

The answer of the New York neurological society to the document known as the Report of the Committee on public health relative to lunatic asylums.

Contributors

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THE
ANSWER
OF THE
NEW YORK NEUROLOGICAL SOCIETY
TO THE DOCUMENT KNOWN AS THE
REPORT OF THE COMMITTEE ON PUBLIC HEALTH
RELATIVE TO LUNATIC ASYLUMS.

Nr. 64,
{ IN SENATE. }
May 22, 1879.

SUBMITTED TO THE N. Y. NEUROLOGICAL SOCIETY, AND UNANIMOUSLY ACCEPTED
AND ORDERED TO BE PRINTED BY THE SAME, AT ITS STATED MEETING,
HELD AT THE ACADEMY OF MEDICINE, ON JANUARY SIXTH,
EIGHTEEN HUNDRED AND EIGHTY.

NEW YORK:
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201-213 EAST TWELFTH STREET.
1880.

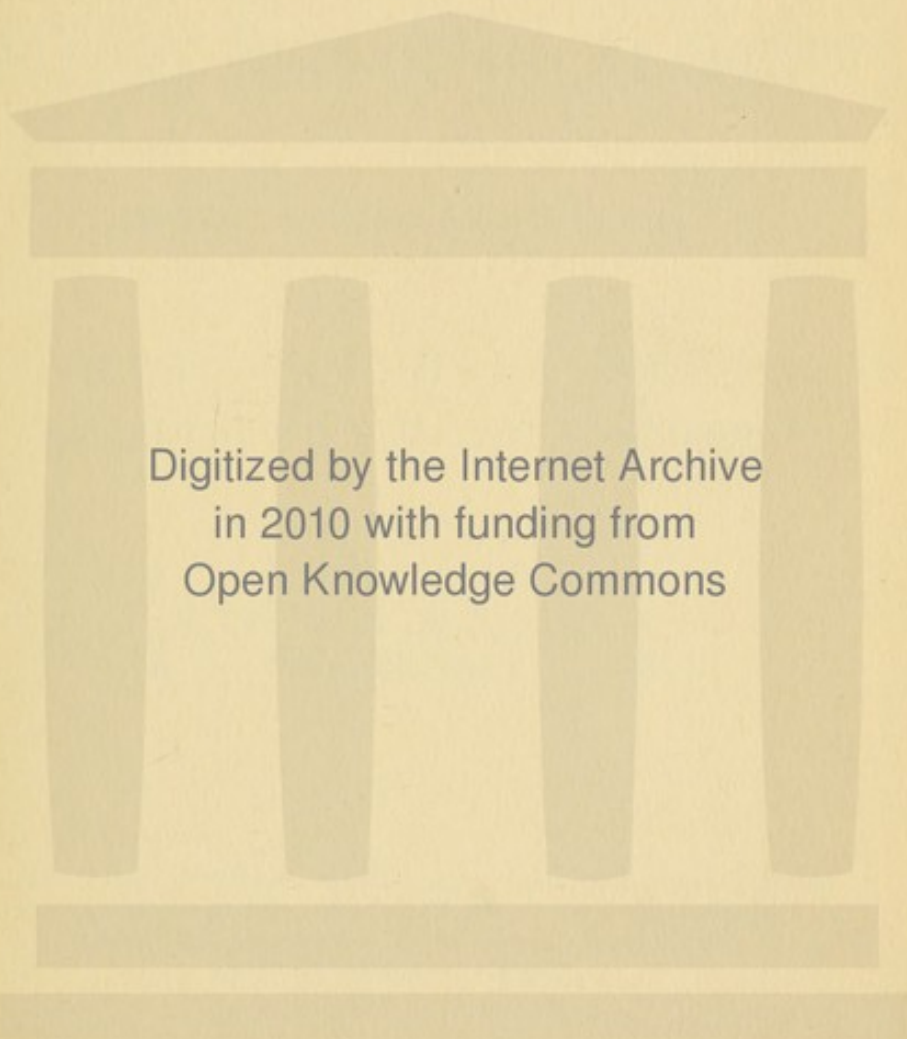
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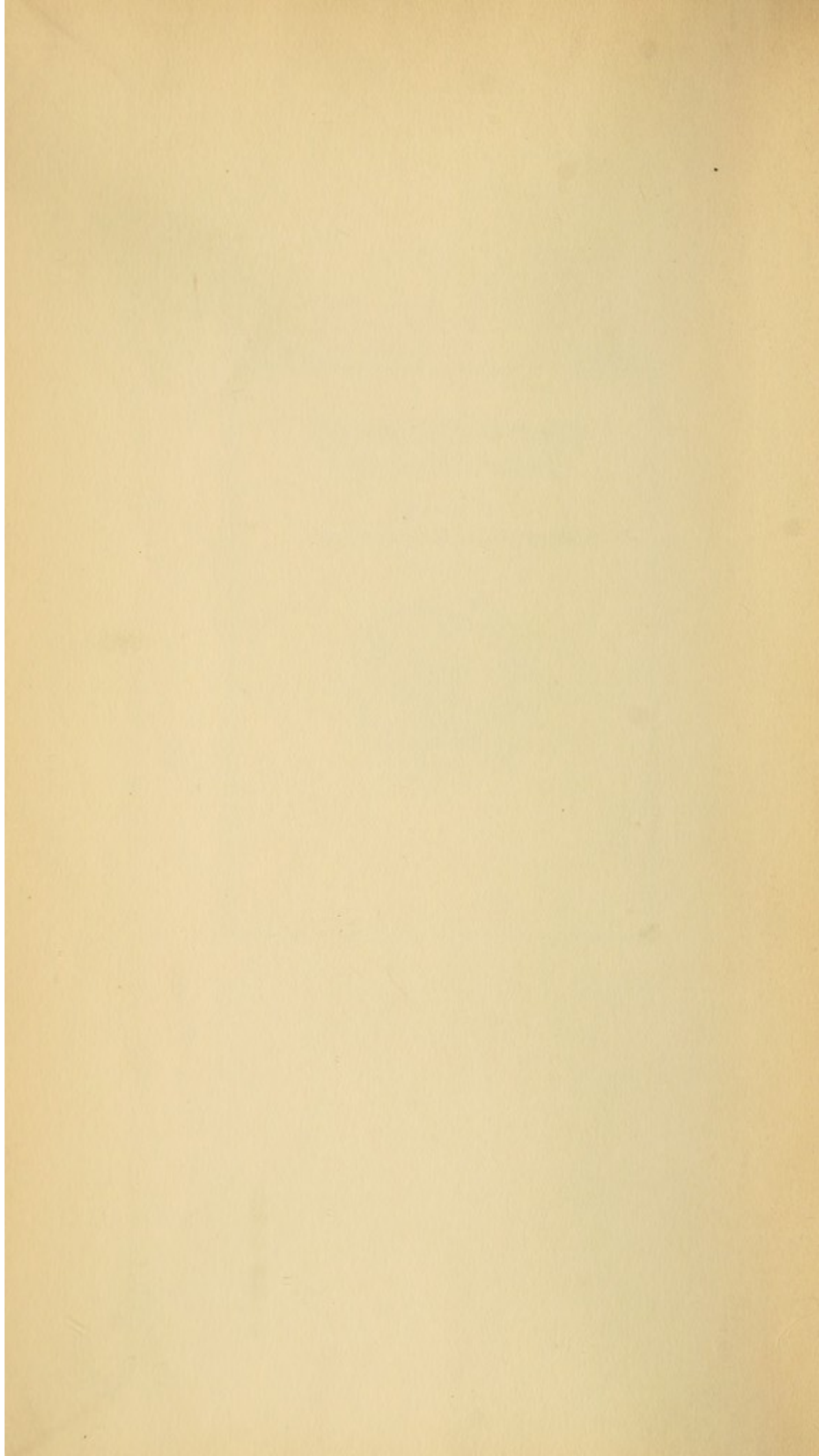
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THE

ANSWER

REPORT

NEW YORK NEUROLOGICAL SOCIETY

RC 445.N48

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REPORT.

The undersigned, the Committee of the NEW YORK NEUROLOGICAL SOCIETY, appointed to consider the subject of Insane Asylum Abuses, respectfully report :

That it has waited for the report of the Senate Committee of Public Health on the petition presented to the Legislature, before making any detailed statement to the Society on the subject.

On the day of the adjournment of the Legislature, or thereabout, a garbled, grossly unfair, and untruthful synopsis of the report of the Senate Committee was given to the press, with the object of forestalling public opinion to the disadvantage of the purpose your committee has had in view, viz. : a proper examination into the manner in which the asylums of this State are conducted, with the object of correcting abuses which had long been known to exist. In reply to this synopsis, your committee presented a "Provisional Report," in which the falsehoods and other misstatements published were exposed, as explicitly as could be done under the circumstances. This "Provisional Report" was widely circulated through the medical and lay press. In using this latter means of publication, your committee conceives that it has acted in the way best calculated to attain the object in view. It should be borne in mind that all reforms must be brought about through the operation of an enlightened public opinion. The asylum interest will yield nothing unless forced to do so by a power which it cannot resist. Neither argument nor entreaty moves it. Hard blows are the only logic it understands; and in a country such as ours, in which the people rule, it is through the will of the people that those ameliorations to which the New York Neurological Society stands committed must ultimately be secured. Already the fruit begins to fall, and it is not a matter for doubt that ere long the full harvest will be gathered.

