

# **Observations on the general treatment of lunatics as a branch of medical police.**

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DUNCAN, Andrew

Observations on the general  
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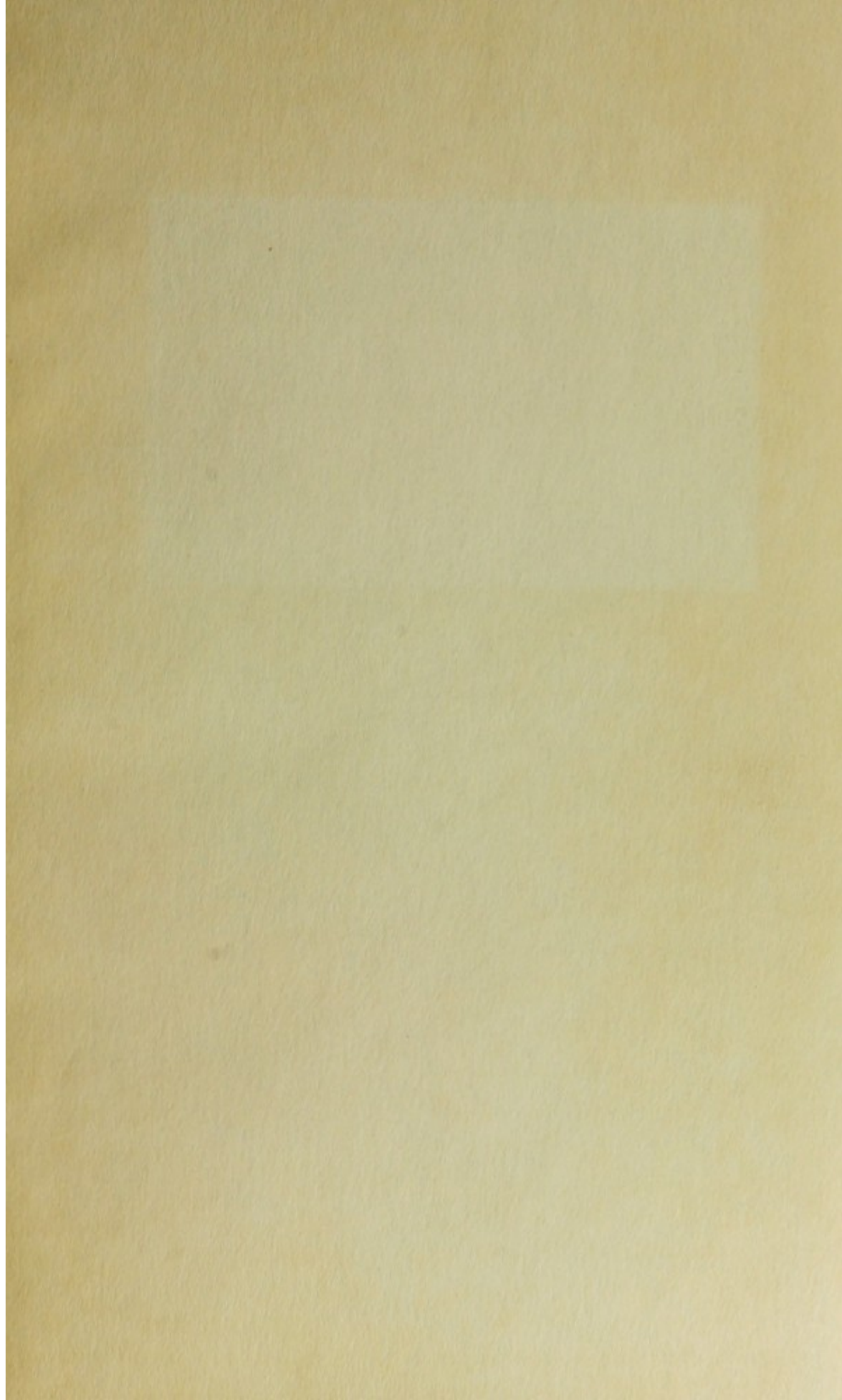


