city until October, 1817. It was placed in a building on the hospital lot, on Spruce street, for exhibition, at twenty-five cents admittance. The profit to the hospital was over \$15,000. Various gifts were made. A marble bust of William Penn was presented by James Traquair, of this city, in June, 1802, and the leaden statue of William Penn, which stands in front of the hospital on Pine street, was presented by John Penn, grandson of William Penn, in September, 1804. Dr. Samuel Cooper left the greater part of his estate to the hospital; Charles Nichols, \$5000; Paul Simeon, \$2000; John Kemle, \$15,000; Major Gibbons, of Richmond, Virginia, a marble bust of Benjamin West; Mr. John Kemle, real estate, \$28,000; in 1832, Stephen Girard, \$29,250.

A new era now begins in the history of the hospital. The insane patients had increased in numbers beyond the means of accommodation. Those who had the immediate charge of the insane felt themselves cramped. There was no opportunity for classification. This state of things could no longer exist. Either the care of the



insane must be abandoned or an extension made for their accommodation. The lunatics were among the first objects of the foundation of the hospital. There remained but one alternative, the sale of the beautiful, unproductive lots around the hospital. In 1835 the vacant lots were sold for \$325,000. The lots had been purchased originally for \$9000. A good speculation. They had never yielded an income to the hospital.

The site for the new hospital was a farm extending from the Haverford road to the West Chester road, about two miles west of Market street bridge, containing about one hundred and twelve acres. The corner-stone for the new Hospital for the Insane was laid June 22d, 1836, and finished to receive insane patients January 1st, 1841. Around the house are pleasure grounds of over forty acres, adorned with grass, shrubbery and trees. As you pass round you are at a loss to determine who the insane really are. I have conversed with visitors, and when I told them that I was a patient, they would shy off from me with surprise. This hospital is all well enough for what it was first intended. There is none better in this country. It is a good institution turned into a bad purpose, when it is used to imprison sane people to gratify avaricious and wicked relatives.

One day Dr. Kirkbride was passing through the second ward of the mad-house, while I was confined there—I said to him, “Dr. Kirkbride, you know it is not right to keep me locked up here, and deprive me of my liberty. I find no fault with the victuals or the beds; they are all well enough for crazy folks, who know nothing. You know I am not crazy, nor never have been. This locking me up is to keep me from prosecuting James H. Horn, to make him settle up his father’s estate according to the will, and not to rob my wife and children out of their money her father had left them.”

The doctor’s reply to me was—“I have been locked up in the hospital twenty-seven years—a much longer time than you have—without complaining.”

“Yes, doctor,” said I, “you have the keys in your pocket, and several thousands of dollars beside, to pay you for it, a pair of horses and a carriage to ride about in, and many other luxuries I do not have.”

“If I was outside,” replied the doctor, “I would receive double the money for my practice that I am receiving here.”

Said I, “that might all be, but it did not help me any; and if I was not discharged in the regular way, out at the front gateway, I certainly should make my escape the first opportunity; that I



was determined not to submit to being locked up there for life—that life had no charms for me if I must remain there till the day of my death.”

The doctor said to me in reply, “You had better not try to make your escape, it will make trouble for yourself and us too.” I replied, “I have always conducted myself in a proper way, and do not wish to have the name of escaping out of prison, which I certainly should, if not discharged soon in a proper manner.” Thus ended our discourse. This was some time before I escaped from the Pennsylvania Hospital for the Insane at West Philadelphia.

I hope the lesson I have taught the managers and physicians in and out of the hospital, will make them more careful in future.

Dr. Kirkbride said to Judge Brewster, when my counsel had me before the Court on a writ of *habeas corpus*, that I was insane, and should be restrained from my liberty. He also said I carried a loaded pistol and a knife, and that I was a dangerous man to be at large. All of which was false. He knew no harm of me at any time. I never loaded a pistol or a gun in my life, nor did I ever fire one off. Dr. Kirkbride was much to blame when he made those statements, in order to deprive me of my liberty. He placed every difficulty he possibly could in my way. I had money at my former residence which he (the doctor) would not allow me to have to pay my counsel. He refused me the liberty of the pleasure-grounds, without assigning any reason. I never disobeyed any of the rules of the institution while there. His depriving me of the liberty of the pleasure-grounds, a cruel aggravation of my imprisonment made me discontented, and led me to make my escape as I did—and in doing so, my leg was broken, which may cripple me for the rest of my life. I make this statement at this time to correct the false reports that were made in my absence. *The truth is what I desire.* It will do me no wrong nor harm. My rights I shall contend for whether I am in a palace or a dungeon, as long as life lasts. I have been most shamefully abused in this whole transaction, and I now claim damages for the outrage committed.

Having now finished this part, I will conclude by stating how liberally the hospital has been supported from time to time in money, and its expenditures, up to 1851, the one hundredth anniversary.

The expenses of the institution to 1851, not including the cost of the buildings, were over one and a half million dollars.



The following statement shows the amount contributed for the support of the institution :

Donations, . . . . .	\$23,607 76
Legacies, . . . . .	120,339 38
Deposits, . . . . .	9,898 27
	<hr/>
	\$153,845 41

The donations to the insane department were \$135,637.98, exclusive of the pay for board.

If I have erred in anything in the former part of this pamphlet in my representations, it was not my intention so to do. Before I close, I wish to notice a few facts that happened within my own experience.

I give my thanks to Drs. Morton and Markoe, the two physicians in the surgical ward of the Eighth and Pine streets Hospital, for their kind treatment to me while in their care with my broken leg.

While in the hospital I noticed that they used no splints when the thigh bone was broken. They placed long bags of sand on opposite sides of the thigh to keep it in place while the union of the bone was being made. It has since come to my mind that if the thigh can be kept in place without those painful splints, the leg or arm might be managed in that way also. Let a cast of the leg or arm be taken in plaster of Paris, [the moulds can be had for \$5 a pair,] a size or two larger than the patient's limb; then lay across the mould linen or muslin, and place the broken limb gently in it; when you dress the limb, you can take hold of the muslin and raise it up without producing pain. By this arrangement the painful splints and tight bandages can be entirely done away with, and nature will not be retarded in her simple work. No one pretends to say there are any healing properties in splints and tight bandages. You must bathe often in cold water, as I did, unknown to them in the hospital. No one can imagine the relief it affords except those who have experienced it. It is admitted by all that my broken limb healed more rapidly than is common in similar cases, with the old mode of treatment, namely, splints and tight bandages.

E. HASKELL.



## A NEW PLAN FOR A DOUBLE DRAW-BRIDGE AND THE MODE OF ITS OPERATION.

This design of a bridge is a bird's eye view of it, and to start from Race or Vine street on a level, or like the Chestnut street bridge, to connect Philadelphia with Camden, N. J. The double draw in the design will give the plan of separating them, to admit the largest ships between them. The first draw is to be closed before the second draw is opened. By such arrangement no interruption will be had in the travel of carriages or on foot. A ship with steam-tug attached can be very easily handled through the draws at all times. The draws may be so arranged as to be raised and lowered with two small dummy engines, in a short space of time, placed in the two buildings at the fork of the bridge. The cost would be fifty per cent less than Speakman's plan.

E. HASKELL.

*Insane Asylum, Male Department, Philad'a, June 19th, 1868.*

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## INTERESTING LETTERS.

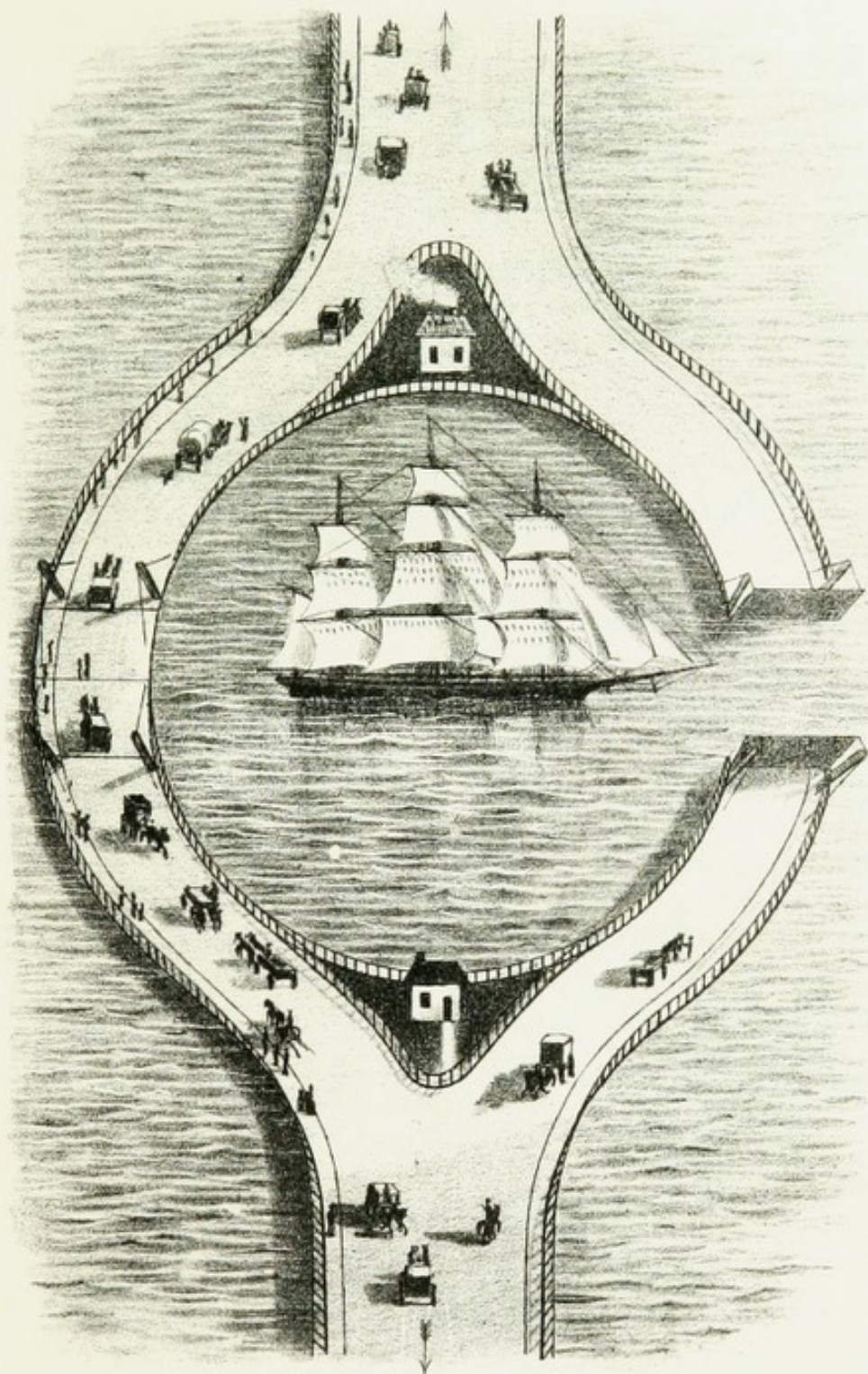
The following letter from John Adams, at that time Vice President of the United States, written to his wife at Quincy, will be interesting, as showing, among other things, his anxiety that his sons should make some start in life which would give promise of future usefulness. He was far from believing that sons should repose in idleness on the reputation or wealth of parents.

PHILADELPHIA, March 2d, 1793.

*My Dear*—Your letter from your sick chamber, if not from your sick bed, has made me so uneasy that I must get away as soon as possible. Monday morning, at six, I am to set off in the stage—but how many days it will take to get home, will depend on the roads or the winds. I don't believe Abby [his daughter] will go with me. Her husband [Col. William S. Smith] is so proud of his wealth that he would not let her go, I suppose, without a coach-and-four, and such monarchical trumpery I will in future have nothing to do with. I will never travel but by stage, nor live at the seat of Government but at lodgings while they give me so despicable an allowance. Shiver my jib and start my planks if I do!



*Birds-eye View of*  
BRIDGE WITH DOUBLE DRAW  
*to*  
CAMDEN



PHILADELPHIA  
*Devised by*  
Ebenezer Haskell  
1868.





I will stay but one night in New York. Smith says that my books are upon the table of every member of the committee for framing a constitution of government for France, except Tom Paine's, and he is so conceited as to disdain to have anything to do with books. Although I abused Smith a little above, he is very clever and agreeable; but I have been obliged to caution him against his disposition to boasting. Tell not of your prosperity, because it will make two *mad* to one *glad*; nor of your adversity, for it will make two men *glad* to one *sad*. He boasts too much of having made his fortune, and placed himself at ease, above all favors of Government. This is a weakness, and betrays too little knowledge of the world; too little penetration; too little discretion. I wish, however, that my boys had a little more of his activity. I must soon treat them as the pigeons treat their squabs—push them off the limb, and make them put out their wings or fall. Young pigeons will never fly till this is done. Smith has acquired the confidence of the French Ministry and the better sort of the members of the National Convention. But the Executive is too changeable in that country to be depended on, without the utmost caution.