Within a few days the complete report of the Senate Committee has been published, after an unusual delay of several months. It is

doubtful if it would ever have seen the light had not members of your committee in a measure forced the publication.

However that may be, your committee is now in a position to examine fully into its pretensions, and it proposes to do so. In this task it will be necessary to show to the Neurological Society and the public the unjust, *ex parte*, and untruthful character of a legislative document of the great State of New York, and the unscrupulous conduct of the asylum power. The office is not a pleasant one, but your committee knows well the individuals with whom it has to deal, and it will not shrink from any portion of its duty. Happily, however, the instance is an exceptional one; for never before in the history of the State has partisanship been so evident, and the plainest dictates of propriety and courtesy been so disregarded to anything like the extent manifested in the paper which is published to the world by a committee which should have exhibited more of truth and justice on a question of so much importance.

So extraordinary is this document, and so very divergent from the customary action of a legislative committee of inquiry is the conduct of its authors, that your committee feels that neither is entitled to the respectful consideration that would be gladly accorded to both. Your committee, therefore, desires to express its regret at being compelled to characterize any State paper in terms which to many may seem to be out of place and unnecessarily severe. But the report is so recklessly slanderous, its statements so glaringly false, its innuendoes so malicious in character, its quibbling so utterly beneath the dignity which Senate committees have heretofore exhibited, its intention to crush out by every unworthy means the rights of those who, in the interests of humanity, addressed a respectful petition to the Legislature is so strongly evident, its object to impugn the motives, injure the reputations, and, by every means at command, to lessen the social and professional standing of those who had the petition in charge and who signed it is so clearly apparent, that your committee feels no delicacy in referring to the outrage in language which will admit of no misunderstanding. Gentleness and forbearance are qualities which these people do not appreciate. They would be mistaken for doubt and timidity.

In the first place, the report endeavors to convey the idea that the committee was guilty of fraud in placing the names of President Barnard, of Columbia College, and of Prof. John W. Draper, of the University of New York, on the petition without their authority—in fact, of forging their signatures for the purpose of giving in-

creased weight to the memorial. In the synopsis given last spring to the newspaper press, and sent through the agency of the asylum interest to all parts of the country, this crime was emphatically charged. In the present full report it is less distinctly stated; but, nevertheless, the inference will not fail to be drawn by those not conversant with the facts, or with the unscrupulousness of a portion of the asylum interest, that your committee had appended the names of the gentlemen in question to the petition without their authority. To this charge your committee has to offer the following statement:

The petition was presented to President Barnard by one of your committee (Dr. E. C. Seguin). Dr. Barnard took the paper, said he had not time to read it then, kept it three days and then returned it, not only with his signature appended, but with a letter in explanation. In support of this statement your committee submits Dr. Seguin's affidavit (Appendix, Exhibit A). Examination of the petition, if it remains in existence, will satisfy any expert that the signature is President Barnard's, a fact which, as your committee understands, he does not now deny.

Probably no circumstance has been more unjustly used than the statements of the committee relative to President Barnard's signature. Adherents of the asylum interest circulated them by means of the medical and secular press. Hundreds of copies of an Albany newspaper, in which the "synopsis" first appeared, were sent abroad in this country and in Europe, and doubtless had with many the effect of condemning your committee for what was apparently, at least, a gross misuse of the name of a respectable and learned citizen.

In regard to Prof. John W. Draper, it was never asserted by your committee that his name was among the signatures to the petition, and therefore the statement in the report of the Senate Committee that he had not signed it, is, of course, correct. Messrs. Goodwin and Goebel would doubtless have received negative replies from many other gentlemen they might have addressed, and thus have manufactured a still stronger temporary prejudice against your committee. But the name of Dr. John W. Draper's son, Prof. John C. Draper, is there, and he signed it at the request of one of your committee (Dr. Hammond) in the faculty room of the University Medical College, at the same time Prof. Pardee signed. That the Senate Committee has quibbled and acted disingenuously in this matter, is sufficiently apparent without further comment.

The idea is sought to be conveyed by the Senate Committee, that

many of the signers of the petition withdrew their names in a paroxysm of self-excited virtuous indignation.

The fact is that the most strenuous arguments and entreaties were employed by the agents of the asylum interest to induce signers to withdraw their names, and when these were not efficacious, threats were made use of. Several such cases have come to our knowledge. One gentleman (Mr. David Dows) who signed the petition, after a careful perusal, informed one of us (Dr. Hammond) that he had been repeatedly approached in the manner stated. To his honor, be it said, he steadfastly resisted all influences, and his name remains on the petition.

It is true that others were less courageous in support of their convictions than Mr. Dows, and there were a few withdrawals. Some of these were in consequence of the *quasi* threatening letter of the committee (Appendix, Exhibit B) summoning them to Albany, and others, through the efforts above mentioned. For these individuals your committee has only pity. It is not given to all to be endowed with sufficient moral courage to adhere to what they believe to be right, to have the judgment to read what is presented to them for signature, or to understand its bearing after a careful perusal. Those persons, therefore, who allege that they signed an important petition without reading it, or that, having signed it, they did not comprehend its purport, or that they could not possibly have signed anything against the State Commissioner in Lunacy, for he was their bosom friend, or that having signed it they found on reflection that they had no charges to make against the asylums as did the minister (Senate Report, p. 2), or that they had signed under the representations of another (p. 2), or that "he cannot be a party to such charges, as they are entirely without his knowledge and belief" (p. 3), are clearly entitled to the deep commiseration of the public. The Senate Committee and the asylum interest are welcome to all such converts. They will probably receive the sincere contempt of both the friends of asylum reform and their antagonists.

The report states that "two physicians wrote withdrawing their names. The one asserting that he had signed under misapprehension; the other that he had signed no petition containing allegations of mal-administration either on the part of superintendents of lunatic asylums or the Commissioner of Lunacy, and knew of no facts that would sustain such allegations."

These statements may be true, but your committee hesitates to believe that any medical gentlemen who signed the petition would

so stultify themselves. It is to be regretted that the names of these physicians are not given. Your committee will endeavor to obtain them. Individuals under torture have frequently confessed to having perpetrated crimes of which they were not in reality guilty. We shall see whether the rack of the Senate Committee of Public Health is more powerful than that of three hundred years ago. It is more difficult, probably, to get a confession of imbecility than one of criminality.

In regard to other portions of the evidence, as printed in the report, your committee emphatically declares that it is inaccurate, imperfect, and garbled.

Take, for example, the part where the State Commissioner in Lunacy ostentatiously, and doubtless according to prearrangement, questions Dr. Nichols in regard to Dr. Hammond's statement that a patient in Bloomingdale had died in a crib (Utica) soon after having been placed therein. And Dr. Nichols triumphantly replies:

"No such case has occurred since the institution has been under my charge."

This all seems very straight, but it is nevertheless directly calculated to deceive. If information was desired on this point why did not Dr. Ordronaux question Dr. Hammond, who had made the assertion? He had publicly stated his willingness to give names, and the whole matter might easily have been inquired into if any real desire to get at the facts of the case had existed. In the course of his examination by Mr. Goodwin, Dr. Hammond, unaware of what had taken place between Dr. Ordronaux and Dr. Nichols, brought this matter up very unexpectedly to his questioner, who at once dropped the subject. The crib (Utica) being under discussion, Dr. Hammond was asked:

"Q. Do you know anything about the condition of the patients who were restrained?"

"A. No; but I know pretty positively, as well as I know anything else, that a patient died in a crib, in an asylum not far from New York City."

Here was an opportunity for Mr. Goodwin to have gotten Dr. Hammond's authority for the statement, and to have learned the history from the physician in whose practice the incident occurred.

Although, as it happens, Dr. Nichols was not the Superintendent at the time the event took place, yet, for all that, it might have happened during his administration, and he have been none the wiser; for when a physician went to his institution, by order of the Court,

to examine a lady, who it afterward was shown had been confined there, while sane, for about seven years, Dr. Nichols did not know that any such person was a patient under his charge !

Dr. Nichols states that he does not use the crib at Bloomingdale. Why, he does not inform us ; but that it was used there before his advent he will probably not deny. If it is so good a thing, as many insane asylum superintendents contend, and, as he says it is, why does he not employ it ? Are the insane to be deprived of so beneficial a contrivance as the Utica crib merely because a few pestilent so-called reformers have denounced it ?