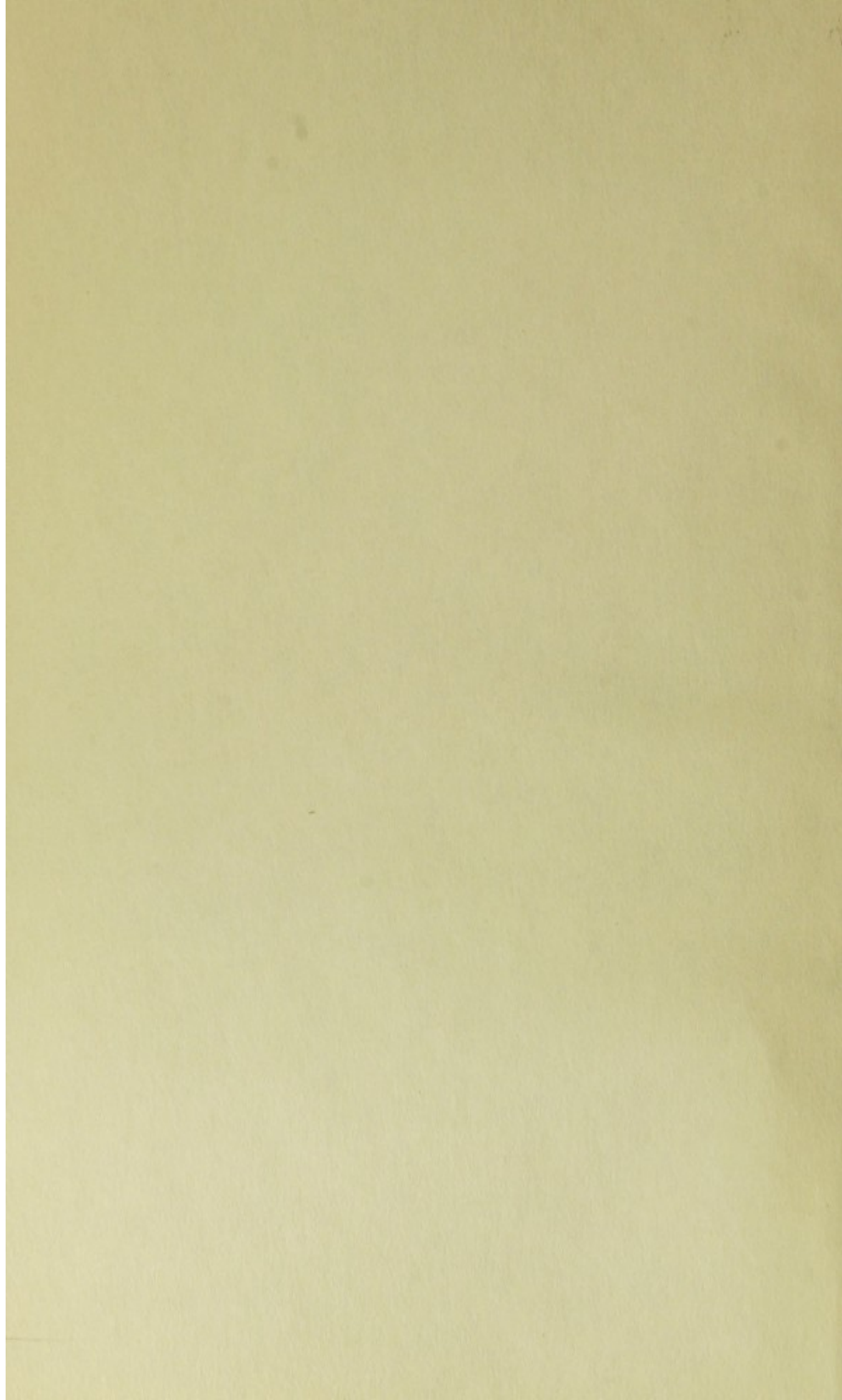


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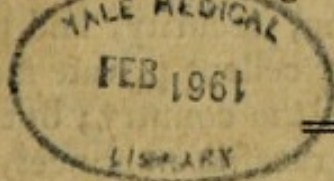
CLEMENTS C. FRY, M. D.

OBSERVATIONS  
ON  
THE GENERAL TREATMENT  
OF  
LUNATICS,  
AS  
A BRANCH  
OF  
Medical Police.

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*From the Edinburgh Medical and Surgical Journal.*



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LUNATICS are incapable of managing their own affairs, and are, with justice, considered as not responsible for their actions. On both accounts, their general superintendence devolves upon the state as a duty. These unhappy people stand in need of its protection, to defend their rights against the encroachments of others; while the public, on the other hand, is entitled to expect, that



that every precaution should be taken to prevent them from injuring others.