Adieu, adieu, tendrement.

J. A.

#### MR. JEFFERSON TO MR. ADAMS.

MONTICELLO, June 1, 1822.

It is very long, my dear sir, since I have written to you. My dislocated wrist is now become so stiff, that I write slowly, and with pain, and therefore write as little as possible. Yet it is due to natural friendship, to ask once in a while how we do? The papers tell us that General Starke is off, at the age of ninety-three. — still lives, at about the same age, cheerful, slender as a grasshopper, and so much without memory that he scarcely recognizes the members of his household. An intimate friend of his called on him not long since. It was difficult to make him recollect who he was, and sitting one hour, he told him the same story four times over. Is this life? with laboring steps

“ To tread our former footsteps? pace the round  
Eternal? to beat and beat  
The beaten track—to see what we have seen—  
To taste the tasted, o'er our palates to descant  
Another vintage?”

It is, at most, but the life of a cabbage, surely not worth a wish, when all our faculties have left, or are leaving us, one by one—



sight, hearing, memory, every avenue of pleasing sensation is closed, and athumy, debility and *malaise* left in their places, when the friends of our youth are all gone, and a generation is risen around us whom we know not, is death an evil?

"When one by one our ties are torn,  
And friend from friend is snatched forlorn;  
When man is left alone to mourn,  
Oh, then, how sweet it is to die!

"When trembling limbs refuse their weight,  
And films slow gathering dim the sight;  
When clouds obscure the mental light,  
'Tis nature's kindest boon to die."

I really think so. I have ever dreaded a doting old age; and my health has been generally so good, and is now so good, that I dread it still. The rapid decline of my strength during the last winter has made me hope sometimes that I see land. During summer, I enjoy its temperature, but I shudder at the approach of winter, and wish I could sleep through it with a doormouse, and only wake with him in spring, if ever. They say that Starke could walk about his room. I am told you walk well and firmly. I can only reach my garden, and that with sensible fatigue; I ride, however, daily; but reading is my delight. I should wish never to put pen to paper, and the more because of the treacherous practice some people have of publishing one's letters without leave. Lord Mansfield declared it a breach of trust, and punishable at law. I think it should be a penitentiary felony—yet you will have seen that they have drawn me out into the arena of the newspapers. Although I know it is too late for me to buckle on the armor of youth, yet my indignation would not permit me passively to receive the kick of an ass.

To return to the news of the day. It seems that the cannibals of Europe are going to eat one another again. A war between Russia and Turkey is like the battle of the kite and snake; whichever destroys the other, leaves a destroyer the less for the world. This pugnacious humor of mankind seems to be the law of his nature; one of the obstacles to too great multiplication, provided in the mechanism of the universe. The cocks of the hen-yard kill one another; bears, bulls, rams, do the same, and the horse in his wild state kills all the young males, until, worn down with age and war, some vigorous youth kills him. I hope we shall prove how much happier for man the Quaker policy is, and that the life of the *feeder* is better than that of the *fighter*. And it is some consolation that the desolation by these maniacs of one part of



the earth is the means of improving it in other parts. Let the latter be our office; and let us milk the cow while the Russian holds her by the horns, and the Turk by the tail.

God bless you, and give you health, strength, good spirits, and as much of life as you think worth having.

THOMAS JEFFERSON.

### MR. ADAMS' REPLY.

*Quincy, June 11, 1822.*

*Dear Sir:*—Half an hour ago I received, and this moment have heard read, for the third or fourth time, the best letter that ever was written by an octogenarian, dated June 1st.

\* \* \* \* \*

I have not sprained my wrist, but both my arms and hands are so overstrained that I cannot write a line. Poor Starke remembered nothing, and could talk of nothing but the battle of Bennington! — is not quite so reduced. I cannot mount my horse, but I can walk three miles over a rugged, rocky mountain, and have done it within a month; yet I feel, when sitting in my chair, as if I could not rise out of it; and when risen, as if I could not walk across the room; my sight is very dim, hearing pretty good, memory poor enough.

I answer your question, "Is death an evil?" It is not an evil. It is a blessing to the individual and the world. Yet we ought not to wish for it, till life becomes insupportable. We must wait the pleasure and convenience of the Great Teacher. Winter is as terrible to me as to you. I am almost reduced in it to the life of a bear, or a torpid swallow. I cannot read, but my delight is to hear others read, and I tax all my friends most unmercifully and tyrannically against their consent.

The ass has kicked in vain; all men say that the dull animal has missed the mark.

This globe is a theatre of war; its inhabitants are all heroes. The little eels in vinegar, and the animalcules in pepper water, I believe, are quarrelsome. The bees are as warlike as the Romans, Russians, Britons, or Frenchmen. Ants, caterpillars and canker-worms are the only tribes among whom I have not seen battles; and Heaven itself, if we believe Hindoos, Jews, Christians, and Mahometans, has not always been at peace. We need not trouble ourselves about these things, nor fret ourselves because of evil doers, but safely trust the "Ruler with His skies." Nor need we



dread the approach of dotage; let it come if it must. ———, it seems, still delights in his four stories; and Starke remembered to the last his Bennington, and exulted in his glory. The worst of the evil is, that our friends will suffer more by our imbecility than we ourselves.

\* \* \* \* \*

In wishing for your health and happiness, I am very selfish, for I hope for more letters. This is worth more than five hundred dollars to me, for it has already given me, and will continue to give me more pleasure than a thousand. Mr. Jay, who is about your age, I am told, experiences more decay than you do.

I am your old friend,

JOHN ADAMS.

#### JOHN ADAMS' DEATH-BED.

On the morning of the 4th of July, 1826, Thomas Jefferson and John Adams departed this life.

On the morning of the day of his death, Mr. Adams was solicited for a toast—he gave, “*Independence forever.*” He was asked if anything should be added. He replied, “not a word.” This toast was drank at Quincy about fifty minutes before the departure of this venerable statesman.

#### THOMAS JEFFERSON'S DEATH-BED.

On the same morning Mr. Jefferson remarked to the physician, “You see, doctor, I am here yet.” On a member of his family expressing an opinion that he was better, he replied with impatience, “Do not imagine, for a moment, that I feel the smallest solicitude as to the result.” Some individual present uttering a hope that he might recover, he asked with a smile, “Do you think I fear to die?” Thus departed Thomas Jefferson. His last words were, “I resign my soul to my God, and my daughter to my country!”

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#### A SHORT HISTORY OF THE EARLY SETTLERS OF NEW ENGLAND.

The ship *Angel Gabriel* sailed from Bristol, England, May 23, 1635, for this country, and arrived at Ipswich in the following October. After they landed they followed an Indian foot-path through the forest where they came out at a wide plot of ground where are



some dozen wigwams clustered on the sunny side of a hill, which overlooks the marsh and Chebacco River. As you approach their huts with the measured step and cautious eye which the sight of a savage always inspires, you hesitate whether to go forward or turn back; but curiosity prevails and you begin to examine their premises. Their wigwams are made of bark, fastened by strong withes to poles, driven into the earth in a broad circle at the bottom and brought nearly together at the top, to save the necessity of making a roof. The skin of some animal tied about their waists is all their clothing. In another direction you see a company of men, women and children gathered around a Powah. He is performing to their astonishment some of his wonderful feats. He can make the rocks dance and water bubble, and turn himself into a blazing man; he can change a dry snake skin into a living snake, to be seen, felt and heard; boiling meat in a wooden vessel by putting hot rocks in the water with the meat, and changing them often. All these things you see him do, and are ready to exclaim there is no new thing under the sun. Such wonderful things performed used to be called miracles in olden times.

*Witchcraft.*—In June 30, 1692, Elizabeth Howe, of West Ipswich, was tried at Salem for witchcraft, and condemned and executed July 19th, on Gallows Hill in that town. John Proctor was tried for the same crime, condemned and executed. A petition for his reprieve was sent from this town, signed by thirty-two of his former neighbors, testifying to the excellence of his character, but it availed nothing. His wife, Elizabeth, was first accused, and it was while he was attending her in court that her accusers cried out against him. These facts lead us to a contemplation of one of the most remarkable delusions found on the pages of history. A daughter of Mr. Paris, Pastor of the Church in North Danvers, eleven years of age, had been for some time under the care of the physician of that place; the physician said carelessly that she was under an evil hand, meaning that she was bewitched. An Indian servant in the family on hearing this sought by her incantations to find out the witch that was troubling her. Soon other children in the neighborhood complained of being bewitched, and accused individuals of afflicting and tormenting them; they would see them in the room with them, when others present could not, (same as the modern spiritualist.) Whenever the accused were brought into their presence they would swoon away or fall into fits, and when the accused were required to touch them they were immediately restored. This was sufficient evidence to the bystanders.



How could they think otherwise, when they saw with their own eyes persons swoon away, and that their touch immediately restored them? Reader, had you been a Judge or Juror would you have passed sentence of condemnation upon the accused? [Forty-seven persons in all were executed.] They might say it was a mystery and beyond their comprehension; but they surely would not say it was witchcraft. They might say it was spiritualism, or something they could not understand. They might say, reasoning from natural science and well authenticated facts, that the unnatural state of swooning and a sort of wakening sleep, apparently caused by another, was caused by the powerful working of the subject's own imagination. The operator could do all this, and the very expectation or imagination that he was doing it produced the expected effect. It is a well authenticated fact that a surgeon, before operating upon a patient, was about to administer ether, but concluded that he would first see what effect her expectation and imagination would produce upon her system. He held the sponge without any ether to her nostrils, and strange to tell she was put to sleep by it, and experienced almost the same sensations as are produced by ether. The cause was in herself, in the powerful working of her own imagination. You must suspend judgment respecting all such seeming mysteries, and wait for further light.

In 1692 a series of mysterious events occurred at Gloucester. The people there saw armed Frenchmen and Indians about their houses and in their fields. They shot at them and saw them fall; on coming up to them they arose and ran off—they were haunted by these mysterious enemies; the alarm continued for three weeks. Two regiments were raised from Ipswich under the command of Major Appleton, and relief came, for as soon as the troops were on the ground all the French and Indians left the town.

There were some remarkable feats performed by children in those days, one in particular, a lad, by the name of Burnham, about ten years old, was walking in the woods and came suddenly upon two bear cubs; he amused himself with them for a few moments, when to his terror he saw the old bear coming fiercely upon him with a wide yawning mouth to protect her cubs. The child instantly seized a pine knot, and as she came up pushed it with all his might down her throat, and then ran for the house; she could not follow him. When his father came out with his gun he found the bear in the struggles of death; the rough edges of the knot caused it to stick fast until she was choked.—*History of New England.*



A REPORT  
OF THE  
ROYAL HOSPITAL OF BETHLEHEM IN LONDON,  
AND THE  
HISTORY OF OLD BEDLAM,

*Used as a Mad-House in 1547, and previous to that "to say Divine Service in for the souls of all Christians, when Jesus Christ shall enlarge His grace upon it." Founded by one of the Sheriffs of London, in 1246.*

[It may now be worth the time and attention of the reader to turn from the numerous and unpleasant truths just given of the dire mismanagement of our home institutions, to those that have existed of old, and within a few years past in similar establishments in England, the mother country, from whom, in the proper order of things, we should expect such bright examples in all that is good.]—E. H.

Whosoever aspires to effect some great reform in any department of human thought or action, whether moved thereto by a laudable ambition, or inspired by humane feeling, should not look back only to the lofty height on which in the distant past stands the great reformer, and hope that he may reach an equal height of glory in his day and generation, but should rather look abroad and scan the dreary prosaic events in which he is living; should mark well the scarce perceptible motion of any current of progress in the face of interested prejudice and ignorant opposition; and should not fail soberly to reflect how little is thought of him who is spending the energy and sacrificing the comfort of a life in doing good to the world in spite of itself. Then, if he still hold fast to his benevolent aim, let him in firm resolve and with patient endurance, without illusion and without exultation, nerve himself to enter upon a thorny and uncertain path, on which it may be that he will have to sink down and fail. Not only petty jealousies,



irritated prejudice, offended self-interest, malignant envy, and all the host of evil passions that go to strengthen the great army of obstructiveness, will be found arrayed in hostile line against the champion of progress; but his bitterest sorrow will be to find himself opposed and misunderstood by many whom he knows to be well-meaning and sincere, but who cannot conceive of other and better things than those to which they have been accustomed. Such men unconsciously become a part of the system in which they have lived and to which they have grown; they move contentedly in the old ruts, and only that which has been is with them that which shall be. Any one starting forth on a new path, with unfamiliar aspirations, appears to them as a madman, or a self-seeking schemer, or at best a phenomenon utterly unintelligible, but of which they entertain the sincerest distrust, while they are the most formidable enemies of the reformer, because they are conscientiously so, and because they are in the closest sympathy with the stagnation which he labors to abolish. Throughout all time it has been so, and to the end of time it must, by the nature of things, be so; in one way or another the reformer is despised and rejected of men—a man of sorrows and acquainted with grief. When not actively opposed and openly reviled, his work is not seldom being done while men wist not of it—while they hide, as it were, their faces from him; and it is commonly completed, and the self-sacrifice of his life over, before the world awakens to anything like an adequate consciousness of its vast importance. Often, too, it happens that he survives not to behold any fruit of his labors—has only a glimpse of the promised land; and, like Moses of old, lies down to die in solitary sorrow on some lonely Pisgah, while others joyously gather in the harvest which he has sown with much painful toil. And when they have gathered in the fruits, they slowly call to mind him who has been their benefactor, place him on a pedestal of glory amongst the great ones of the past, and determine with one consent that his name shall live for evermore. Having paid which debt of gratitude to the past, they proceed forthwith to resist the reformer who is living and laboring among them, and with all their might strive to crush him out.