Dr. Cleaveland, the Superintendent of the Poughkeepsie Asylum, testified (page 17) that he did not employ the Utica crib ; that it was a form of restraint that should be used cautiously, and that *some patients were seriously injured by its use*, although thinking it a humane form of restraint for certain cases. Assuredly an agent capable of inflicting such damage, and which, as we know, is often resorted to indiscriminately, is entitled to all the censure which has been directed against it.

Among the Superintendents whose fitness was most distinctly impeached, was the one then in charge of the New York City Asylum, on Blackwell's Island, for women. Since the meeting of the Senate Committee, this gentleman has been removed from his position on the ground of incapacity ; not as the result, be it borne in mind, of any inquiry originated by the Commissioners of Charities and Correction, but only after a newspaper reporter had ferreted out abuses in the institution, of which the commissioners must have been previously aware, but which, when published, they did not deem it prudent to overlook. Such a wholesome dread of public opinion should be commended if it were based on an honest desire to change a bad system. But as the system remains unchanged, and as the last state of that asylum is worse than the first, your committee can only regard the sacrifice of Dr. Strew as either only a "sop to Cerberus," or the consummation of a plan to place two asylums under the charge of a superintendent who, experience shows us, is incapable of properly managing one.

It must be remembered that those of your committee who went to Albany were not allowed to state anything but what they knew of their own knowledge, and that no documentary evidence was admitted. Is it to be supposed for one moment that if the Senate Committee, or rather Mr. Goodwin (for Mr. Goebel, though the chairman, never asked a question), wanted the truth, they would not

have got information from all sources? Whoever heard before of signers to a petition for the reform of abuses being required to verify their statements by their own knowledge? Your committee had witnesses ready to prove all that was alleged, and in order to get at the truth more easily, several of the petitioners addressed a letter to the Senate Committee, requesting that the committee would meet in New York where the witnesses were; but this was peremptorily refused.

The facts set forth in the memorial were many of them things which could only be known to a few persons, inmates of asylums, and which were only known to your committee through evidence which had reached it, and which would have been adduced upon an investigation. Mr. Goodwin might as well have called upon us to prove, by our own knowledge, the existence of such a place as Pekin, or that Alexander the Second is Czar of Russia, or that General Grant has just returned from a voyage round the world. We could, with time and opportunity, establish all these points to the satisfaction of any unprejudiced person; but we do not know them of our own knowledge, and that is exactly the position, in reference to asylum abuses, in which those of us who were invited to go to Albany were placed by the unjustifiable action of the Committee on Public Health.

Nevertheless, we did know some things of our own knowledge, and these we testified to, vainly as it turned out, for the committee disregarded all that was said by us and went on to consummate their prearranged plan. For instance, Dr. Hammond declared that he knew of his own knowledge:

1st. That the superintendents are not chosen from among physicians who have pursued special studies in neurology, and he gave a case in point, that of the Superintendent of the Blackwell's Island Asylum (page 22), who has since been removed on the alleged ground of incompetency.

2d. That there were assistant physicians who were just out of the too elementary medical schools, and he gave the instance of Blackwell's Island, supporting his assertion by the Report of the Board of State Charities, to the effect that there had been eighteen assistants in that institution within two years (page 23).

3d. That he knew of insane asylums, within the State, that did not possess the proper instruments for making examinations of their inmates and for treating them (page 23).

4th. That he knew that the medical officers of asylums were over-

worked and wretchedly paid, while some were not paid at all (pages 23 and 24).

5th. That he gave his reasons for believing that the superintendents and their assistants are, with scarcely an exception, not skilled in the modern methods of diagnosis or of post-mortem examinations (page 25).

6th. That he knew the pathological work done at the asylums was of little value (page 26).

7th. That he knew that undergraduates acted as assistant physicians, in which Mr. Goodwin was kind enough to confirm him (page 26).

8th. That he knew, of his own knowledge, that patients were forcibly fed by nurses and attendants without a physician being present, and he gave the case of a lady he had personally examined, and the roof of whose mouth had been torn out by the instruments used (page 27. Also Appendix, Exhibit C).

9th. That he knew, of his own knowledge, that the Superintendent was not consulted when restraint was employed, but that nurses, at their will, applied it (Appendix, Exhibit C).

10th. That he knew, of his own knowledge, that the barbarous and inhuman means of restraint, known as the crib (Utica), was employed in a number of institutions.

11th. That the law requiring the State Commissioner in Lunacy to be an experienced physician was disregarded, the present official never having been a practising physician.

These things were of themselves sufficient to authorize an investigation, but they were, as the exhibits appended will show, by no means a large proportion of what we had to allege.

Before proceeding directly to these, we propose to exhibit the true character of some of the other manœuvres resorted to by the Senate Committee on Public Health.

The language of the Senate Committee, when speaking of the Society in which your petition had its origin, is unwarrantably and designedly contemptuous. It is calculated to mislead the lay readers into believing that the New York Neurological Society has either no, or at best a very problematical, existence. It would be superfluous to contradict this to our medical readers, who are familiar with the record of this body; with others it may suffice to state that the New York Neurological Society is a well-known and regular medical association.

That many signers of the petition withdrew their names simply,

or declined to go to Albany as having no *personal* knowledge of asylums, nay even resorted to evasion to avoid what they had every reason to consider a threatening summons, will not appear remarkable to those familiar with the operations of the human mind.

That any of the signers at all went under the summons referred to is to be wondered at; from the manner in which the few who went were treated while at Albany, it follows that those who refused to go had the best excuse *a posteriori* that they could have desired for declining to appear in person.

The statement that signatures to the petition were obtained under misapprehension, and by the surreptitious affixture of names, appears on its face so absurd that we might well afford to treat such asseveration with the silent contempt it merits. It rests on the sole and irresponsible assertion of a superintendent between whom and members of the Committee on Asylum Abuses, of the New York Neurological Society, matters have come to an issue as to veracity on other occasions to be specified (Exhibits D, E, F, N, O, P, Q, X, and AA).

It is significant that the names of those signers who are alleged to have signed the petition under the mistaken idea that it referred to local improvements are not mentioned anywhere throughout the report. The matter of Mr. Browning, who is represented to have, with the employees in his establishment, signed the petition under the idea that it was a certificate of good character for one of his former clerks, is sufficiently met by the subjoined documentary evidence (Appendix, Exhibits D and E). It may, in this connection, be well to refer to the fact that the letter of Mr. Browning, whom a superintendent alleges to have made the above statement, is not published.

It is also false that, as Dr. A. E. Macdonald asserted, and the Senate Committee repeats, signatures were obtained from members of the New York Club in such a way as to induce the signers to believe that they were signing a club paper. An affidavit from Dr. T. A. McBride (Exhibit AA) disposes of that matter.

Equally decisive is the letter of Dr. Landon Carter Gray, of Brooklyn, to the effect that the statement of the Senate Committee that only one Brooklyn physician had signed the petition is false. Over a dozen of the best known physicians of that city signed (Exhibit W).

If the Senate Committee says true when (page 3, S. C. Rep.) it states "another requests the withdrawal of his name, saying that some months before he had signed a petition which he *believed* to favor a new street railway on Broadway, but which he now *believes*

was to be directed against the management of insane asylums of the State," then this Senate Committee has not only succeeded in finding fitting tools for its very questionable piece of work, but also discovered some additional subjects for asylum treatment, whose manifest imbecility some member of the Committee on Asylum Abuses must have failed to recognize while obtaining signatures. Your committee, however, is unwilling to believe that any of the signers could have actually made such an exhibition of themselves, and is strengthened in this conviction by the fact that no names are mentioned by the Senate Committee.

It is not true that any signatures were obtained under misapprehension. The Senate Committee resorted to the questionable strategy of citing signers before them in such terms as to convince the latter that they had *individually* made charges against asylums. Many not having a copy of the petition to refer to, were consequently induced to write the Senate Committee, stating that they had not any *personal* knowledge, nor had made *charges* against asylums, and that there must have been a very grave misapprehension somewhere. These answers naturally followed a *citation of so misleading a character, and clearly were designed so to follow by the Senate Committee making the citation.*

The Senate Committee then go on to say that "the *general* assertions of the petition are not substantiated by facts." This, like numerous other statements, and most of the so-called conclusions of the Senate Committee, is a quibble, for the Senate Committee does not and could not deny that many *specific* allegations were proven, even in the course of the brief and garbling procedure instituted by the committee under the name of an examination.

It is admitted by the parties appearing before the Senate Committee, either as asylum representatives, or for the purpose of crushing investigation :

1st. That the Commissioner in Lunacy does not go through the asylum wards unattended by some member of the asylum medical staff (page 10, lines 19-27, S. C. Rep.).

2d. That the Commissioner in Lunacy does not make night visits in order to satisfy himself as to the condition of the asylum inmates at night.