But, although the ultimate responsibility, in whatever concerns lunatics, devolves upon the state, it is by no means necessary, that it should take upon itself their immediate management. This very troublesome office may be entrusted, either to the relations of these unfortunate people, to the keepers of private mad-houses, or to the managers of public institutions. All of these must, however, be considered as responsible for their conduct to the state, and ought to be subjected to strict and judicious regulations, to prevent them from neglecting or abusing the trust thus confided in them.

The treatment of lunatics has three principal objects in view ; their comfort, their recovery, and the security of the public. Every arrangement to attain these, may certainly be made by individuals who undertake the management of a deranged relation ; and, under their protection, the patient might be expected to enjoy every assistance and comfort, of which his situation admits. But it is almost impossible for the state to superintend the treatment of lunatics who are kept at home, so widely must they be dispersed over the country ; and among the higher classes of society, indulgence, inexperience, or neglect, may endanger the safety, or diminish the comforts of their neighbours, while unprincipled relations may, under the pretence of insanity, deprive of liberty, and of all means of redress, an individual, whose free exercise of his natural rights impedes the gratification of their ambition or avarice. The lower classes have not these motives for unnatural cruelty ; but, from the want of proper accommodation, a lunatic cannot be kept at home, with comfort to himself or to his relations, or with safety to the public. Upon the whole, the domestic treatment of insanity is liable to many and strong objections.

Private establishments for the reception of lunatics, especially when they are under the immediate management of a humane and intelligent medical practitioner, may fulfil all that can be reasonably expected, in regard to accommodation, security, and treatment, both medical and moral. In reality, excellent private mad-houses are to be met with, in various parts of the country ; but it cannot be denied that some of them are disgraceful nuisances, and that they are liable to the greatest abuses. From improper construction, being almost never built on purpose, they are deficient in accommodation for the patients, and insufficient for public security. Instances of lunatics escaping from private mad-houses do not unfrequently occur ; while, on the other hand, unnecessary, or hurtful personal coercion must often be employed, to make up for the defects of the building.



Few speculations can be more unpleasant than that of a private mad-house ; and it is seldom, if ever, undertaken, unless with the hope of receiving large returns on the capital advanced. It is undoubtedly the real interest of their proprietors, to establish a reputation for kind and successful treatment ; but with those who prefer immediate profit, the temptation of keeping their house full, perhaps too full, may lead to the worst abuses. Where, indeed, the relations of the patients are kind and vigilant, even when the selection of the person to whose care they are entrusted is injudicious, there will always be such a check upon his conduct, as will prevent any very great abuse from taking place.

But the strongest argument against the toleration of private mad-houses, is the great facility which they afford for unjust confinement, at the instance of unnatural and mercenary relations. From the very nature of a mad-house, it is a place of constraint and concealment. Chains, darkness, and anodynes, are a part of its apparatus. Within its walls it contains no uninterested competent witness of the transactions which may occur. From its inhabitants, expressions of indignation at illegal confinement, and appeals to humanity and protection, are, in general justly enough, disregarded, as the ravings or artifices of insanity. "*Neque credendum est,*" says Celsus, "*si vinctus aliquis, dum levare vinculis cupit, sanum jam se fingat, quamvis prudenter et miserabiliter loquatur quoniam is dolus insanientis est.*" What a dreadful situation for persons decoyed, or carried off, by force, into such a place ! How are they to make their grievances known ? Those who ought to protect, oppress them. Those, who alone are entitled to investigate, give a false report of their situation. They are carefully deprived of all communication with their real friends. Accidental visitors avoid them, or hear their complaints with incredulous pity. It is, indeed, scarcely possible to visit a mad-house, without being supplicated in terms so moving, or appealed to with indignation so natural, that, in any other situation, they would claim attention, and have the desired effect. From these considerations, we should almost be led to suppose, that confinement in a mad-house was to be regarded as a sufficient proof of insanity ; and, that they were only kept by men above the reach of corruption, and worthy of unlimited confidence.