The cost to the individual reformer being so severe, and the strength required of him so great, even when the rare opportunity offers, it is no wonder that there are many who refuse to become martyrs in the cause of humanity; that there are others who break down in the unequal conflict; and that but few centuries have a great reform to boast of. How many years has man lived



upon the earth, and how few has he profitably employed! It may not be amiss, then, that the present century, in which a great social reform has been accomplished by the labors of a few men, should be reminded of the noble work that has been done, and called to take some thought of the difficulties that have been patiently surmounted, and of the vast gain that has accrued to humanity. Familiarity with the modern and scientific treatment of the insane is apt to make us forget that it is of quite recent birth, and that within the memory of many now living it would have been thought the wildest madness to dream of dealing with these afflicted beings otherwise than as with the most dangerous animals. Not in any country nor at any period before this century, was there a just conception of the insane as victims of disease, whom it was necessary to treat as such, and of mental derangement as the perverted function of a diseased organ; and even at the present time this conception has not gained full admission into the mind of every legislator, or of the general public. Happily, mankind is capable of being moved through feeling to a practical course, the theory of which it does not fully appreciate. This was what happened in regard to the insane. The horrible revelations of their miserable condition aroused public compassion, and there were found men of humane feelings and enlightened views sufficiently far-seeing, patient, resolute, and energetic to realize the better feelings in a better system of treatment. It is now the fixed habit in this country to treat the insane as sufferers from disease, and it is not deemed necessary or thought right to apply any sort of mechanical restraint even to the most excited maniac. Such a vast reform has been accomplished in our time by the labors of a few determined men, and some of them who were leaders in the fight are still living, strangely unregarded, and entirely unrewarded, by an age which owes them so much. We propose now, then, to exhibit the course of progress from the old and barbarous system of chaining up the insane, to the modern humane and enlightened system of treatment; to point out through what difficulties the advance was made, and to indicate, as far as it is yet visible, the path of future progress. To this end it will be most convenient to take the history of Bethlehem Hospital, the management, or more correctly the mismanagement, of which has at different times within the last fifty years, been the subject of special inquiry by a committee of the House of Commons, by the Lunacy Commissioners, and twice by the Charity Commissioners. It has been the last stronghold of an obstructive policy, and the congenial home of the worst



iniquities of an iniquitous system, with which through all time to come its history will be identified; for, as truly said in the House of Commons, if ever any public establishment has covered England with shame, it is the Bethlehem Hospital. The periodical public interference which has been necessary in order to bring this hospital up to the level of similar institutions, has resulted in certain reports that are now valuable records; in them we witness the gradual breaking down of the old system of barbarity and obstructiveness under the pressure of enlightened opinion brought to bear from without; and they are thus trustworthy landmarks on the road, by the help of which we are enabled to realize how fearfully bad the old system was, how difficult was its destruction, and how great has been the progress.

Before proceeding to elicit from these reports the history of the destruction of the old, and the growth of the new system of treating insanity, it may be well to give a brief sketch of the manner of dealing with the insane at different times and in different countries, in order to show how entirely new the modern scientific system really is.

By the Eastern nations, generally, it would appear that the insane were regarded, according to the manner of their madness, either as inspired by some divine spirit, and then consulted as oracles, or as possessed with some evil spirit, and avoided as having a devil in them. As in the different powers of nature good or evil spirits were supposed to reign, according as their influence was beneficial, or appeared malignant, so in the unaccountable perversion of human nature displayed in the vagaries of insanity, men saw the good or evil spirit, according as these were harmless or offensive. In the latter case, it was often supposed that so great a degradation must proceed from divine anger, and be a punishment inflicted by divine agency. It can scarcely admit of doubt, however, that many insane must have suffered a violent death, in accordance with the prevailing law of vengeance which ordained an eye for an eye and a tooth for a tooth; for it is the nature of insanity to rebel against and to outrage the established laws and customs of society, and on any such crime the Mosaic laws would press most severely.

The ancient Egyptians—a wonderful people in many regards—seem to have arrived at a far more just conception of the nature of insanity than other nations at that time; for they had at both extremities of Egypt, temples, surrounded by shady groves and beautiful gardens, to which melancholics in great numbers resorted in



quest of relief, and in which varieties of games and recreations were established for the amusement of the mind and the invigoration of the body, while the imagination was impressed with the finest productions of the sculptor and the painter. Perhaps it was in Egypt that Pythagoras, the first Greek philosopher who practiced medicine, learned this plan of treating insanity, afterwards introducing it, along with the doctrine of metempsychosis, into Greece. At any rate, Asclepiades, who is said to be the founder of a moral treatment of insanity among the Greeks, adopted a humane and rational system: music, love, wine, employment, exercising the memory, and fixing the attention, were his principal remedies; and he recommended that bodily restraint should be avoided as much as possible, and that none but the most violent should be bound. The theory of the supernatural origin of the madness of Orestes proves, however, that the Greeks generally had very erroneous notions of its nature as a disease, and the mode of its causation.

Hippocrates was undoubtedly the first to recognize the true nature of insanity; he clearly perceived that the brain was the organ affected, and that there was nothing more divine in one disease than another. And if we are to believe genuine the account given of the interview between him and Democritus, it is impossible to esteem too highly his diagnostic power. The people of Abdera, thinking Democritus to be mad, because of his strange behavior, sent for Hippocrates, in order that he might give them his opinion, and, if needful, exercise his skill upon the laughing philosopher. "When Hippocrates was come to Abdera, the people of the city came flocking about him, some weeping, some entreating him that he would do his best. After some little repast, he went to see Democritus, the people following him, whom he found in his garden in the suburbs, all alone, sitting upon a stone under a plane tree, without hose or shoes, with a book on his knees, cutting up several beasts, and busy at his study. The multitude stood gazing round about to see the congress. Hippocrates, after a little pause, saluted him, whom he resaluted, ashamed almost that he could not call him likewise by his name, or that he had forgot it." Thereupon ensues a long discourse, in which Democritus gives excellent reasons for his singular behavior, and shows satisfactorily that he has good cause to laugh at the miseries, the madness, and the follies of mankind. "It grew late: Hippocrates left him; and no sooner was he come away, but all the citizens came about flocking to know how he liked him. He told them in brief that, notwithstanding

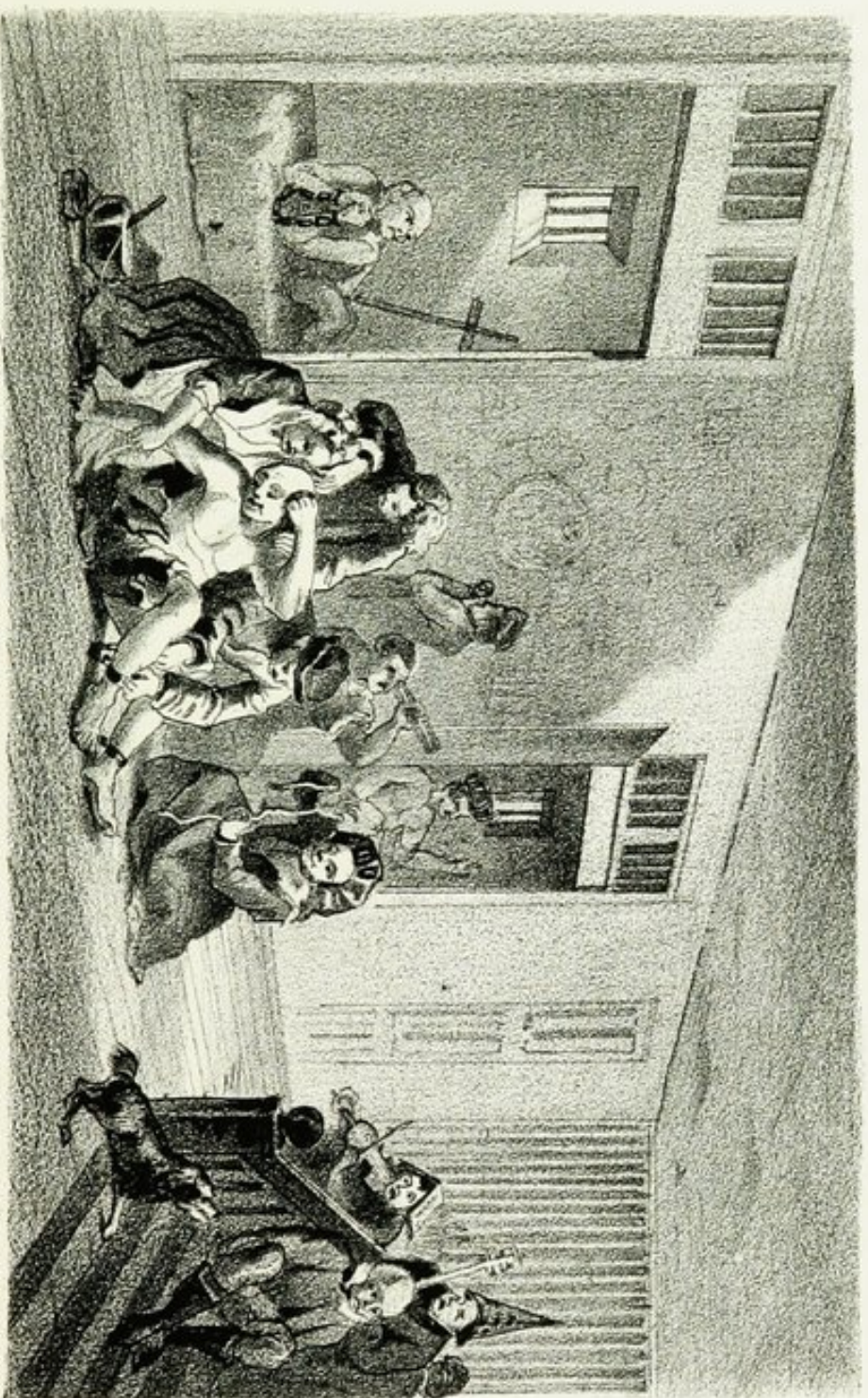


ing these small neglects of his attire, body and diet, the world had not a wiser, a more learned, a more honest man; and they were much deceived to say that he was mad." It is plain that Hippocrates knew better than many modern physicians how to distinguish between eccentricity and disease. More explicit views respecting the different ways in which the brain was affected in insanity were enunciated by Galen, who, indeed, has made many admirable observations, still instructive and worthy to be had in remembrance. Indeed, it is a matter of wonder that they should ever have been so completely forgotten, as they unquestionably were.

In the middle ages, under the blighting influence of an ignorant and intolerant priesthood, all rational views of the nature of insanity seem to have perished. There was a return to primeval superstition and to a barbarous treatment. If the poor madman were orthodox in his ravings, and capable of being used for the promotion of the interests of the Church, he was canonized like St. Francis, the founder of the Franciscans, who loved to strip himself naked, and to dress himself fantastically, who saw visions, and who was chained down in a dark room as a madman by his own parents. Another saint, St. Rosa de Luna, mixed gall and fæces with all her food, in token of humility and by way of penance; Agnes de Jesus, with like humility, refused to destroy the vermin which swarmed in her hair; St. Catherine of Sienna believed that she was received as a veritable spouse into the bosom of the Saviour; and St. Theresa not unfrequently reproached herself that her nightly raptures and salacious ecstasies were not sufficiently free from voluptuous bodily feelings. On the other hand, if the manifestations of insanity took a heterodox form, it went hard with the sufferers, numbers of whom were burnt alive as atheists or heretics, or as having had converse with the devil. Meanwhile it is probable that the insane, who were harmless, wandered about the country living on the charity of people and of the monasteries; and there can be no doubt that many of those who committed violence suffered as ordinary criminals. There was no conception of insanity as a disease demanding, like other diseases, medical treatment; the light which Hippocrates and Galen had thrown upon it was completely extinguished.