3d. That the Commissioner in Lunacy often gives the superintendents notice of his coming to visit their asylums (page 18, line 2, also bottom).

4th. That a superintendent has been appointed in direct violation

of the law, which requires that the superintendent shall have had hospital experience, and that this took place during the term of office of the present Commissioner in Lunacy (page 17, line 32).

5th. That the Commissioner in Lunacy, although appointed to exercise supervision over all *asylums in the State*, seems to disclaim having any control over county or private asylums by the language of his testimony; which is in conflict with the law under which he acts (page 9, line 38, S. C. Rep.).

6th. That asylum medical officers are overworked (page 13, line 24, S. C. Rep.).

7th. That the crib is an unnecessary means of mechanical restraint, since the Poughkeepsie, Willard, and Bloomingdale Asylums, although treating as many, if not more acute and violent cases of insanity than are treated at Utica and Ward's Island, do not permit its use.

8th. That the crib is an injurious appliance and its use coupled with risk to the patient (page 17, bottom).

9th. That undergraduates in medicine have been employed to perform *medical duties* at our *State Asylums* (page 17, line 8, Ibid.).

As far as the fact on which the Senate Committee mainly bases its deprecation of the petition, namely, that some of the petitioners had not been inside the walls of certain State Asylums for several years, goes, it amounts to absolutely nothing.

It is proof of the bad judgment, if not the bias of the committee, that they fail or refuse to recognize that allegations of mismanagement, must be based on something stronger than mere individual assertion and inspection. That stronger and documentary evidence submitted was excluded (page 42, line 40,¹ S. C. Rep.).

A part of this documentary evidence thus excluded, is herewith submitted, and the reader may judge for himself whether the New York Neurological Society was justified in its petition or not.

The "conclusions" of the Senate Committee are absurd logically and unsustained by facts.

The first "conclusion" is sufficiently characterized by the fact that it rests on a few lines from a Governor's Message.

¹ The testimony is not accurately given. Dr. Spitzka stated: "If this committee permits the presentation of documents or documentary evidence, I have them in this satchel," to which Mr. Goodwin replied, as reported with characteristic relevancy, "Then our committee would be as long in making a report, as it would take you to tell what a competent physician is."

Their second allegation, that in view of the existence of a State Board of Charities, which has never suggested any such defects as those intimated to exist, an investigation was unnecessary, is met by two facts: First, that the State Board of Charities, shortly after the examination by the Senate Committee, asked the Legislature for *full power* to investigate. This request, for which there must have been a reason, was refused by the State Legislature. Second, that the most prominent of the local visiting committees¹ have instructions *to refrain from any criticisms on the medical management of asylums*. Now it was precisely to defects in the medical management that our petition referred.

The third conclusion falls to the ground, inasmuch as it is based on the assertions of the State Commissioner in Lunacy, an officer who has more reason to dread an investigation of the asylums in this State, than most of the superintendents themselves.

To exhibit the full value of the fourth so-called conclusion, we subjoin it in the full and original text, it requires no further comment:

“*Fourth.*—The insinuation of the petition that the superintendents of these State asylums are not thoroughly trained and thoroughly competent medical men, is too notoriously untrue to require denial.”

The fifth “conclusion” consists of no less than three distinct and demonstrable misstatements. It is first stated that “no undergraduates in medicine have been appointed as assistant physicians in State Asylums.” If for the quibbling phrase “been appointed” we substitute “served,” and turn to page 17 of the Senate Committee’s Report, we find that the Superintendent of the Middletown Asylum confesses to having *a student of medicine employed to make the gynecological examinations*, among the most delicate manipulations in practice!! It is also false that, as stated, only one person ever occupied an assistantship in county asylums while an undergraduate. This statement seems to rest on the allegation of the Superintendent of the Ward’s Island Asylum, was stigmatized at Albany as a “down-right falsehood” on the personal responsibility of one of your committee (page 41, S. C. Rep.), and is proven to be such by the subjoined letter from the Commissioners of Charities and Correction (Appendix, Exhibit F) of the City of New York.

The third falsehood the Senate Committee is itself responsible for.

¹ Those of the Ward’s and Blackwell’s Island Asylums.

Nowhere throughout their report can the reader find the slightest evidence that any of the four petitioners appearing at Albany admitted that the charge that undergraduates in medicine served as physicians in asylums of this State, "was a reckless misrepresentation." The instances given in the Appendix show how well founded that charge was. The phrase "reckless misrepresentation," applies with greater propriety to the so-called conclusions of Messrs. Goodwin and Goebel.

The seventh conclusion, stating that the accusations made against the pathological work carried on at the Utica Asylum are sufficiently met by a letter from Dr. J. C. Dalton, of New York, is about as logical as if the accusations made by a committee of chemists, against a certain chemical laboratory, were to be considered as disproved by a letter of endorsement from a geologist. Dr. Dalton is a distinguished physiologist, it is true, but, so far as your committee knows, has never claimed to be, nor was he ever considered to be, a pathological expert. His endorsement is a mere opinion unsupported by any facts or specific disproof of the grave charges made, and your committee has proof that the doctor was not acquainted with the published pathological results of the Utica Asylum at the time when he wrote his letter of endorsement. In justice to itself, the committee of the New York Neurological Society feels called on to declare (however much it regrets the necessity of so doing) that the endorsement in question is absolutely without bearing on the subject at issue.

The mere manufacture of large brain-sections which has deceived others into a *quasi* endorsement of the Utica laboratory, does not prove the one manufacturing them to be a skilled pathologist, *or even a scientific investigator*. No more this in fact, than the preparation of a finely-mounted skeleton shows the mechanic mounting it to be a scientific anatomist.

The so-called pathological work done at Utica, stands or falls with its published results. These were condemned as trivial, crude, and misleading, and not a single physiological, pathological, or therapeutical result has been achieved at the Utica Asylum since the establishment of its laboratory at such enormous cost, which is tangibly accessible to the medical profession (Appendix, Exhibits G, and H).

Such results as have been published, are criticised on the strength of their microphotographic exhibits, as showing absolutely no relation to insanity, and this by one whose special field is the pathology of nervous and mental diseases. A judgment like this outweighs a

hundredfold the letter and extract published by the Senate Committee in defence of the fragmentary work done at Utica (Exhibit J).

It is certainly very suspicious that the representatives of the Utica Asylum, in their eager search for any available endorsement, failed to obtain such endorsement from a single *pathological* expert. It is also remarkable, suggestively so in fact, that these same representatives have been silent regarding the charges made against the Utica work by a member of the New York Neurological Society, and published in a journal of high scientific repute—charges that were repeated in a second article in the shape of a direct challenge to the Association of American Superintendents of Insane Asylums. Those charges were either demonstrably true or demonstrably false, and could have been put to a crucial test by any one who considered it safe to risk such a test. But in this, as in every other instance, the advocates of our defective asylum system have found it safer to remove the discussion of a strictly scientific subject from medical to lay circles. They have succeeded in obtaining an endorsement of such a character as to blind the eyes of laymen, perhaps, but not of a single competent judge.

The attempt was made by the Senator examining one of your committee, to hint that the charges against the work done at Utica were not answered because they were not worth answering. This would appear sufficiently ridiculous if the charges had been supported by nothing more than the endorsement of the *Journal of Mental and Nervous Diseases*, published in this country, the *Journal of Mental Science* in England (Exhibit K), and the statements of Professor Westphal of Berlin. But it is shown to be utterly without basis, by the fact that when a member of this Society offered to read a paper before the New York Medico-Legal Society, on the asylum question, and gave fair notice to the Superintendents of the Ward's Island and Utica Asylums (among others) of his intention to criticise the asylum management in this State, these superintendents made persistent attempts to suppress the reading of this paper. It was read, however,¹ and one of these same superintendents was present, and as on a similar occasion in the history of the New York Neurological Society (when repeatedly called on to speak by the presiding officer) had not a word to say in defence of the impeached system.

¹ "Real Asylum Abuses," read before the New York Medico-Legal Society, March 3, 1878, not published except in the daily papers, the *Evening Mail* of March 14th and 15th having it in full.

The second endorsement of the work done at the Utica Asylum consists in an extract from Dr. Bucknill's work. Dr. Bucknill was admitted, by two of the witnesses present at Albany, to be a prominent and practical alienist, but his pathological opinions were, at the same time, stated to possess no intrinsic value, and we question whether he would have made a commendatory statement if he could have anticipated that it was destined to constitute the sole support from a psychiatric point of view, of the Utica work, against deliberate and well-founded scientific criticism. Your committee holds that Dr. Bucknill was deceived by appearances, as others have been since his time.

But since the Senate Committee quote Dr. Bucknill thus triumphantly in the support of the Superintendent of the Utica Asylum, it may be well to quote other passages from the same author, referring to subjects regarding which he is universally admitted to be a better judge than he seems to be in pathological matters. These passages (Exhibits L and M) exhibiting the defects of our asylum system *in the entire State*, the deception which was practised on Dr. Bucknill by the Superintendent of the Utica Asylum with regard to restraint, and the discreditable condition of the city asylums of the metropolis of this country, more than justify in themselves the language and pertinency of the petition, sneered at by the Senate Committee.