In this part of the United Kingdom, I believe, any person, however notorious or suspected his character may be, is permitted to keep what is called a private mad-house. He is not obliged, by law, to observe any regulations, with regard to the admission of those sent to him ; he is not required to report the names or condition of those confined ; and he is subjected to no regular



lar and stated visitations of commissioners, capable of investigating his conduct. What security, then, has the public against the enormities which may be committed, by means of such institutions? As they are at present constituted, liberty, even life itself, may be sacrificed with impunity, to cruelty and avarice.

Lunacy, I believe, is not less frequent in proportion here than in England, nor are the laws regarding it more perfect than they were there, before the passing of the act. The keepers of private mad-houses, to take away all responsibility from themselves, generally require an order from the Sheriff, before they admit a patient; the Sheriff, for the same reason, before he grants an order, requires a certificate of lunacy, from a medical practitioner. But, in a profession which is so numerous, and so extensive, it is scarcely to be supposed, that some may not be found to grant a certificate on improper grounds, or from being imposed upon by those who ask it. A case in point occurred to myself. I was called to a woman, by her husband, who endeavoured to prepossess me with the idea that she was deranged; but, after repeated visits, I refused a certificate, as I found her imputed fits of insanity were merely paroxysms of rage arising from provocation on a temper naturally violent. Some days afterwards, while occupied about her domestic affairs, she was hurried off to a private mad-house, whether with a certificate or order, I never could learn.

The Sheriff has also the power of examining private mad-houses, at any time he may judge proper; but he is not obliged to do it; from his numerous other avocations, he is unable to do it frequently; and, in fact, seldom does it, except for some particular purpose, or in consequence of a special complaint; and even if he was willing to exercise his powers over them effectually, they may easily escape his vigilance, as they are not reported to him.

Lunatics may be treated under the public superintendence, either in institutions appropriated to that purpose, or as connected with some other object. To the treatment of lunatics in a general hospital, the injury done to the other patients, by their noise, is an insuperable objection; and hence they are no longer willingly admitted into the Infirmary of Edinburgh, although, in the original plan, apartments were allotted for them. The connection of cells for madmen with a general poor-house, a practice which was formerly very prevalent, but is now laid aside, wherever reason and humanity have been considered in the arrangements, is still more objectionable.

Work-houses are deficient, in every moral and physical means, for restoring lunatics to reason. Their servants are coarse men,  
ignorant



ignorant of the delicate and complicated management of mental derangement, and generally treat these unhappy beings with brutality, as a troublesome and oppressive appendage. At best, they form but a very secondary object of attention; and, that the other inhabitants of the work-house may be less disturbed, they are locked up in remote cells, where they are deprived of fresh air, exercise, and recreation; covered with filth, exposed to cold and damp, and kept in continual irritation, by the horror of their situation, and the incessant cries of their neighbouring sufferers. This picture, which is almost copied from Reil, is not overcharged in the colouring. The keeper of lunatics, confined in the cells of such a work-house, when asked how they could possibly endure the cold of winter in such damp exposed dungeons, gave, as a very satisfactory reply, that "madmen did not feel cold; and that, besides, in the night-time, the door, (the only aperture,) was closed, which made them quite warm and comfortable." In other words, they were suffocated in the effluvia of their own bodies, to preserve them from perishing with cold.

But public institutions, appropriated for the reception of lunatics, under proper management, are, upon the whole, liable to few objections, and possess many advantages. The building may be so constructed, as to combine perfect security to the public, with the greatest possible degree of liberty and comfort to the patient. The experience and information of their officers and servants ought to be very great. Their general superintendence is easy. The number of checks will prevent misconduct, or abuse, to any considerable degree, in any department; and, lastly, the expence to the individuals, and to the public, is the smallest possible.

But while I am inclined to give the preference, in general, to public lunatic asylums, I am neither disposed to agree with Reil, in proscribing private mad-houses altogether, nor am I insensible to the arguments in favour of the domestic treatment of insanity. Each of them may be best adapted to particular cases; and, by tolerating all of them under judicious regulations, a kind of competition will be excited, advantageous to the patients, and useful to the public.

According to the report of the Committee of the House of Commons, appointed to inquire into the state of criminal and pauper lunatics, there are several defects in the laws of England as they now exist, and it is proposed to bring a bill into Parliament to remedy these defects. But it appears to me, that, instead of bringing in a bill to amend the errors, and supply the defects of former bills, that it would be conferring a much greater public benefit, to revise and consolidate the whole laws regarding lunatics



lunatics into one act, and to extend the operation of that act to Scotland and Ireland, as well as to England.