It was in 1547 that Henry VIII granted to the City of London the suppressed priory of St. Mary of Bethlehem, which had been founded in 1246 by one of the Sheriffs of London, "to make there a priory, and to ordain a prior and canons, brothers, and also sis-





*Copied from Hogarth's works "Baker's Progress" a scene in Old Bedlam  
Madhouse in London, 1735.  
E. Hasckell.*





ters, when Jesus Christ shall enlarge his grace upon it;" and "for to say divine service there for the souls aforesaid, and all Christian souls." This house the City of London converted into a hospital for the reception of lunatics, thus founding the first hospital in England specially devoted to the reception of persons of unsound mind. It stood in Bishopsgate ward, without the city wall, where now is Bethlem Court off Bishopsgate street, "in an obscure and close place," says Stowe, "near unto many common sewers, and also was too little to receive and entertain the great number of distracted persons, both men and women." Accordingly, in 1675, the second Bethlehem Hospital was built in Moorfields, a stately and magnificent structure, with gardens before it. "And besides the garden, there is at each end another for the lunatic people to walk in for their refreshment, when they are a little well of their distemper; and that part fronting the fields hath iron gates in several places of the wall, to the end that passengers as they walk in the fields may look into the garden. This large fabric is built of brick and freestone; the gate, or entrance, all of stone, with two figures of a distracted man and woman over the gate. The eighth picture in Hogarth's "Rake's Progress," which was painted in 1735, is evidently founded on observations made in the wards of this Bedlam, and may serve to convey some idea of the scenes in it. The rake, his face wrung with the last strain of human suffering, lies dying in the arms of the poor weeping woman whom he had seduced, his ankles loaded with chains, and the physician leaning over him; in one of the cells is seen a naked figure on a straw bed, the chains round his wrists hanging over the bedstead; in another cell sits a crowned figure, and a mad astronomer occupies the centre of the picture. These miserable creatures, chained on their straw, were made objects of exhibition to the idle and the curious, just as the lions in the Tower were. One of the entries in Mr. Pepys' Diary is:—"Stept into Bedlam, where I saw several poor miserable creatures in chains; one of them was mad with making verses." Steele, again, in the "Tattler," mentions how he paid a visit to Bedlam with several friends, in order to show them the sights there. No cruelty, however extreme, but what familiarity will divest of its horrors, blunting the feelings of the most humane, and obscuring the judgment of the most enlightened of men.

Thus cruelly things went on year after year, until 1815, in spite of the occasional protest of some benevolent person who was horrified with the painful scenes that he had witnessed. Words cannot express, nor mind conceive, the countless cruelties practiced within



the walls of old Bedlam—cruelties such as would righteously cover with eternal infamy those who were in any way responsible for them, were it not that their names are, happily, for the most part buried in oblivion. And yet the governors of this wealthy charity could have had no interest and no pleasure in its mismanagement; they gave their services without recompense, and no doubt conscientiously; and they sincerely resented the suggestion of public interference. It is ever so; more suffering is caused in the world by want of thought and by obstructive prejudice than by heartlessness and wilful design. For the Bethlehem system was not at that time general; it had been superseded by that more enlightened and humane system, which receiving its first impulse from the great uprising of outraged human feeling in the French revolution, had been initiated by Pinel in France, further developed by Esquirol, and carried into admirable operation at the “Quakers’ Retreat,” near York.

At last the troublesome reformer, so offensive to official indolence and to hostile iniquities, though hallowed by age, appeared, and in spite of opposition, forced his way into Bethlehem Hospital. Mr. Edward Wakefield, who for many years had been in the habit of visiting all places where insane persons were confined, first visited the hospital on April 25th, 1814, and made another visit on May 2d. What he found on these occasions is recorded in his evidence before the Committee of the House of Commons. In the women’s galleries, one of the side rooms contained about ten patients, each chained by one arm or leg to the wall, the chain allowing them merely to stand up by the bench or form fixed to the wall, or to sit down on it. The nakedness of each patient was covered by a blanket, made into something like a dressing-gown, but with nothing to fasten it in front. This was the whole covering, the feet being naked. In another part he found many of the unfortunate women locked up in their cells, naked, and chained on straw, with only one blanket for a covering. In the men’s wing, in the side room, six patients were chained close to the wall, five handcuffed, and one locked to the wall by the right arm, as well as by the right leg; he was very noisy; all were naked except as to the blanket-gown or small rug on the shoulders, and without shoes—their nakedness and their mode of confinement gave this room the complete appearance of a dog-kennel.

“In one of the cells of the lower gallery we saw William Norris. He stated himself to be fifty-five years of age, and that he had been confined about fourteen years; that in consequence of attempt-



ing to defend himself from what he conceived the improper treatment of his keeper, he was fastened by a long chain, which, passing through a partition, enabled the keeper, by going into the next cell, to draw him close to the wall at pleasure; that to prevent this, Norris muffled the chain with straw, so as to hinder it passing through the wall; that he afterwards was confined in the manner we saw him, namely, a stout iron ring was riveted round his neck, from which a short chain passed to a ring made to slide upwards and downwards, on an upright massive iron bar, more than six feet high, inserted into the wall; round his body a strong iron bar about two inches wide, was riveted; on each side of the bar was a circular projection, which, being fastened to and enclosing each of his arms, pinioned them close to his sides. This waist-bar was secured by two similar bars, which passing over his shoulders, were riveted to the waist-bar, both before and behind. The iron ring round his neck was connected to the bars on his shoulders by a double link; from each of these bars another short chain passed to the ring on the upright bar. We were informed he was enabled to raise himself so as to stand against the wall on the pillow of his bed in the trough bed in which he lay; but it is impossible for him to advance from the wall in which the iron bar is soldered, on account of the shortness of the chains, which were only twelve inches long. It was, I conceive, equally out of his power to repose in any other position than on his back, the projections on each side of the waist-bar enclosed his arms, rendering it impossible for him to lie on his side, even if the length of the chain from his neck and shoulders would permit it. His right leg was chained to the trough, in which he had remained thus encaged and chained for more than twelve years."

A marvelous example, truly, of what the human constitution may accommodate itself to. Poor Norris was not released from this confinement until about three weeks or a month before his death, which, notwithstanding the opinion of Dr. Monro, the physician then at the head of the medical department, may well be thought to have been hastened by the treatment to which he was subjected. That gentleman being asked whether he did not think that the pulmonary complaint of which Norris died might have been produced by the great quantity of iron he wore for many years? replied, "I think not."

Again asked—"Do you think a person could have had about him a weight of iron, say six or eight-and-twenty pounds; that he could have been confined to his bed without being allowed to turn round



for nine years, or without being able to get out and sit on the edge of his bed, being chained by the head by a chain only twelve inches from the iron stanchion, and that would have no effect upon his general health?"

"It did not appear to have any general effect upon his health—he was in very good health till within a very short period of his death."

The apothecary coincided in his colleague's opinion, and even became enthusiastic about the excellence of restraint by means of irons. In reply to a question, he asserted that to secure the patient with irons was a thousand times less objectionable than the strait-waistcoat, and that, footlocked and manacled, he was rendered an "innocuous animal."

It was revealed furthermore, by the the examination of Dr. Monro, that it was the custom at particular seasons of the year, May, June, July, August, and September, "to apply general bleeding, purging, and vomit," without any discrimination of cases. It was asked whether the bleeding and vomiting were performed at the same period, or periodically, like the other modes of treatment, and the reply was—"They are ordered to be bled about the latter end of May, or the beginning of May, according to the weather; and after they have been bled they take vomits once a week for a number of weeks; after that we purge the patients; that has been the practice invariably for years, long before my time; it was handed down to me by my father, and I do not know any better practice." Besides the acknowledgment and approval of this remarkable system of medical treatment, the investigations of the committee elicited the disgraceful and almost incredible fact that a male keeper was employed to attend to the refractory female patients. Certainly Dr. Monro could not give satisfactory answers upon this point, though much pressed, and could not recollect that the Chamberlain of the City of London had interfered and dismissed a certain male keeper named King; but the evidence of the apothecary, who was thereupon re-called and re-examined, leaves no doubt that this abominable practice was the regular custom of the hospital.

"Was not a man appointed to do the duty of keeper to the women only?"—"That has always been the case." "Do you remember a keeper of the name of King?"—"Perfectly." "Was not King, when keeper of the female patients, charged with being too familiar with a female patient of great beauty?"—"The patient herself did charge him with that." "He being keeper of the female pa-



tients at the time?"—"Yes; she complained to me of it." "Did not the Governors, from learning the fact, direct that no man should again be put as keeper of the women?" "I do not recollect that they came to any resolution upon that case; it was about three years ago. Some years ago, a female patient had been impregnated twice during the time she was in the hospital; at one time she miscarried; and the person who was proved to have had connection with her, being a keeper, was accordingly discharged.'"

It was too plain, as the examination by the House of Commons proceeded, that the Committee of the Hospital often did not see the patients for months, but that these were left to the care of the medical attendants, who in their turn appear to have left their work to the keepers, and to have done little more than give the sanction of their authority to the system of neglect and brutality in force, and uphold and defend it when attacked. Any one reading their answers to the close cross-questioning of the Committee of the House of Commons, and appreciating the spirit which inspired them, cannot fail to be convinced that the iniquities exposed were but a partial revelation of numbers done in secret and never known, and will even now shudder at the imagination of the cruel suffering undergone by the unhappy patients already sufficiently afflicted by their disease.

Such, then, was old Bedlam, and such were the iniquities of which it was the home. Last in perisistence in the old system of treatment, and worst in its mode of carrying it out, its story, as revealed by the investigation of the House of Commons, has become the eternal disgrace of England, and is still quoted in all parts of the world as evidence of the way in which the insane were treated in this country in 1815. Not justly so, however; chains had for some time been abolished in most other asylums; and it was with horror and indignation that the public discovered the system of cruelty that was being practiced, and insisted upon its instant abolition. Indeed, the only persons not horrified by the painful disclosures were those immediately responsible for the disgrace.

In 1815, the new Bethlehem Hospital was built in what was then St. George's-in-the-Fields, but what is now a densely populated part of a low lying district of London, and where, hemmed in and overlooked by houses, it still stands. In front of it, as in front of old Bedlam, there is a small garden enclosed with iron palings, to the end that passengers, as they walk past, may look in "and see the lunatic people walk for their refreshment when they are a



little well of their distemper." Though the old system of cruelty had perished with the old fabric, and could not possibly be restored, yet the traditions of the past did not entirely die out, but appear to have passed by a hereditary transmission to the new fabric and the new officers. The body was dead, but the spirit remained alive; the chains could not be restored, but mechanical restraint of every other kind—canvas gloves, strait-waistcoats, hobbles, and wristlocks—was systematically employed. Once more the cry of intolerable suffering within was heard without its walls, and once more it was determined to institute an official investigation into the condition of the hospital. Accordingly, in July, 1851, the Commissioners in Lunacy commenced a searching inquiry, examined different witnesses, and finally presented to the Home Secretary a report announcing that several patients had been subjected to harsh and improper treatment by the attendants—that they were neglected by the medical and other officers of the institution; that the bedding, clothing, and accommodation were unfit and insufficient; that the health of one had been materially injured thereby, and the life of another put in peril; and pronouncing "the management and condition of the hospital in many material respects most unsatisfactory." In reading the evidence taken by the Commissioners, it is striking how much the story in 1851 is a repetition of the story disclosed in 1815, allowance being made for the difference of time. There is, happily, a limit to the distance at which the most inveterate obstructive institution or individual can lag behind the spirit of the age. There was no patient now found chained as poor Norris was chained until death released him—that was impossible even at Bethlehem in 1851; but the same heartless neglect, the same spirit of obstructiveness, the same inefficient superintendence, the same strong feeling evinced that the magnificent revenues of the wealthy charity existed for the sake of administrators and officials, and not administrators and officials for the purposes of the charity, and the same incapacity to perceive that the condition and management of the hospital was of any just interest or concern to any one but those who derived interest or profit from it—all these were as plainly exhibited as when they were more completely realized in a more iniquitous practice. The report of the Commissioners seems to have fixed the responsibility of the bad state of things in great part upon the treasurer; he having, by his own confession, no power whatever except as a member of the Board of Management, had, by his own authority and at his own pleasure, actually taken from the resident



medical officer the duties of classifying the female patients, of deciding which of them should be employed, and of regulating the employment, and of determining in which wards they should be placed; and had invested the matron with this power. He had, in fact, unwarrantably and most injudiciously assigned to her the whole moral treatment of the female patients; and all this mischief he had done of his own motion without reporting such interference to the Governors. The hiring and discharge of attendants and servants were also in his hands. The evil consequences of a state of things in which the medical officer had all the responsibility, and no power, while the treasurer assumed all the power and no responsibility, may easily be imagined. There was no unity in the management of the hospital, and the patients were grossly neglected and cruelly treated; female patients in the basement of the building were found to have regularly slept entirely naked on loose straw, with only a blanket over them, the poor creatures crawling under the straw in order to try to get warm; and the Commissioners intimate their belief, notwithstanding official denial, female patients were actually laid naked on the stone floor and mopped with cold water. The backs of the patients were excoriated through lying in wet and dirty straw; and one wonders not, after reading the evidence elicited, that health was sometimes materially injured, and life put in peril.