Now as to the manner of proceeding adopted by the Senate Committee, a few words may not be out of place at this point. Taking the Senate Committee's Report as a whole, and as it stands, it will strike every experienced and reflecting reader as a "bogus" Report. The following is evident from a mere perusal of this Report:

1st. That it was not the intention of this Senate Committee to hear the real facts of the case. 2d. That it was their deliberate intent to exclude all testimony in relation to the fundamental points of the petition, and to narrow down the exhibition of evidence to the personal quarrels, or collisions, which were alleged (Exhibit N) to have taken place between the petitioners and the superintendents.¹ 3d. That most of the witnesses were examined precisely on those points, which any prompt-

¹ While the Committee of the New York Neurological Society considers it entirely foreign to the subject at issue whether or no one or more of its members have had personal differences with superintendents, it would call attention to the fact that such differences have occurred *after*, not *before*, the agitation of the subject of asylum reform.

ing of the Senate Committee would have informed them those witnesses were least acquainted with, while they carefully avoided examining them on those subjects with which they were supposed to be reasonably familiar. 4th. That the examination of the petitioners was carried on in a quibbling manner, such as characterized the cross-examination of witnesses by certain persons popularly known as pettifoggers in our police courts, when these were at their worst. For specimens of unwarrantable and ungentlemanly language, we refer to the bottom of page 43, Sen. Com. Rep. ; for irrelevant questions, to page 44, line 27 ; for questions based on false assumptions, to page 33, lines 23 and 31 ; also to page 27, line 10. Regarding the assumptions on which the latter questions were founded, a letter (Exhibit O) from the superintendent, whose verbal testimony was unhesitatingly accepted by the Senate Committee as a basis for such assumption, is herewith appended. This single document shows that the threats made against those signing the petition were not empty threats, and it also shows that the charge which this superintendent made against one of your committee, namely, that the latter had represented the petition as serving low, personal ends, this superintendent could not have had any grounds for believing to be true when he made it. 5th. It is evident that unimpeachable documentary evidence was excluded, although freely used against the petitioners. 6th. That recourse was had to trickery (not to use a stronger term) in presenting a so-called "anonymous letter from Dr. Kiernan," not as every right-thinking person would assume on the occasion when Dr. Kiernan was examined (Exhibit P), but when Dr. Morton was. This document, which Dr. Kiernan does not hesitate to state, whether fabricated or not by the persons exhibiting it, was the basis of groundless assumption, was never shown him, nay, was not even mentioned on the occasion of his examination. Doubtless, the Senate Committee anticipated that in this case its bogus character might have been exposed. This document was not exhibited to any member of your committee, or to *any one*, while members of your committee were being examined. We refer to an affidavit (Exhibit Q) of Dr. Morton's to prove this, and to illustrate a procedure of the Senate Committee, which it would be difficult to characterize.

Instead of first calling for evidence from the petitioners, in order to see what grounds existed for investigating the subject of asylum management in this State, the Senate Committee called on the trustees and superintendents of asylums, and the Commissioner of Lunacy. That thus they collected some of the material for the cross-

examination of the petitioners which followed, and also learned what questions it would be wise to avoid asking, is evident.

At this stage of the so-called investigation another disingenuous act of the Senate Committee is manifested. On the first day, when the superintendents, trustees, and managers of asylums were "examined," "Chairman" Goebel is represented as stating that some thirty or forty petitioners had been called on to appear; he is then represented as saying: "If there are any persons here who wish to appear, we are ready to hear them."

"No one rising, Senator Goodwin said, etc.:" This makes it appear as if the prominent signers of the petition had been summoned to come, but had either refused or been afraid to do so." Your committee has been unable to discover a single petitioner who was invited to appear on the 6th, and looks upon this part of the report as a designed misrepresentation.

Even the President of the Board of Managers of the Utica Asylum, Mr. Campbell, although certainly not prejudiced *in favor* of the petitioners, could not refrain from remarking that the examination of the asylum representatives before the petitioners were summoned was improper and premature. In saying this he must have had some grounds for believing that the petitioners had not been yet asked to appear.

The first party examined at any length is the Commissioner in Lunacy, who argues quite elaborately against the necessity of an investigation. He opens as follows:

"It seems unnecessary to say, at the outset, that when a petition is presented to a law-making body, asking for relief, it should state some grievance *for which there is no existing remedy*, either under the common or the statute law of the State. So long, therefore, as laws *can be formed* to redress alleged wrongs, there is no proper ground upon which the Legislature can intervene"¹ (page 7, Sen. Com. Rep.).

Against this we submit that it is precisely because there are no effective remedies against abuse, in other words, that the State Board of Charities has not the power, and the Commissioner of Lunacy neither the will, the ability, nor the power to redress wrongs, that the Committee on Asylum Abuses of the New York Neurological Society based its complaint (Exhibits R and S).

And it is precisely because *laws can be formed to redress alleged wrongs* that the same committee appealed to the Senate in order to

¹ Italics our own.

procure an investigation which might not only test the truth of the allegations of said petition, but also suggest legal safety-guards against the occurrences of abuse complained of in the same.

Again (page 8, Sen. Com. Rep.), the Commissioner in Lunacy states the annual asylum reports to be *prima facie evidence of their workings*. This statement is as lucid and correct as most other statements of this official (Exhibits T and U). Suppose that a defaulting bank cashier were to assert that his garbled and falsified accounts were *prima facie* evidence of the workings of the bank, and rendered an investigation of the safe-contents superfluous, what would the depositors say? This Commissioner in Lunacy, who has neglected the duties of his office to an almost criminal degree, has every reason to rest satisfied with the present defective and irresponsible state of things. It is a question, however, whether the citizens of this State propose to endure it much longer!

As regards the statement of the commissioner, that the language of the petition is "indefinite, diffuse, and repetitious," we will content ourselves with referring the reader to the petition on the one hand, as well as to some specimens of the definite, non-diffuse, and non-"repetitious" language employed by the Commissioner in Lunacy in his official documents on the other (Exhibit T).

The commissioner next objects to the statement of your committee that asylums are more or less secluded from public scrutiny. He refers to the number of visitors shown through the asylums of this State in rebuttal. Without dilating on the notorious fact that these visitors pass through a few "show" wards in a hurried manner, and that relatives, if permitted to see a violent patient (which is rarely the case), do not see him in his ward but in some other room, we shall content ourselves with proposing the following problem to the impartial reader:

If asylums can be so rigidly secluded from the scrutiny of the Commissioner in Lunacy, an officer endowed with full power to examine every part of every asylum, that he fails to discover underground cells worthy of the worst days of Bedlam in one (Exhibit R), of vermin swarming through the wards, and pistol balls in the bodies of patients, fired into them by the Medical Superintendent, in another (Exhibit S), and of undergraduate physicians in a third (Exhibit F), how rigidly can their worst features be concealed from the scrutiny of the casual visitor?

With this question we can afford to leave that subject.

The commissioner next resorts to the same quibble already utilized

by the Senate Committee in disposing of the question of restraint records. He asserts that such records are kept in all *State* asylums. He well knew that this statement would have been false if made with regard to all *asylums of the State*, to which the petition distinctly referred. The records of his own official investigation of the Bloomingdale Asylum showed that in at least one—and that the largest private asylum—no such records were kept. Your committee questions whether such records were kept in all the *State* asylums even, *before* the agitation of the subject.

Another statement of the commissioner (page 10), relating to night visits, is simply laughable. It shows his unwillingness to perform his duty, or his inability to carry it out properly—perhaps both. At all events, this statement contains one of the few direct answers to the questions of our petition. It shows, beyond the possibility of quibbling, that the commissioner never attempted to make night visits in our *State asylums*, as far as his recollection goes, and does not at present make night visits in *any* asylum of the State. In England and Scotland night visits *are* made, with the best results as regards management, and not a single bad result as regards the patients.

In reply to the question on the same page, as to his medical abilities, the Commissioner in Lunacy evades the issue by leaving the matter with the Governor who appointed and the Senate which confirmed him.

Among the statements made by the Superintendents, in rebuttal of the allegations of the petition, we find a very characteristic one on page 13 (Sen. Com. Rep.). Here Dr. Nichols states that the superintendents of the State of New York are *at least as good as those of any other State*. Now, your committee precisely holds that the entire average of American asylum superintendents is, scientifically speaking, a low one. We limited our charges to those of this State merely because, in petitioning a legislative body of this State, it would have been absurd for us to speak of asylums outside of the State limits.

In concluding this prefatory portion of the report, your committee would subjoin a few remarks on the manner in which the majority of the superintendents acted on the occasion of our petition.