I am aware that the difference in the poor laws in these countries will create some difficulty with regard to pauper lunatics; but the difficulty may be obviated, and pauper lunatics are, in many respects, different from other paupers, as they are not only poor, but incapable, by any exertion, even by begging, of relieving that poverty, and not only helpless, but dangerous.

The duty of securing and maintaining them may, in different countries, legally devolve on a different description of persons; but it must attach somewhere, and it is certainly as necessary to enforce the fulfilment of that duty in Scotland and in Ireland as in England.

In all enactments with regard to the general superintendence of lunatics, two objects must be always kept in view.

1. That no person be confined, or excused from performing his civil duties, or escape punishment for his crimes, on the ground of lunacy, who is not actually deranged.

2. That every insane person be confined and properly taken care of, so as, if possible, to restore him to reason.

Whatever regulations may be thought necessary to carry these views into effect, it will be necessary to appoint commissioners, with powers to enforce them. Such commissioners already exist for England; it would be necessary to appoint others for Scotland and Ireland; but as immediate and personal inspection is necessary, there should also be deputy commissioners in each county, or in each district of extensive counties.

It would be the duty of these deputy commissioners to see that no lunatic was permitted to go at large; to keep regular lists of the lunatics reported to them; to inspect occasionally and unexpectedly all lunatics within their district, whether under domestic treatment, in private mad-houses, or in public asylums; to make regular reports to, and to carry into effect the orders of, the general commissioners.

The general commissioners would have to superintend and regulate the whole; to grant no licence for keeping a mad-house, except to persons of good character, or who produce sufficient security for their good behaviour; to grant permissions for the domestic treatment of a lunatic, upon receiving sufficient security that such permission shall not be abused, or prove a nuisance to the neighbourhood; to levy fines for keeping a private mad-house without a licence; for confining a lunatic in a private house without permission; and for not reporting a lunatic within a reasonable time after his derangement; to publish annually a list of private mad-houses, and the number of lunatics they may receive at a time;

to



to deprive of their licences the keepers of private mad-houses who may prove unworthy of the trust, and to remove into a public asylum any lunatic whose friends neglect or maltreat him; to keep regular records, and to produce these records when legally required in any court of justice.

In writing these observations, my chief object is to call the attention of my professional brethren to the state of lunatics, and the laws, or rather the total deficiency of laws, regarding them, in this part of the island.

The appointment of a committee for inquiring into the state of criminal and pauper lunatics in England, is a proof that the legislature is not unwilling to devote a part of their attention to the subject; and it has appeared to several zealous friends of humanity, that this is a favourable opportunity for directing that attention to the other parts of the empire.

To render the application they are making for that purpose more effectual, they wish to obtain all the information possible on the subject; and I have been requested, through the medium of this Journal, to solicit from its readers answers to the following queries, together with any hints or observations at all connected with them.

*First,* If in the county towns, or within the counties adjacent, within the knowledge of the correspondent, there are any asylums for insane persons, public or private?

*Secondly,* The numbers such institutions can accommodate, or do contain; and what claims or yearly allowance is required for admission, and how the funds are supported and managed?

*Thirdly,* The regulations of such asylums with respect to medical treatment; attendance or inspection by medical people, magistrates, and sheriffs?

*Fourthly,* The numbers annually admitted and dismissed; pronounced incurable; or who die?

*Fifthly,* As to the regulations for diet, exercise, clothes, beds, and bedding, and the use of hot or cold baths; keepers and under attendants; and the employment of convalescents?

*Sixthly,* If in the towns or adjacent country, any insane persons are seen wandering about?

*Seventhly,* If any insane persons are confined in the county jails or work-houses, and their treatment there; if criminals, of what they are accused, and how long they have been confined?

*Eighthly,* Do you know of any objections against extending the English acts with regard to lunacy to this part of the empire?

*Ninthly,* Can you suggest any amendment to these acts, either general or peculiarly applicable to Scotland?







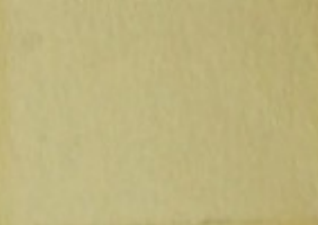














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