It would not serve any good purpose to go at length through the evidence taken by the Commissioners, in which facts denied by one witness are admitted and undisputed by another, and statements repudiated at one time by the same witness are acknowledged at another; but it is impossible to restrain surprise and disgust at the singular defence of such neglect and cruelty which Dr. E. T. Monro, who for thirty-five years had been the principal medical officer, and who was the son of him whose reputation suffered so much by the disclosures of 1815, does not shrink from making for himself. "The modern idea appears to incline to that hardworking attention to minute particulars which has never hitherto characterized the mental physician exercising a high profession in a liberal manner; and if the duties of the future medical officer are to be so minute, and so extensive, and so laborious, he must, indeed, be of a very different grade and calibre from all physicians who have heretofore exercised this high calling." It is heartily to be hoped that future mental physicians will be of a very different grade and calibre, and we are convinced that there is nothing by which not the insane only, but the medical profes-



sion, will gain so much as by the revolution which Dr. Monroe dreaded. This gentleman being closely questioned as to whether a letter, complaining of the ill-treatment to which a patient had been subjected, had not been read at a meeting of the Committee of the Hospital where he was present, replied, "If I were to speak the truth from my heart, I believe not." Being then pressed as to the particular day on which it was actually read, he said, "I beg your pardon; I will recall what I just said." Then, after a little consideration, he added, "I am taxing my memory to the utmost, and upon second thoughts I do remember that the letter was read."

It was furthermore elicited by the inquiry that it was the regular practice to discharge a patient whenever, through the progress of disease or through the effects of neglect and ill treatment, the health had been so reduced as that death might be apprehended. "All patients," said Dr. Monroe, "who are so sick as to require the attendance of nurses are inadmissible; and when they become sick we send them to their relatives. They are discharged as being sick and weak. We do not pretend to provide for any but for the casual sick, and they are never admitted sick and never kept long if they are."

Meanwhile, though Bethlehem Hospital was the scene of such cruelties, and though mechanical restraint had been in systematic use there up to within eighteen months of the date of the Commissioners' inquiry, the great modern reform in the treatment of the insane had for some time been accomplished, and the principles of kindness and of moral control had superseded terrorism and mechanical restraint in all other asylums. It was in September, 1839, that Dr. Conolly presented his first report, as resident physician, to the magistrate of the Hanwell Asylum; and it was in that report that the abolition of mechanical restraint in that large asylum was announced. Dr. Conolly had entered on his duties as physician on the 1st of June, 1839, and on the 21st of September there was not a single patient in restraint. "No form of strait-waistcoat, no hand-straps, no leg-locks, nor any contrivance confining the trunk or limbs, or any of the muscles, is now in use," he writes in his first report. Even at so early a period he was able to say "that, notwithstanding some peculiar difficulties, the noise and disorder prevalent in some of the wards have already undergone diminution; that instances of frantic behavior and ferocity are becoming less frequent; that the paroxysms of mania to which many of the patients are subject are passed over with less outrage and difficulty; and that, if cases are yet seen which appear for a



length of time to baffle all tranquilizing treatment, they chiefly, if not exclusively, occur in acute mania, the symptoms of which would be exasperated by severe coercion, or among those who, having been insane many years, have been repeatedly subjected to every variety of violent restraint."\* The experiment had previously been made on a small scale at the Lincoln Asylum by the united efforts of Dr. Charlesworth and Mr Hill, and made successfully. Indeed, it was from witnessing what had been done there that Dr. Conolly was convinced of the practicability of abolishing all form of mechanical restraint, and determined to carry out the non-restraint system on the large scale which his opportunities at Hanwell afforded. "The example of the Lincoln Asylum, in which no patient has been put in restraint for nearly three years, came also powerfully in aid of an attempt to govern the asylum at Hanwell by mental restraint rather than by physical." Once the humane system of treatment had been proved successful in an establishment containing at that time nearly one thousand patients, embracing every form both of acute and chronic insanity, it was certain that it must be applicable to every case of insanity, and to every asylum containing insane patients. Accordingly in the face of much prejudice and many obstacles, all forms of bodily restraints for the insane were dispensed with; and after an experience of three years at the Hanwell Asylum, it was established beyond all dispute "that the management of a large asylum is not only practicable without the application of bodily coercion to the patients, but that, after the total disuse of such a method of control, the whole character of an asylum undergoes a gradual and beneficial change." Every succeeding year afforded new and stronger proof of the great benefit of the entire disuse of mechanical restraint; asylum after asylum throughout the country made cautious trial of the new system, ending with its entire adoption, and much praise of its efficacy; and at last that which had been sneered at and rejected as the benevolent dream of enthusiasm was accepted generally as an article of faith not to be questioned. As ever happens in the case of any great practical reform, the non-restraint system was at first declared absurd and impracticable, then grudgingly accepted as worthy of trial under certain circumstances, and finally assimilated into the public habit of thought as a movement not new, nor one for which any individual could justly claim special credit.

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\* The reports of John Conolly, M. D., the Resident Physician of the County Lunatic Asylum at Hanwell, to the Michaelmas Session, 1842.



How little the inherent justice of the reform would have availed, but for the individual conviction and individual energy by which, through good report and through evil report, its triumph was secured, may easily be perceived by any one who will reflect on the condition of Bethlehem Hospital in 1851, as disclosed by the inquiry of Commissioners in Lunacy, and contrast it with the condition of Hanwell Asylum ten years earlier. Faithful to its traditions, that hospital clung to an evil system as long as this had any lingering vitality, and abandoned it with regret when its utter decay rendered it a public nuisance, calling for public interference. The way in which the governors of Bethlehem received the recommendations of the Commissioners proves plain enough how blind they were to what the welfare of the insane demanded; and it is truly disheartening to read the observations which they thought proper to make in reply to the severe condemnation passed upon the mismanagement of the hospital. The Commissioners had felt it their duty to reflect upon the treasurer's conduct, to which undoubtedly they thought much of the evil in the state of the hospital was due; and the reply of the governors, signed by this very treasurer, is, that the course adopted by him had been proper and judicious. They are of the opinion also that the use of straw covered with a blanket is not unsuitable for the bedding of patients insensible to the calls of nature, and indeed enter into various reasons to show how admirable and indispensable in such cases such bedding is. They could not venture formally to approve the practice of putting patients on straw, stark-naked, or, as they more euphoniously put it, without a proper supply of night-gowns; but they do not fail to display a lingering love of that practice, and positively to make a sort of defence of it in respect of suicidal patients. To one of their physicians, from whom nothing damaging had been elicited by the Commissioners, they feel it due to express their opinion that "all his proceedings in connection with the hospital have been characterized by industry and kindness;" while they are sorry that the other physician, who had made damaging admissions in his evidence, had not entertained correct views of his duties, "proving the propriety of those changes in the medical staff that have been recently made."

Of the three hundred governors of the hospital at that time, not more than half a dozen probably were really responsible for its unsatisfactory condition, or for the unsatisfactory defence unwisely put forward. Most of them were content to give their support to an excellent charity, and to leave the administration



of it entirely to those who, from whatever motives, showed greater interest in it, and gave greater attention to it. This is a fact in the history of many charities, which has been productive of much mischief; and assuredly it would sometimes be much better that a man should cease to be a governor if he ceases to give any thought to the government, than to allow the weight of his name and character to be used by a few self-seeking men to prop up a system of gross mismanagement. The governors of Bethlehem in their defence lay stress on the fact that "they assiduously and gratuitously devote a large portion of their time to superintendence of the charity, and being above the suspicion of having any interested motive, or that they can possibly have any other object than for the perfect good of the institution," they feel it right to express their conviction "that if a mode of investigation, similar to that adopted by the Commissioners in their case, were to become general, it would discourage the supporters of numerous public charities, and would deeply injure many of those great institutions of benevolence which are universally regarded as the brightest ornaments of the land." Now what is the real value of such a statement in such a case? It was true, without doubt, as regards the governors generally; but viewed in relation to the actual circumstances, it was simply a complaint on the part of the person principally reflected upon, the treasurer, that unless he were allowed to go on managing affairs as hitherto, and, by such management, inflicting unspeakable suffering upon many unfortunate patients, he would be discouraged. It was surely far less likely that the Commissioners in Lunacy should have interested motives than an officer who, in addition to the power and influence attaching to his office, was provided with a furnished residence at Bridewell Hospital for his services to the charity. There is, unhappily, too much reason to think that many of our large public charities, which, like Bethlehem Hospital, have magnificent endowments, are grossly mismanaged, and, instead of being "the brightest ornaments of the land," they have been so warped from the noble purposes of their founders, as to make right-minded persons grieve heartily. Is it not too true that some of them, falling infinitely short of their just aim, have become vast accumulations of wealth, on which multitudes of parasites cling and live?

To an unprejudiced looker-on, it must have seemed strange that the governors should give so many excellent reasons in favor of a system, in order that they might forthwith abolish it, and so many excellent reasons against the recommendations of the Commis-



sioners, in order that they might forthwith adopt them, and carry them into practical operation. Now this was precisely what they wisely did: they accepted the resignations of their physicians and other officers, making them the scapegoats to carry their sins; they appointed a responsible medical superintendent, protecting him from the undue interference of the treasurer, entrusting him with paramount control of the treatment of the patients, and making him responsible for the entire internal management of the institution: they initiated a new and excellent system, with many new officers to carry it into effect. They did not, however, think it necessary to change their treasurer. Though the Commissioners had significantly expressed their opinion that the horrible practice of making women lie naked on straw had prevailed for years, and had gone on without challenge from, or even, as it is stated, without the knowledge of the treasurer, the physicians, the resident apothecary, and matron, and had expressly included the treasurer in their censure; and though physicians, apothecary, and matron all resigned, yet the treasurer remained in office. It may well be doubted whether this was not most unwise: the only certain guarantee of an effectual reform is to sweep away, along with the abuses, all those who have been implicated in them. If this is not done, the old spirit is almost sure to revive, and sooner or later to bring forth its accustomed fruits.

Under the new system of management instituted, and under the effectual superintendence of the new physician, Dr. Hood, the condition of the hospital was greatly improved, and it was speedily brought up to the level of similar institutions: for the first time in its history it became an asylum of which the country might be justly proud. No sooner, however, did Dr. Hood resign his office, having well earned the reward of a higher position, than the condition and management of the hospital again excited public attention, and in April, 1864, necessitated another inquiry by the Charity Commissioners. It was found that the rules in force were so framed as entirely to frustrate the true object of the charity: that there were special enactments made to exclude all those insane persons who were so violent or troublesome as to require the special care of an attendant, all who were epileptic or paralytic, all those who had been insane more than twelve months, all those who had been in any other asylum, all those whose precarious condition threatened the dissolution of life, and all those whom disease or physical infirmity rendered unfit to associate with other patients—all, in fact, who were likely to give any trouble or to re-



quire particular care, and were in special need of the benefits which the hospital had been founded to supply. Taught by the bitter experience of the past, the governors seem to have determined that they would not again run the risk of being accused of neglecting and cruelly treating troublesome patients, and consequently to have admitted no case of insanity that was not likely to do them credit. Assuredly it must have been a very hard matter for any lunatic, consistently with his remaining insane, to avoid falling under one or other of the excluding categories. Dogberry instructed the watch that if they met a thief, they should suspect him by virtue of their office to be no true man, and thereupon not apprehend him, but let him steal himself away: the officers of Bethlehem were instructed by their rules, that if a lunatic were brought for admission, they should, by virtue of their office, suspect him to be no sane man, and thereupon not admit him, but drive him elsewhere, and presently thank God that they were rid of a troublesome person. It may be doubted whether in the history of public charities there is a more flagrant instance of injustice than is afforded by this great hospital, with an income of more than £22,000 a year, providing only for a little more than two hundred insane persons carefully selected from the multitudes urgently needing help. On the 1st January, 1863, there were, exclusive of criminals paid for by the Government, only 201 patients in the hospital; and on the 1st January, 1864, there were 212 patients. In the three years previous to 1843, the admissions of curable patients were 896; in the three years previous to 1853, the number was 898; and in the three years previous to 1863, the admissions were 520. In these three last years there has been, as compared with the three years previous to 1853, actually a decrease of 378 in the admissions, although the demand for asylum accommodation for the poorer members of the middle class has become year by year more and more pressing: on the 1st January, 1863, there were 201 patients in the hospital, although the income was amply sufficient to maintain more than twice that number.

A fact which necessarily came prominently forward at the time of the public discussion concerning the hospital, was the utter unsuitability of the site and building for the purposes of a lunatic asylum. Lord Shaftesbury, giving expression to the strong opinion of the Lunacy Commissioners, condemned it in the House of Lords.

"We take exception," he said, "to the present construction of the building. We maintain that it is most unfit for the purpose.



This building was constructed at a time when strait-waistcoats were in vogue, and every patient was immured in a gloomy cell. Though not intended for prison, it was constructed on the same principles as a prison."

And again—

"A most important objection to Bethlehem Hospital as a place for the treatment and cure of insanity remains to be noticed, viz, the unfitness, according to modern opinions, of the building, in respect of its construction and management. The general aspect of the hospital externally and internally, notwithstanding the efforts made within the last few years to enliven the corridors and day rooms, cannot but exercise a depressing influence upon the inmates, whose means of outdoor exercise are so limited and inadequate. The Commissioners in the case of asylums for pauper lunatics would never sanction plans upon the principle of Bethlehem Hospital."