It is a notorious fact that the superintendent present at the reading of the paper in which the petition partly had its origin, although repeatedly called on by the then President of the New York Neurological Society, did not venture to discuss the subject before a med-

ical audience. It is equally unquestionable that not one of the publications¹ criticising the medical and administrative management of our asylums, although published in the leading special medical journals of this country, scattered widely in the shape of reprints, and endorsed in the main by eminent transatlantic and cisatlantic journals, has been answered. Nor has even an attempt at an answer been made save in the way of a personal attack.

The representatives of the asylum circle, on the appearance of the petition, instead of courting an investigation, resorted to every expedient that could be devised to check it. Probably on no other occasion have there been made such systematic and persistent attempts to intimidate signers of a petition, and to defame, or misrepresent, its originators,² and there is no one element in the case so regrettable as that in the Senate Committee on Public Health these men found the necessary support.

¹ The following appearing prior to the examination (?) by the Senate Committee: 1. "Governmental Supervision of the Insane," May 1, 1875, by H. B. Wilbur, M.D. 2. "Buildings for the Insane," 1877 (read before the Saratoga Conference of Charities), by H. B. Wilbur, M.D. 3. "Extracts from the Twentieth Annual Report of Commissioners of Lunacy of Scotland, for the year 1877," with an introduction by H. B. Wilbur, M.D. (no date). 4. "Management of the Insane in Great Britain," by H. B. Wilbur, M.D., 1877. 5. "Reform in Scientific Psychiatry," *Am. Journal of Mental and Nervous Diseases*, April, 1878, E. C. Spitzka, M.D.; read before the New York Neurological Society, March 4, 1878. 6. "Merits and Motives of the Movement for Asylum Reform," E. C. Spitzka, M.D.; reprinted from *Journal of Mental and Nervous Diseases*, October, 1878. 7. "The Non-Asylum Treatment of the Insane" (read, by invitation, before the Medical Society of the State of New York, and reprinted from the Transactions), by Wm. A. Hammond, M.D., 1879. The following have appeared since: 1. "The Construction, Organization, and Equipment of Hospitals for the Insane," by W. A. Hammond, M.D.; read before the Connecticut Medical Society, May 29, 1879. 2. Lunacy Reform: I. "Historical Considerations," *Archives of Med.*, Oct., 1879, E. C. Seguin, M.D. 3. Lunacy Reform: II. "Insufficiency of the Medical Staffs of Asylums," *Ibid.*, Dec., 1879, E. C. Seguin, M.D.

² Thus Dr. Carlos A. Macdonald states (p. 16; S. C. R.): "I met Dr. Willard Parker not long since, and in conversation with him about it (the petition; note of committee), he said that he had not signed a petition making such allegations; having a copy of the petition, Dr. Wey, of Elmira, read it to him, and then he said, 'I never signed that petition' (Exhibit V.). The same superintendent states, somewhat in conflict with the assertions of the Commissioner in Lunacy, that the latter has made night inspections at his asylum. No statement of bad results is made by Dr. Carlos A. Macdonald, and the question arises why were they not made elsewhere, or if the commissioner had reason to anticipate bad results, why did he make them at all.

Your committee does not find it necessary to refer to the fact that these strictures do not apply to all the superintendents of the State, or to all the medical officers of asylums. Nor did the original petition, or any of its signers, who were present at Albany, say anything that could be so construed. In fact frequent occasion was taken to insist that the charges were not personal, and that such as involved the capability of individuals were not general, as a perusal of the Senate Committee's Report will show. It is merely in justice to the one superintendent, who gave a fair and unbiassed testimony, to mention the fact that Dr. Cleaveland fearlessly acknowledged the crib to be an injurious appliance in many cases, that he had discontinued its use, and that the Commissioner in Lunacy, on some occasions at least, did not visit his asylum without warning.

The position advocated by the unjustly and coarsely maligned petition is a strong and unimpegnable one. Already its influence is felt throughout the State. After its appearance, and in consequence of that appearance, Consulting Boards have been appointed for one State (Poughkeepsie), and two County Asylums, instruments for scientific research been purchased by the Superintendent of one State Asylum and by the Commissioners of Charities and Correction for the two asylums under their charge. The Utica crib has had its *essential portion* (the grated lid) removed at another;¹ and with regard to this one instrument of restraint at least, it can be safely predicted that before long, in the State of New York, the Utica crib will have had its day.

Even in those asylums whose condition was most questionable, prior to the appearance of the petition, many changes are being slowly made for the better, possibly in anticipation of a *bona fide* investigation which may occur under the auspices of a more sincere legislative inquiry, or the force of a healthy and properly enlightened public opinion.

Whatever the motive of those making these reforms, whether the result of honest conviction, or of fear, and however persistent and unscrupulous the efforts made by some to rob the New York Neurological Society of the credit it deserves, namely, of having directly or indirectly caused these reforms to be instituted, this Society, although temporarily interrupted in its main object through the coali-

¹ Ward's Island. The local visiting Committee of the State Charities Aid Association having strongly condemned it subsequent to the New York Neurological Society's petition.

tion of elements of a questionable character, points with some satisfaction to the good work already accomplished. It accepts this as the augury of a more thorough and lasting reform in the near future, and as a justification of a further continuance in its labors.

T. A. McBRIDE, M.D., *Chairman.*

EDWARD C. SPITZKA, M.D.

ED. C. HARWOOD, M.D.

WILLIAM J. MORTON, M.D.

E. C. SEGUIN, M.D.

LANDON CARTER GRAY, M.D.

WILLIAM A. HAMMOND, M.D.

Committee on Asylum Abuses of the
New York Neurological Society.

APPENDIX.

EXHIBIT A. (Referred to, p. 5.)

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss. :

Edward Constant Seguin, a resident of New York City, being duly sworn, deposeth :

That one evening in the month of December, 1878, he called at the President's house, Columbia College, corner of Fourth Avenue and Forty-ninth Street, and there saw Dr. F. A. P. Barnard, President of Columbia College.

Deponent bore with him a copy of a petition emanating from the New York Neurological Society, addressed to the State Legislature, and praying for a strict inquiry into the management of all institutions for the care of the insane in the State of New York. That Dr. Barnard stated (in the hall of the house) that he had friends with him, with whom he was closely engaged, and could not spare the time to speak with deponent. Deponent then simply stated the object and origin of the petition ; he did not in any manner urge Dr. Barnard to sign the document, but asked him to take it, read it at his leisure, and sign it if he approved its object. Dr. Barnard did take the petition from deponent, kept it in his possession three, if not four days, and returned it to deponent with his signature appended, and with a note. This note, unfortunately, has been lost, but to the best of deponent's recollection it expressed the fact of the signature and some reservations as to certain points in the petition.

Deponent further avers that Dr. Barnard's first hasty denial of the truthfulness of his signature (in a letter to Hon. Hamilton Fish, Junior, then a member of the Legislature), and his subsequent letters to the Committee on Public Health (Mr. Goebel, Chairman), making the statement that he did not remember the acts of reading and signing the petition, and conveying the impression that if he had signed the document it was under misapprehension, and at the solicitation of deponent ; that all these statements, which have been made very public, were not, with the exception of the mere matter of recollection, true in spirit or in fact.

Deponent repeats, in the most solemn manner, that Dr. Barnard did sign the petition, signed it after keeping it three days at least, and that he (deponent) did not have an opportunity to urge Dr. Barnard to sign the document. In-

deed, deponent well knew that a man of Dr. Barnard's intellectual calibre would not sign an important document at any one's solicitation without properly reading and comprehending it.

[Signed] E. C. SEGUIN.

Sworn and subscribed to before }
me this 20th of December, 1879, }

E. D. GRANT,
Notary Public, New York Co.

EXHIBIT B.¹ (Referred to, p. 6.)

STATE OF NEW YORK, SENATE CHAMBER,
ALBANY, April 26, 1879.

DEAR SIR:—On the 20th of March a petition was presented to the Legislature, in which charges of mal-administration are made against the various lunatic asylums of the State, and against the State Commissioner in Lunacy. This petition was referred to the Committee on Public Health. Your name is appended to the petition. The committee are ready to examine you on the matter, and request that you will appear before them on the eighth day of May, at three o'clock, to state what personal knowledge you have of asylums and of the manner in which the State Commissioner in Lunacy has discharged his duties, and the facts on which you have made the allegations set forth in the petition. The committee request an early reply.

Very truly yours,

L. S. GOEBEL,
A. J. GOODWIN,
Committee on Public Health.

EDWARD C. SPITZKA, M.D.

EXHIBIT C.² (Referred to, p. 10.)

[*From the stenographic report of the evidence taken before the State Commissioner in Lunacy in the case of Mrs. Norton against the Bloomingdale Asylum.*]

Mrs. Cochrane says she saw Jane Eaton and Jane Gordon, nurses in Bloomingdale, forcibly feeding a patient. They had a wooden wedge which they put into her mouth, and then they fed her with a spoon. (Fol. 93.)

Dr. Choate says it is done by attendants in asylums. (Fol. 119.)

Jane Eaton, a nurse, puts on the *camisole* without instructions from the physician. (Fol. 125.) Was told to use force in feeding. (Fol. 127.) Used

¹ Attention is called to the words, "personal knowledge," and to the inference which the Senate Committee seems to have made, that the signers of the petition were not justified in questioning the efficiency of the Commissioner in Lunacy unless they had accompanied that officer on his tours of inspection; truly a demand characteristic of this Senate Committee.—*Note of Committee.*

² Testimony excluded by Senate Committee.

a spoon as a wedge to force open the mouth. "The most difficult person I ever had to feed." (Fol. 132.)

The doctor was never present when she was fed. (Fol. 133.)

The nurse does not always report to the physician when she uses the *camisole*. Has seen blood come from Mrs. N——'s mouth when she was feeding her. (Fol. 138.)

Was taken naked from her room to the bath-room. (Fol. 146.)

The doctor says forcible feeding is delegated to an attendant. (Fol. 150.)

EXHIBIT D. (Referred to, p. 11.)

OFFICE OF WM. C. BROWNING & Co.,
Wholesale Clothiers, 502 and 504 Broadway,
NEW YORK, December 27, 1879.

DR. EDWARD C. HARWOOD, 44 West Forty-ninth Street, City:

DEAR SIR—About one year since you presented to me a memorial and petition, asking my signature to same, to be sent to the Legislature of State of New York, petitioning that body to appoint a committee to investigate the Lunatic Asylums of this State. I read the memorial myself and signed same, and then presented same to Wm. C. Browning, head of the firm of W. C. Browning & Co., Broadway, and told him, as near as I could remember, what said memorial was for.

He signed same. I then went through the house and obtained between fifty and sixty signatures to same, *telling each person the purport of the memorial and what it was for.*

A short time since I saw a report, purporting as coming from that ¹ *Committee*, setting things in a very different light from the facts that I have stated in regard to the signatures obtained in said house.

I also have just read again a copy of the memorial which Mr. Browning and myself signed, and find it same as first. *My signature, Mr. Wm. C. Browning's, and all the balance in house were obtained by myself* (Mr. Wm. C. Browning was my employer), and I had a gentleman with me who was present all the time, and in conclusion would say you are at liberty to publish this if you wish.

Yours truly,

A. R. VAN NESS.

EXHIBIT E. (Referred to, p. 11.)

OFFICE OF WM. C. BROWNING & Co.,
Wholesale Clothiers, 502 and 504 Broadway,
NEW YORK, December 30, 1874.

DR. ED. C. HARWOOD:

MY DEAR SIR—About a year since I signed a petition, at the request of Mr. A. R. Van Ness, asking the Legislature to appoint a committee to investigate our lunatic asylums.

¹ See Report of Committee on Public Health, page 48.

Some time after this was done a Dr McDonald¹ called to see me, and said he wanted to know what abuses I knew existed in the lunatic asylum. I told him I did not know of any. *He said I had signed a petition which set forth that from my own personal knowledge I knew abuses existed.* I replied that if such was the case it was a mistake, as I did not know of such a fact, nor did I think I had signed such a petition; but I had signed a petition at the request of a friend who told me such abuses did exist, asking for a committee to be appointed to investigate into the management of said asylums.

He further asked me if I thought the other parties in my employ who had signed the petition knew of their own personal knowledge that such abuses existed. I replied they signed the same petition and under the same circumstances that I did. Trusting this will explain the matter, I am

Very truly yours,

W. C. BROWNING.

Note to above:—With reference to this reported statement of Dr. Macdonald I would say that it was wholly unjustifiable, as nowhere in the petition is it stated that the signers know any of the facts involved of their own personal knowledge.

ED. C. HARWOOD, M.D.

EXHIBIT F. (Referred to, p. 14.)

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.
COMMISSIONER'S OFFICE, No. 66 Third Avenue,
NEW YORK, December 17, 1879.

E. C. SEGUIN, M.D. :

SIR—In reply to your favor of 1st inst., I beg to state that the following gentlemen were undergraduates when appointed assistant physicians: C. N. Gorgas, John Bowen, Thomas J. Naylor, Emil Mayer, at Lunatic Asylum, Blackwell's Island; and W. L. Harriman, N. L. Atkinson, H. V. Day, W. Washburn, L. F. Pitkin, at Insane Asylum, Ward's Island.

Yours respectfully,

[Signed] JOSHUA PHILLIPS,

Secretary.

The facts in the above letter were obtained from Dr. A. E. Macdonald by the Commissioners. I have seen Dr. Macdonald's report to the Commissioners giving these names. The appointments were made between 1876 and 1878.

E. C. SEGUIN, M.D.

¹A reference to page 48 of the Senate Committee's Report will show that this name is erroneously spelled; it should be Dr. *Macdonald* (the Superintendent of the Ward's Island Asylum).—*Note of Sub-Committee.*

EXHIBIT G. (Referred to, p. 29.)

From an Editorial of the Journal of Mental and Nervous Diseases. Edited by Drs. Jewell and Bannister, of Chicago. April, 1878.

"But we now have in mind the exceptionally high requirements implied in the case of those charged with the medical care of the insane, and *per contra* the exceptionally low state of truly scientific psychiatry in this country. There can be no possible doubt that too little zeal on behalf of the scientific aspect of this noble department of medicine has been shown by American alienists as a body."

EXHIBIT H. (Referred to, p. 29.)

From same Journal. Editorial, July, 1879.

"We have something more than a fear that asylums as a whole will not bear a close scientific and business scrutiny. A long time since we called attention to the enormous expense of building and maintaining our asylums. In particularizing, we gave a review of figures from its own reports of the financial management of the asylum at Utica, N. Y., which seemed¹ then, as it does now, to require explanation. Subsequently the *Medical Record* called on its chief to explain his own figures. But to this day no explanation has been publicly made, nor has any apparent heed been given to the matter. People will form their own notions as to the reason or motive for such silence in the face of such a dubious financial showing. And we can, as outsiders, assert that the public has formed opinions as to the motives for withholding the explanation which the case so plainly demands."

EXHIBIT J. (Referred to, p. 16.)

From Virchow-Hirsch's Jahresbericht für das Jahr 1874. Abtheilung für Psychiatrie (von Professor Westphal). Bd. II., Heft 1, p. 108, referring to: "Pathology of Insanity. By John P. Gray, M.D., Superintendent of the New York State Lunatic Asylum, from the *American Journal of Insanity* for July, 1874."

"Der beneidenswerthe Verfasser kennt ganz genau die histologischen Veränderungen des Gehirns bei Geisteskranken. Illustriert durch Photographien mikroskopischer Präparate, in denen Referent wenigstens so gut wie gar nichts von dem sieht was sie zeigen sollen."²

¹ Amply verified since by the revelations made to Comptroller Olcott; see the latter's report (Exhibit Z).

² The irony in the first part can hardly be rendered in the translation: "The enviable author knows, with complete accuracy, the histological changes of the brain of the insane — illustrated by microphotographs, in which the reviewer can, to say the least, see as little as nothing of that which they are intended to show." These are the same microphotographs which have been stated to exhibit artificial precipitates such as can be produced by the action of absolute alcohol on healthy human and animal brains. — *Note of Sub-Committee.*

EXHIBIT K. (Referred to, p. 16.)

From the Journal of Mental Science (the organ of the British Medico-Psychological Society), July, 1878. Editorial notice.

"Under the above title, Dr. Spitzka publishes an address to the New York Neurological Society, in the April number of the *Journal of Mental and Nervous Diseases*, in which he criticises most severely, many people would say intemperately, the work of American asylum physicians, and the policy of the American Association of Asylum Superintendents. There is much truth, however, in what Dr. Spitzka says, and we think our American brethren would do well to take heed to this and many other indications that a more liberal and open mode of conducting their asylums, and managing their association, is required. For example, we have never sympathized with the exclusive and unscientific spirit which shuts out assistant medical officers of asylums from the privilege of membership. We hold it to be a mistake in policy, a misfortune in practice, and unjustifiable on any ground. Dr. Spitzka's article is also a plea for the appointment of visiting physicians to American asylums, who shall enjoy the position and means of studying disease which the visiting physicians of hospitals enjoy."

EXHIBIT L. (Referred to, p. 17.)

From "Bucknill on Asylums in America," p. 38 (referring to the State Asylum at Utica).