This condemnation of the site and structure of the building was endorsed by the Medical Psychological Association and by the public press, general and medical. And yet, in spite of the agreement of the most competent authorities and of humane men, in spite of an excellent opportunity offered by the proposal of the governors of St. Thomas' Hospital to take the site and the building, in spite of the opposition of the more enlightened of the governors, in spite of the fact that in every country it is now thought necessary to remove asylums for the insane from the crowded towns into the open country, where there is room for outdoor exercise, and where there is the opportunity of systematic employment for the patients—essential means of treatment—in spite of all these, the old spirit of obstructiveness prevailed, and it was unhappily determined that Bethlehem Hospital, the home of chains long after chains had disappeared from similar institutions, the last refuge of strait-waistcoats, manacles, straw-bedding, and cruel neglect, should not be unfaithful to its historical character, but should continue to coop up its patients in a prisonlike building, and in miserable yards overlooked by neighboring houses, when open country, cheerful building, opportunity of occupation on farm and garden, are universally admitted to be essentially requisite for the proper treatment of insanity, and are insisted upon in every pauper asylum. That it must sooner or later be moved to a more appropriate site in the country, and be made to answer the demands of science and humanity, can admit of no question whatever; but it is painful to think that so excellent an opportunity,



and one, probably, which will not recur, should have been lost through the ignorance of those who, having the power, had not a knowledge of the modern requirements for the welfare of the insane. It is painful to think that Bethlehem Hospital should still remain a cause of reproach to England throughout Europe; that foreign physicians who visit this country for the purpose of studying the mode of treating the insane, and who inspect Bethlehem Hospital, attracted by its well known name, should return home with the belief that the English system, so widely renowned, is an imposture. They easily learn the defects of Bethlehem, but many of them do not learn how universally it is condemned.

In the course of the discussion as to the advantage of removing the hospital into the country, there was certainly one good reason urged for keeping it on its present site—this was, that it was conveniently situated as a school for the clinical study of insanity. Indeed, such study was provided for in the rules which ordained that the resident physician should admit as pupils medical students, that he should give during each term a course of lectures, to be illustrated by cases, and that he should also examine the several pupils, and recommend to the committee the most efficient for appointment as clinical clerks. None of these things, however, were done; not a lecture was given at the hospital, no clinical clerk was appointed, no use whatever was made of the valuable material for instruction which it contained; and it appeared, that as far as any good which it had done for science, it might as well have stood in the desert of Sahara as in St. George's-in-the-Fields.

The result of the investigations of the Charity Commissioner, Mr. Martin, and of his examinations of witnesses, was a series of recommendations for the better government of the hospital, and for the better use of its vast revenue. After making certain suggestions with regard to the management of the funds, Mr. Martin recommends that a branch establishment for patients should be provided in the country; that the outrageous rules for excluding patients who were proper objects of charity should be abolished; and that the hospital should be made available for clinical instruction. The changes thus pointed out are undoubtedly most necessary, and if honestly carried into effect cannot fail to be great improvements on the present system; but they certainly do not meet all the requirements of modern reform. The opinion of the Commissioners in Lunacy, whose special knowledge and large experience of what is required for the insane are great, must carry more weight than that of a Charity Commissioner, who cannot be



expected to be familiar with the principles of the modern scientific treatment of insanity. Mr. Martin seems, indeed, to have failed to perceive the essence of the matter in dispute between the public and the obstructive governors of Bethlehem; it was not a question of affording a few selected cases of insanity a pleasant change in a country house, but it was a question of certain essential requisites, according to modern opinion, for the proper medical treatment of insanity. To provide a branch establishment in town for the temporary reception of patients, while the hospital itself was removed into the country, would better fulfill the demands of humane and scientific treatment. Suitable employment in farm and garden, and sufficient space for outdoor exercise, where the unfortunate patients may not be objects of the gaping curiosity and the vulgar ridicule of the idle and the impertinent—these are essentials to a modern hospital for the insane. Whether such means exist or not constitutes in such case the difference between a hospital and a house of detention. Undoubtedly a branch establishment in the country would be a priceless boon to some of the poor patients confined in the present prisonlike building; but it is easy to see that the cost would be out of all proportion to the benefit conferred, and that it would simply become another means of squandering the funds. The only reform worth entering upon is the complete reform pointed out and insisted on by the Commissioners in Lunacy, advocated by scientific opinion, and adopted in other countries—the removal of the hospital to a country site, and its reconstruction and reorganization in accordance with the most approved modern principles. Then only will it rightly fulfill the important aims of its foundation as these declare themselves in the light of modern progress.

It is no wonder that the weight of obloquy which pressed upon the administration of Bethlehem Hospital was too great to be borne in silence, and that an attempt was made in the annual report for 1864 to show how successful it had been in curing the insane, and how little deserved, therefore, were the attacks made on the site, building, and management. In that report the "attention of the governors and all those interested in obtaining accurate information on the important question of the cure of the insane, is earnestly requested" to certain so-called statistics, which had been compiled by some volunteer defender of the hospital, and eagerly accepted by the authorities. From a comparison of the admissions into Bethlehem, and those into forty-four public asylums, it is made out that the cures in the former were actually



13.16 per cent. higher than the average per centage of other public asylums—that, while only 38.86 per cent. of the patients admitted were cured in these, as many as 52.02 per cent. were cured in the much abused hospital. But that is not all; while there is an average of 13.54 per cent. of deaths in the public asylums, there is only 5.05 per cent. in Bethlehem, or, in fact, 8.49 per cent. in favor of the hospital. With a trusting confidence, sublime in its simplicity but terribly misplaced in its object, it is contended that “these facts distinctly show that the situation of Bethlehem Hospital cannot be unhealthy, and that its natural advantages are very great.” The surprising part of the matter is, that any one so entirely ignorant of the simplest elements of statistical science as the author of those figures is proved by them to have been, should have ventured to put forward results so extravagant; but it is more surprising still that any body of men should have covered themselves with ridicule by thoughtlessly accepting them. Such marvelous results might well have startled the most ignorant or the most credulous. A mortality of 13.5 per cent. is a mortality of 135 in the 1000, while the supposed Bethlehem mortality of 5.02 per cent. is a mortality of 50 in the 1000; so that the outrageous claim made for the hospital, as against other public asylums, is that it positively saves 85 lives in 1000. The mortality of the British army on the deadly Gold Coast is, as Dr. Robertson, the successful defender of the public asylums, has aptly observed, only 37 in the 1000 more than in England; and yet, deadly as the service on the Gold Coast is deemed, yet deadlier in their influences on the recently insane, in the ratio of 85 to 37, stand the asylums of the home counties as compared with Bethlehem.\* Such figures cannot be treated seriously; they have been arrived at simply by ignoring every principle of statistical science as relating to the comparative death rate of any given population or disease. The death rate has moreover been calculated on the admissions instead of, as is always rightly done, on the number resident. So again with regard to the recoveries. No notice whatever is taken of the several important circumstances in the character of the cases admitted, which, independently of place or method of treatment, materially influence the results. For example, there is no consideration given to the important question of age, although it is established that, under the age of twenty-five, as many as three-

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\* On a recent attempt at the Comparative Statistics of Bethlehem Hospital and the English County Asylums. By C. L. Robertson, M. D.—*Journal of Mental Science*, October, 1865.



fifths of the insane recover, while, after sixty, scarce more than one in six recovers. And yet the very erroneous table given in the Bethlehem report shows that as many as ten public asylums, receiving all sorts and conditions of cases, attained a higher percentage of cures than Bethlehem Hospital. The "Eighteenth Report of the Commissioners of Lunacy," which gives the correct statistics of different asylums, shows that the proportion of cures in Bethlehem, notwithstanding the careful selection of cases for admission, is exceeded by other public asylums; and that its mean annual mortality, notwithstanding its systematic rejection of every case that seemed likely to die, and every case that seemed not likely to get well, was 57 in the 1000, while at the Warneford Asylum, Oxford, the annual mortality was 21 only in the 1000, at Coton Hill, 52, and at the Retreat, 52. As far as any argument in such case can be founded on figures, it assuredly strengthens the general condemnation of the site, structure, and management of the hospital.

Does not the history of Bethlehem Hospital reveal only too plainly how vast are the difficulties in the way of practical reform, even when its principles are universally accepted? Ever as the course of progress takes a different direction, and as new questions arise, does the old spirit reassert itself, and as it resisted advance in the past, so again resists the impulses of present progress. Were it not that nature has happily put a period to human life, it may be doubted whether any great reform would ever be accomplished. But as the old men, imbued with the spirit of bygone thought, drop away, younger men, inspired with the spirit of progress, take up the work and carry it on until they, in their turn, become old and petrify in cold obstruction. In some of the large London hospitals, it has recently been found necessary to enact that the officers should retire after reaching a certain age, so much had these noble charities suffered by the tenacious clinging to office of those whom age had rendered incapable of fulfilling their duties. Had this excellent rule been always in force at Bethlehem, how much obloquy would it have escaped—how much cruel suffering might have been spared to numbers of unfortunate patients—how great a reproach might have been spared to England! Had the rule been in force even during the last few years, it cannot be doubted that some response would have been made to the humane and scientific views of the age, that something would have been done to make this wealthy charity meet the pressing claims for the benefits which it was so well capable of supplying. To point



out what these needs are is to pass the severest condemnation on the administration of the hospital, and to present the most conclusive evidence of its inefficiency.

A special and most urgent want at the present time, repeatedly and earnestly insisted on by the Commissioners in Lunacy, individually and collectively, and by every one whose experience has made known to him the great necessity, is that of suitable asylum accommodation for the poorer members of the middle-class—those who are poor, but not poor enough to be paupers. For such persons, as Lord Shaftesbury truly says, “nothing worthy of the name of treatment or accommodation can now be obtained, except at a cost which is ruinous to clerks, tradespeople, and hard laborers in various professions. The misery that follows affliction of this kind in families such as I have mentioned is indescribable.” What is to become of the father of the family, and of the family dependent for support upon his daily exertions, when he is struck down with insanity—the most expensive of diseases? At the same moment he becomes a terrible expense, and the means of livelihood cease. Or, what shall he, with an income on which he can just contrive to maintain his family, do when his wife or one of his children is so miserably afflicted? As a matter of fact, the suffering caused by insanity amongst the lower middle-class is beyond description. Repeated attempts have been made to furnish asylum accommodation suitable to their means, and with partial success. There are eleven middle-class public asylums in England, receiving between 500 and 600 patients; but they are mostly situated in the northern and middle counties, and are not sufficient for the demands made on them there—for the southern and home counties there is no similar provision at all. In Scotland there is excellent provision of the kind; there are seven chartered asylums, built by private benevolence, and which are now self-supporting. Now the want felt everywhere in England is, as may be supposed, most grievously felt in the metropolis, where the high pressure of active competition leads to frequent mental failures, where so many persons are day by day entirely dependent on the work they do, where health is capital, where not to go forward in the race is to go back. For the insane poor there is everywhere the most ample and satisfactory provision made in the different county and borough asylums; but these admirable institutions cannot admit any but paupers. The true mission of Bethlehem Hospital is therefore plainly marked out—to supply the asylum accommodation so pressingly needed for the lower middle-classes. With its magnificent income of more



than £22,000 a year rightly applied and faithfully managed, it has funds enough to provide for at least 400 insane persons, without making any charge whatever for maintenance. But it is not necessary, nor is it perhaps well, that it should receive all patients entirely charitably; those who could afford to pay for their maintenance might pay a moderate sum, and those who could only afford to pay a little towards their maintenance, might pay that little. Thus would the revenues of the hospital be considerably increased, and its capacity of doing good be largely extended; instead of receiving only 200 patients, there might be accommodation provided for 600 insane persons. Thus would one of the most urgent wants of the day be met, and thus would the hospital best fulfill the charitable aim of its foundation.

Another want sorely felt in the metropolis is the opportunity of clinical instruction in mental diseases for medical students. With the exception of Dr. Conolly's lectures, delivered at the Hanwell Asylum thirteen years ago, when he was physician, there never has been available means of gaining a knowledge of this most important branch of medical practice; year after year men enter on practice, never perhaps having seen a single case of insanity. And yet they not only have to treat this most serious disease as they have to treat other diseases, and to treat it at that early stage when there is always the best and sometimes the only chance of success, but they are called upon in courts of justice to give evidence with regard to it that may affect both property and life. On them, again, is imposed by law the duty of signing certificates of unsoundness of mind, under which an insane person is deprived of his liberty. Considering the serious and sacred interests involved in a medical opinion respecting insanity, and the grave responsibility incurred by the medical man, it is plainly most desirable that mental diseases should receive particular attention, and be a necessary branch of medical education, instead of being entirely neglected, as they are at present. But it is only within the last year that the Senate of the University of London, recognizing the importance of a knowledge of mental diseases, and willing to insist on such knowledge from the candidates for degrees, has been compelled to refrain from issuing any compulsory regulations to secure that most desirable result, solely because of the absence of means and opportunity of instruction; it was impossible to enforce on the student a knowledge which it was impossible for him to get. How much the public interests and the medical profession have suffered by the long neglect of the study



of insanity may easily be imagined by any one who calls to mind the great scandals that have occurred in regard to cases of insanity, and reflects on the outrageous character of the evidence frequently given in courts of justice. Whether an insane person who has committed murder is hanged as a criminal, or confined as a lunatic, is notoriously very much a matter of accident; and it is beyond question that persons really sane are sometimes acquitted as insane, while others really insane are executed. And what else can happen so long as men are called upon to give scientific evidence respecting a most obscure disease which they have never had any opportunity of studying, and perhaps, as may happen, of which they have never seen an example? By affording clinical instruction in mental diseases at Bethlehem Hospital, by instituting a course of lectures, and by making the hospital, like other metropolitan hospitals, a school for the scientific study of disease, the governors would not only supply a grievously felt want, but they would greatly advance the interests of medical science, and confer much real benefit on the public. But if they should persist in ignoring those claims and duties arising out of the interests entrusted to them; if they refuse to give the needy insane the full benefit of the vast revenues of which they have the charge; if they persevere in closing the doors of the hospital in the face of the afflicted rightly demanding its charitable help, and in the face of those who may justly claim the opportunity of clinical study which it is so well fitted to supply; then the importance of the subject is so great, and the public interests concerned so grave, that it may be hoped, and confidently expected, that parliamentary interposition will take place, and secure for the future the just application of the funds and the good government of the hospital. It is impossible that a lunatic hospital so strongly condemned by those who are the official guardians of the insane, and by public and scientific opinion, can be allowed to continue to be, as it has unhappily hitherto for the most part been, an ever recurring scandal and disgrace. It is impossible that those entrusted with the administration of a wealthy public charity can be allowed for ever to deprive the public of the full benefit of its magnificent income, and to frustrate the aim of its foundation. If the many excellent and benevolent men whose names are found in the list of governors would but cease to be only nominal governors, and begin to take a real earnest interest in the government of the hospital, then assuredly would enlightened views prevail, and a reform, proceeding from within, obviate the necessity of a public interference otherwise inevitable.



Painful as it is to find any institution for the insane falling short of the humane and scientific requirements of the age, and calling for public censure, there is yet one point of view from which the fact may be regarded with some gratification. When we call to mind what was the treatment of the insane at the beginning of this century, and reflect on what it is in which Bethlehem now falls short of modern requirements, we are enabled to realize vividly the great reform which has been accomplished. And there is the best hope of the endurance of the new system, because it is not a practical improvement dictated only by the transitory impulses of benevolence, but it has been deliberately organized in accordance with scientific theory of the nature of insanity, and approved by successful trial. Science and practice have gone hand-in-hand, and have furthered one another's progress. Herein lies the vast difference between the modern theory and treatment of insanity, and the theory and practice which have prevailed at any other time. The disordered mind is distinctly recognized as the functional manifestation of a diseased organ; and though very little is known of the actual morbid conditions in the organ, yet the investigations of the microscopist are steadily revealing the evidences of disease where a little time since none were recognizable, and those who have given the greatest attention to the subject are those who are most surely convinced of the invariable existence of organic change. Where the subtlety of nature so much exceeds the subtlety of the means of investigation, it causes no surprise and no disappointment that the senses, with their present aids, cannot yet penetrate the most secret recesses of her complex operations. But to conclude from the non-appearance of morbid change in some cases of insanity to the non-existence thereof, as was at one time done, would be the same as if the blind man were to maintain that there are no colors, or the deaf man that there are no sounds.

In conclusion, it is interesting to observe how gradually, but surely, the scientific theory of insanity is influencing modern psychology. As pathological phenomena often afford valuable aid in the determination of physiological problems, so the manifestations of the mind disordered are frequently alterations in the conditions of a psychological problem such as cannot be produced artificially; experiments, in fact, made by nature, but which are most instructive and helpful in the formation of an inductive science of mind. And so it is happily coming to pass that madness, once the subject of foolish superstition, and afterwards the prey of ignorant and brutal keepers of asylums, is now becoming the study and care of

scientific physicians, and is taking its due place in the appropriate system of scientific development. Those who think it no shame to make a foolish sneer at medicine, because it is not an exact science, and because it cannot cure the Cattle Plague, and who venture to depreciate what it has done for mankind, would do well to reflect upon what it has done for the insane, and to remember that it is to the medical profession, little aided from without, that the great reform in the treatment of the insane is due. It can admit of no doubt that, when questions now occupying a large space in public attention have long been entirely forgotten, this reform will be remembered as one of the chief glories of this century.

Dr. John Conolly has now gone where praise can neither reach, nor censure touch him more; but though he has passed away, the great work which he accomplished remains a noble monument of his life, and cannot but abide in the memories of men as long as humane feeling and benevolent aspirations live in their hearts.



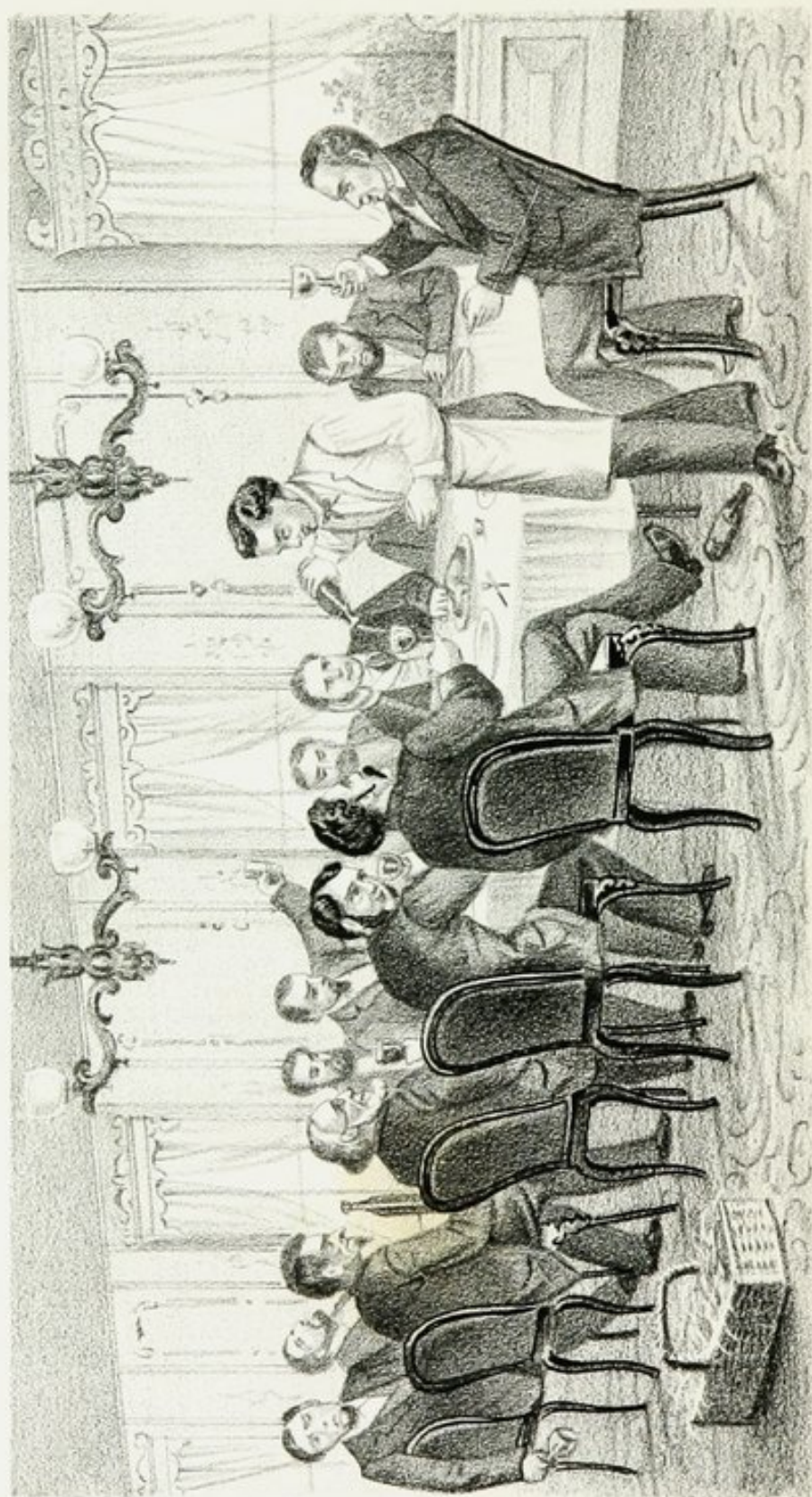
## A PEEP INTO THE BLOCKLEY ALMSHOUSE.

I proposed to take a seat in the four-horse omnibus with the Grand Jurors to visit the Blockley Almshouse in August, 1869; one of them, an old friend of mine, said come along, there are vacant seats for half a dozen. After we were all seated the coachman proceeded towards Market Street Bridge; on crossing over it some of the Grand Jurors were surprised on being told the bridge south of the one we were crossing was the Chestnut Street Bridge. I make this statement to show the kind of persons Grand Juries are composed of; how little they are acquainted with the city and its institutions. After we arrived at the Almshouse we entered the Buzzards' Banqueting Room; we there met a genteel person to whom the foreman made known our business; at first he was surprised at not being notified. We told him our visit was not to look at the banquet room or parlor, and the rooms used by the Physicians, but to visit the inmates; we were then conducted to the department of small children; there the matron was taken by surprise; she made an apology for not having her department in better condition. She is a fine, stout, healthy looking woman, quite lady-like. She had her young family put to rights in a few minutes, and then asked us if we would like to hear them sing; the singing was commenced by the oldest boys, and they kept very good time. Then we were shown another apartment where lay, stretched out on the carpet, thirty or forty infants asleep; it was quite an interesting sight, they all looked clean and comfortable; we then visited their large bedroom where they all slept, everything had the appearance of cleanliness, their beds were in good order and the floor nice and clean. We left this department well satisfied with its management. The next department we entered was the room occupied with about forty sick old women; the stench was so dreadful on entering that we were obliged to leave in a short time. The room is too small for so large a number of sick at one time. A reform is much needed in this department. In another room there were about fifty women, each with an infant in arms. The matron informed us that there were about one hundred and fifty infants in the building.

We were next taken to the male department. Here we found the same state of things—crowded, but not quite so clean. After leaving that wing of the building, we followed our guide into the large yard, where we found several hundred male persons sitting







*The Banquet at Buzzard's Retreat, Blockley Almshouse, West Philad.<sup>a</sup>, with Councils and Grand Jurors, from 1845 to 1870.*  
*E. Haskell.*



about—some on the ground, and others on benches. I remarked to our guide that many of them looked hearty and strong enough to work. He replied that one-fourth of the inmates of the Alms-house (not including the insane) were able to work if there was any thing for them to do. He said if we had a large farm out of town, those who were well and able to work could support themselves, and help support the rest—that one-fourth the expense of maintaining the poor of Philadelphia could be saved if the authorities would interest themselves in the matter. We then followed our guide to the insane department for males. Here they are so closely huddled together that it was with difficulty we made our way through. I told the guide that I was well acquainted with the workings of all the mad-houses and prisons, and that I had accompanied the Grand Jury to get them to visit the lower dungeons and cells, and wished him to conduct us there. He told us to follow him; he led us through the ward to the far end, which is seldom visited. We saw one poor fellow here who had been chained by the wrists over four years. The guide told us he had been kept chained up in a dungeon upwards of three years. In this ward there are, on one side of the corridor, some ten or fifteen dungeons. The patients in this ward are so crowded that it is impossible for them to lay down on the stone floor. Many of them have their hands strapped to their bodies day and night, to keep them from tearing each other to pieces.

There is great need of classification with the insane—not more than twenty or thirty, at most, should be kept in a ward together. As it is, some four or five hundred have to be crowded into so small a space that it must necessarily be unhealthy and very uncomfortable.

Our guide next conducted us to the female department for the insane. If possible, they are more closely packed than the males. There were six or seven hundred of them together. It was meal time when we were there. Such pulling and hauling—it would seem impossible to keep any sort of order among them. One of the Grand Jurors asked the keeper if they did not fight and quarrel with each other when they were crowded so much together as they are. He replied that fighting was no name for it—but it could not be helped. They needed more room. If classified they would be much more comfortable. As it now is there is no distinction. The dungeons in this department are in a horrible condition. No one can have an idea of their state without visiting them. It is a disgrace to the city.



These poor creatures are kept down by the cruelties practiced upon them by the attendants. The managers and physicians rarely, if ever, visit them. All they know of them is the number received into the Almshouse at one end, and the number of deaths at the other. When I was placed there (so my son said) by my brother-in-law, James H. Horn, on May 24th, 1866, no physician could be found in the building. The attendant told me the doctor was not often in that part of the building; if I wished to see him I would have to go to his office. After winding and turning one way and another, through different rooms, I found the doctor's office, and no Dr. S. W. Butler to be seen. His clerk told me that he (Dr. Butler) went to the city on some business of his own; that he was seldom there after 9 o'clock in the morning until about tea time in the evening. I made several attempts to catch him at one of the hours stated, but did not succeed during the time of my imprisonment there.

The judges of the courts have called the attention of the Grand Jury time and again to the wretched condition of those poor creatures, without any proper action being had. Our City Fathers are not the kind of men to transact the city affairs. A change in the mode of nominating candidates is much needed. All the primary meetings of both parties are held at some low groggery, by the roughs of the city, and no decent man will consent to mix with them. It is the acorn that makes the stately oak. If you want good government, you must start right.

I have pictured the wrong, and now I will offer a few hints as a remedy. If a ship arrives in this port with disease on board, (the small pox or cholera,) the first step taken is to order her into quarantine limits; the next, to separate and remove the diseased persons as soon as possible; then commences the check to the disease, and nature steps in with her kind hand, and is always ready to perform her part when not thrust out of doors. As this is the case with a ship's cargo of human beings, why cannot the same rule be applied to almshouses, mad-houses and prisons, with equal success? Our aldermen should be abolished entirely, and a police magistracy adopted in their stead. The Legislature should take this matter in hand. The aldermen encourage trivial suits for their own gain entirely—the more suits the more dollars. A police magistrate would have no object in encouraging neighbors to quarrel about sweeping out a gutter, or a boy seven years old picking up four pennies, to make out a case for a fee, and then have them committed to the County Jail at the taxpayers' expense. This



practice has become alarming to everybody. In the County Prison report of January 1, 1869, the number of commitments by the aldermen is given at 36,333; the Grand Jury found 2992 true bills, and out of that number only 550 were guilty. You can see where the shoe pinches. By breaking up this disgraceful practice of the aldermen, and establishing police magistrates, at a stated salary, as the judges of our courts, the saving to the taxpayers through the County Prison and Court of Quarter Sessions alone, would be at least one-half. A change is hoped for. The mill grinds slow, but sure.

Our Legislature has taken upon itself to make laws for the city in many cases, such as consolidating the city and county, chartering railroads, for the Girard Trust, and elections. It should keep on, and make a law that no person should receive a license for a grogshop unless he has accommodation for man and beast.

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“Man’s inhumanity to man makes countless thousands mourn.”—*Cowper*.

“Man’s ingratitude to man always was, and will continue to the end of time.”—*Ebenezer Haskell*.



*In the Supreme Court for the Eastern Dis-  
trict of Pennsylvania,*

JANUARY TERM, 1869. No. 386.

EBENEZER HASKELL	}	Sums Case. Ret. 1st Monday Mar., 1869. Exit. Feb. 27, 1869.  "Served."
<i>vs.</i>		
T. S. KIRKBRIDE, M. D.,		
S. PRESTON JONES, M. D.,		
WILLIAM C HARBISON, M. D.,		
JOHN BUCK, M. D.,		
S. W. BUTLER, M. D.		

CITY AND COUNTY OF PHILADELPHIA:

T. S. Kirkbride, M. D., S. Preston Jones, M. D., William C. Harbison, M. D., John Buck, M. D., and S. W. Butler, M. D., all late of the City and County aforesaid, defendants, were summoned to answer Ebenezer Haskell, the plaintiff, of a plea of trespass on the case, &c., and thereupon the said plaintiff, by H. R. Warriner, his attorney, complains for that, whereas the said defendants, to wit, on the seventeenth day of June, A. D., one thousand eight hundred and sixty-eight, at Philadelphia aforesaid, in the county aforesaid, did, and each and every of them did conspire, combine, confederate and agree, falsely, wickedly, maliciously and corruptly to wrong, injure, harass and worry and utterly ruin the plaintiff, and in furtherance of said designs as aforesaid by him falsely, wickedly, maliciously and corruptly enticed into by said conspiracy, combination, confederation and agreement of said defendants, and each and every one of them, did arrest him, the said plaintiff, or cause him to be arrested, and wrongfully, forcibly and unjustly conveyed to an Asylum, known by the name of Pennsylvania Hospital for the Insane, by which the said plaintiff was then and there wrongfully, wickedly, maliciously and corruptly deprived of his personal liberty, to which he says he was justly entitled.

And whereas the said plaintiff having been so imprisoned wrongfully, wickedly, maliciously and corruptly by said defendants, in pursuance of their said false, wicked, malicious and corrupt conspiracy, combination, confederation and agreement, finally obtained his liberty by escaping from the custody, imprisonment and duration vile of the said defendants as aforesaid.



Yet the said defendants were so bent and determined upon the ruin, harassing and wholly ruining said plaintiff, that they and each of them on four other and several subsequent times and occasions in carrying out their said false, wicked, malicious and corrupt conspiracy, combination, confederation and agreement on the said four several and subsequent occasions as aforesaid, caused said plaintiff to be arrested and taken to the said Asylum or Hospital aforesaid, when and where he was for a long time deprived of his personal liberty, his rights as a citizen violated, his health broken down, his credit and standing as a man of business wholly broken up, and he deprived of the means of helping himself or others who might have claims upon him, whether marital, parental, social, political or otherwise, and these wrongs were so continued extending over a term or space of three (3) years and more. And other wrongs to the said plaintiff then and there did to his great damage, and contrary to the peace and dignity of the Commonwealth of Pennsylvania.

By all which plaintiff avers that he is very much injured, and has sustained damage to the amount of fifty thousand dollars, (\$50,000,) and therefore he brings his suit.

H. R. WARRINER, *Attorney for E. Haskell.*

EBENEZER HASKELL  
*vs.*  
 JOHN BIRKEY,  
 JAMES HENRY HORN,  
 HENRY HAINES.

District Court,  
 September Term, 1866,  
 No. 620.  
 "Served."

CITY AND COUNTY OF PHILADELPHIA, ss:

John Birkey, James Henry Horn, and Henry Haines, late of the City and County of Philadelphia, were summoned to answer Ebenezer Haskell, the plaintiff, of a plea of trespass on the case, &c., and thereupon the said plaintiff, by H. R. Warriner, his attorney, complains for that whereas the said defendants heretofore, to wit, on the 24th day of May, A. D. one thousand eight hundred and sixty-six, to wit, at Philadelphia aforesaid, in the County aforesaid, did, and each and every of them did conspire, combine, confederate and agree falsely, wickedly, maliciously and corruptly to wrong, injure, harass and worry and utterly ruin the plaintiff, and in furtherance of said design so as aforesaid by them falsely, wickedly, maliciously and corruptly entered into by said conspiracy, combination, confederation and agreement of said defendants, and each and every of them did arrest him, the said plaintiff,



or cause him to be arrested and wrongfully, forcibly and unjustly conveyed to the insane department of the Philadelphia Almshouse and there to be wrongfully, wickedly, and unjustly deprived of his personal liberty, to which he was and is justly entitled, for a long space, to wit, for the space of two days and upwards, and to be from therein conveyed to the Asylum for the Insane, known as the Pennsylvania Hospital for the Insane, and to be there wickedly, unjustly, maliciously and corruptly confined, restrained and deprived of his personal liberty for a long space of time, to wit, for the space of eighteen days and upwards, and whereas also the said defendants, and each of them, in pursuance of their false, wicked, malicious and corrupt combination and confederation and agreement, as aforesaid, did afterwards, to wit, on or about the 25th day of September, A. D. 1866, to wit, at the County aforesaid, arrest him, the said plaintiff, or cause him to be arrested, and wrongfully, forcibly, unjustly, maliciously and corruptly confined in the Pennsylvania Hospital for the Insane for a long space of time, to wit, for the space of fifty-five days and upwards, from which custody and durance vile so unjustly and unlawfully imposed upon him, the said plaintiff, by the said defendants, in pursuance of the said unlawful conspiracy, combination and agreement, he obtained his liberty by an escape.

Yet the said defendants were so bent and determined upon the injury, harassment, impoverishment, oppression and ruin of the said plaintiff, that they, and each of them, on three several subsequent occasions, in furtherance of their said false, wicked, malicious and corrupt conspiracy, combination, confederation and agreement, caused the said plaintiff to be arrested and taken to the said Pennsylvania Hospital for the Insane, when and where he, the said plaintiff, was for a long time deprived of his personal liberty, his rights as a citizen violated, his health broken and injured, his credit and standing as a citizen and a man of business greatly injured, and he himself deprived of all means to render aid and assistance to himself or others having claims upon him of a marital, social and parental nature, and these wrongs were so continued, extending over a space of three years and more, and other and grievous wrongs to the said plaintiff, then and there to his great damage, and contrary to the peace and dignity of the Commonwealth of Pennsylvania.

By all which plaintiff avers that he is much injured, and has sustained damages to the amount of fifty thousand dollars, and therefore he brings his suit.

H. R. WARRINER, *Attorney for E. Haskell.*



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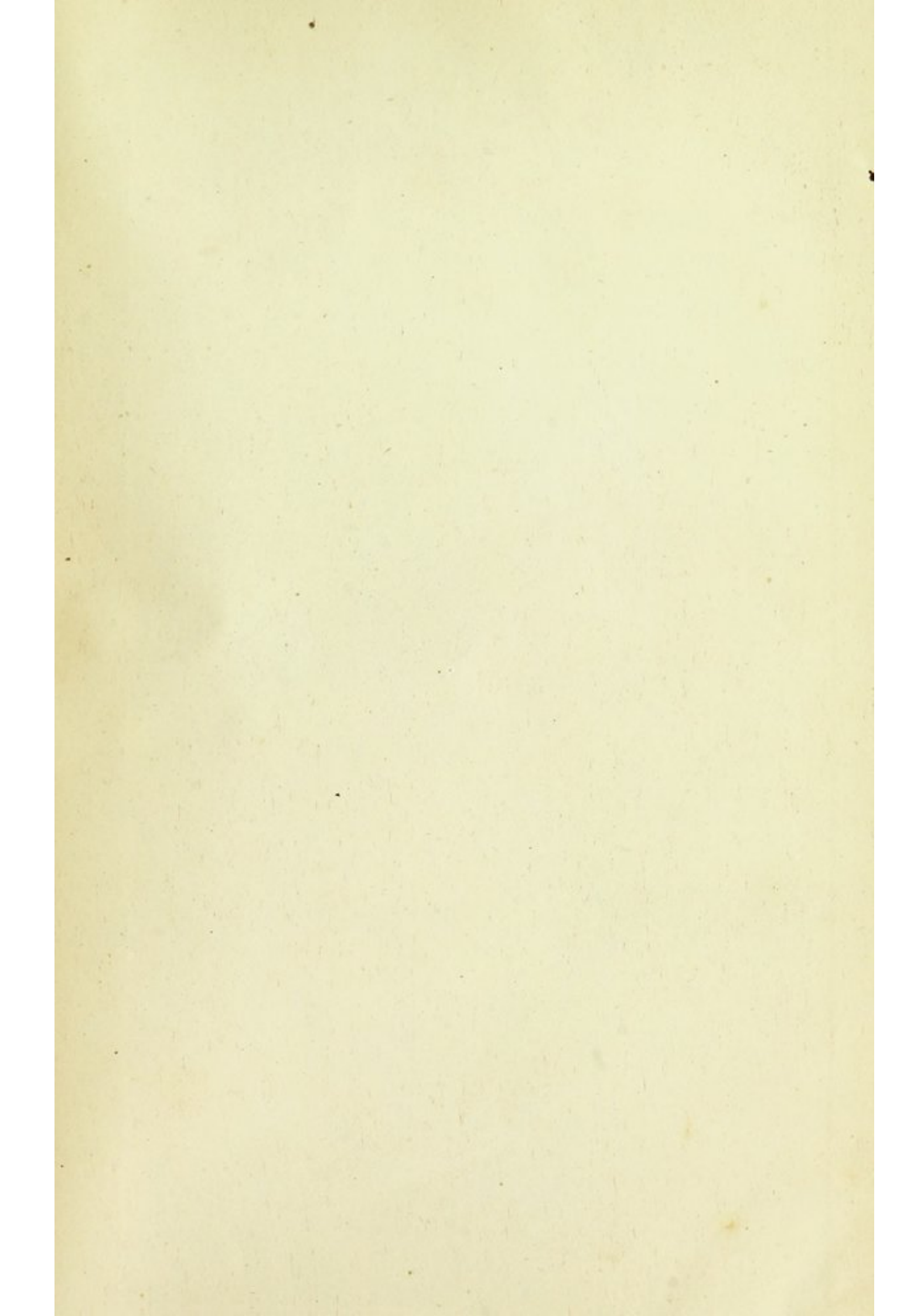
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**THREE YEARS IMPRISONMENT**  
**IN A**  
**MADHOUSE IN WEST PHILADELPHIA,**  
**AND THE**  
**History of Old Bedlam,**  
**LONDON.**