"The asylum contains six hundred and fifty patients, and I was pleased to find that not one patient was either under restraint or in seclusion. I observed one young man in a state of great excitement, suffering indeed under the restlessness of the most acute mania. He was under the sole charge of two attendants, who were carefully walking about with him, holding him on each side,¹ and I could not refrain from asking Dr. Gray why he did not order him into mechanical restraint, as it appeared to me just the case in which it would be justifiable, if in any. Dr. Gray replied that he did not use restraint, but I found him indisposed² to talk on the subject, as he admitted that his practice was not in conformity with the opinions of his pro-

¹ The insincerity of the exhibition to which Dr. Bucknill was treated at Utica is not the only fact illustrated, but it is also shown that the very patients treated with restraint at this asylum, to this day, can be very well treated without.—*Note of Committee.*

² The Committee on Asylum Abuses fully understands the reasons why Dr. Bucknill's informant was indisposed to speak on the subject. They were something widely different from what Dr. Bucknill charitably interpreted them to be. "Embarrassed" would have been, perhaps, the better word.—*Note of Committee.*

fessional brethren, and he evidently preferred to treat his own patients as he thought best, without opening a blazing question.¹ As no one was in restraint in this asylum, neither was there any one in seclusion. . . .

"On a visit to another institution, which I shall not indicate,² I was introduced to a young man who was described to me as the supreme authority; his colleagues, engaged in business, leaving almost all the power in his hands. He was a *politician*, in the American sense of the word, which is not complimentary, and had begun his official career as night watch in a hospital,³ and the institution over which he held sway presented a remarkable contrast to that of Utica.⁴ . . . How is it, then, that the insane poor of these most important cities are left in a condition which no American, true to his country's honor, can think of, if he knows it, without regret or dissatisfaction? The explanation which I have heard is that the politics of the cities are more corrupt than those of the States, and tend to the selection of coarser instruments of the popular will; and, if this be so, the most helpless and heavily afflicted of their citizens have more to fear from the degradation of authority to its lowest level than any other class, for they have no power in the social scramble."

EXHIBIT M. (Referred to, p. 17.)

From same work, p. 65.

"But unless I am much mistaken, the superintendents of asylums in America have a heavy task before them, which will indeed require a determined effort before they can say that they possess the confidence of the public

¹ Says Dr. Wilbur ("Management of the Insane in Great Britain"): "On the contrary, Dr. Gray has for years been a loud-mouthed opponent of the doctrine, as the pages of the *American Journal of Insanity*, and the proceedings of the American Association of Asylum Superintendents of Insane Asylums will show. He has neglected no opportunity to reprobate or ridicule the views of its advocates. He has defended the use of restraining apparatus in his annual reports, and he has freely used it at the asylum under his charge. His favorite method is a crib bedstead, of which he has some thirty or more in his wards; but he does not hesitate to employ muffs, wristlets, straps, belts, strong waists, and camisoles, as a means of controlling patients, and not alone for surgical reasons. . . . It was not strange that Dr. Gray, out of respect to the opinion of his distinguished visitor, kept his restraining apparatus in the background. . . . And patients have been kept in the crib bedsteads at Utica for months at a time."

² The Sub-Committee of the New York Neurological Society will do so, however. It is the City Insane Asylum, on Ward's Island, that is referred to.

³ It may be of interest to the reader to know that the facts are exactly as stated by Dr. Bucknill. The same person described above is still a commissioner, and was at one time the President of the Commission. — *Note of Sub-Committee.*

⁴ This cannot be remotely, even, construed as showing superiority in medical management, but only of a greater amount of financial resources. We must take into account, too, the systematic deception practised on Dr. Bucknill. — *Note of Committee.*

in the same degree to which of late years it has been extended in England to the management of our county asylums and hospitals for the insane. With us the management of our asylums is open and patent; abuses occur, as they will occur, everywhere; but they are remedied, and, if need be, punished in the most public manner, and the records of them are displayed to the eyes of the world. It is thus that the American journals, in replying to *The Lancet's* leading article on American asylums, have been able to cite so many instances of disaster in our asylum work. But where shall we look for any record of wrong-doing or misfortune, which, in the nature of things, must take place in American asylums also? So far as I know it does not exist. There is in America no central authority to prosecute and punish such wrong, and no public record of circumstances to lament and avoid.

"Putting altogether out of consideration opinions and sentiments which were expressed to me privately, few things struck me more forcibly in America than the painful sensibility to public opinion which was manifested both at the conclave of medical superintendents, which I had the great pleasure to attend, and in the published transactions of that held last year. I think I may truly say that nothing of the kind exists with us, and few things would surprise me more than to hear a debate at one of the annual meetings of our Medico-Psychological Association upon the necessity of preventing or curtailing the transmission of the letters of patients in asylums either to their friends or to public authorities, or a discussion in which it was maintained that the absence on leave or the discharge of uncured patients was undesirable on account of the accusations and complaints which such persons were liable to make about their treatment; and, as a final instance of this difference of feeling, I may mention that the *Lancet Commission*, which will be generally welcome to English asylums in proportion to its ability and thorough faithfulness, has been deprecated in the *American Journal of Insanity* as an "insult to the Commissioners in Lunacy and the medical staff of every English hospital."

"Pondering these things, and many others with which I should not be justified in occupying space, I have been able to come to no other conclusion than that the great stumbling-block of the American superintendents is their most unfortunate and unhappy resistance to the abolition of mechanical restraint. I was told everywhere, except at Utica, that this question was settled in America, and that it would be useless and futile to reopen it. I was informed that, after many minor discussions, a great and final discussion of the whole question had taken place in 1874 at Nashville, and that the superintendents had there unanimously decided that the abolition of mechanical restraint was utterly impracticable, and that the statements of the English on the subject were not to be relied on. I was again and again informed that the system of non-restraint had proved quite a failure in England, and that we were rapidly returning to the old practices. As such statements were not very agreeable to me, and especially as I found that my contradiction could be met by the published opinions of some two or three English superintendents, who, although no prophets in their own country, are eagerly quoted abroad, I resorted to the somewhat vulgar expedient of offering a bet as an expression, or, if you will, *metre* of my belief.

. . . . The bet was not a thoughtless thing, and it certainly was not considered a rash one; for although I repeated it both privately and before many superintendents at Auburn, it was not accepted, and it certainly stopped the talk about a relapse. My offer was a wager of one hundred pounds that any American superintendent should go to England and should have free access to all public asylums there, and that in a search of one month he would not be able to find one patient therein in any form of mechanical restraint."

EXHIBIT N. (Referred to, p. 17.)

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss.:

Edward Charles Spitzka, a resident of the City of New York, being duly sworn deposeeth: That in regard to the statement of Dr. A. E. Macdonald, published on page thirteen of a document entitled, Report of the Committee on Public Health Relative to Lunatic Asylums, transmitted to the Legislature May twenty-second, 1879, the following is a substantially correct and true account. Shortly after his return from Europe, deponent was enabled—through the kindness and at the invitation of Doctor James G. Kiernan, at that time to all intents and purposes superintending the *medical* management of the City Asylum for the insane on Ward's Island—to make numerous autopsies on subjects dying with mental disease. These autopsies deponent made from the end of the year 1875 to the beginning of the year 1877, when increasing engagements prevented his attending personally, and such organs as deponent desired were sent to him by several of the assistant physicians. During the year 1876 Dr. A. E. Macdonald suggested to deponent that it would be very advantageous to deponent, as well as to the institution under the superintendency of the said A. E. Macdonald, for deponent to fill the position of "special pathologist" at that institution. Deponent long demurred from taking any steps to obtain what deponent had every reason to consider a perfectly worthless and empty title, but the said A. E. Macdonald repeatedly pressing deponent to make a formal application, deponent finally consented as a matter of complaisance, and because the said A. E. Macdonald represented to him that with the title of "special pathologist" the deponent would have that right to make post-mortems officially, which at the time he only enjoyed as a matter of privilege. Deponent then obtained two letters of recommendation, at Dr. A. E. Macdonald's suggestion, from Drs. Roosa and Janeway, which letters he handed to the said A. E. Macdonald. The precise date deponent is unable to recall, not considering the occurrence at that time of enough importance, present or prospective, to make a note of it. Without taking any further steps, deponent continued making the autopsies at the asylum mentioned, and in the spring or summer of 1876 requested Dr. A. E. Macdonald to consider deponent's application, made at the said A. E. Macdonald's request as aforesaid, as withdrawn. Deponent's reason for withdrawing was that he had learned that the holding a position at a given asy-

lum would debar him from the privilege of committing patients to such an asylum, under the law of the State, Chapter 446, Title 1st, Art. 1-3. The said A. E. Macdonald then requested him to continue utilizing the pathological material of the asylum under his charge, and further asked deponent to furnish *brief* abstracts of such pathological findings as would fill up his annual reports. This deponent did, and said findings, in several cases, are published in the said A. E. Macdonald's annual asylum reports for the years 1875 and 1876, with formal acknowledgments. At the middle of the year 1877, deponent declined to make any more autopsies or to receive any more material from the Ward's Island Asylum for the Insane, as he was then engaged in preparing a criticism of the asylum system of the United States, as the result of a growing conviction, and did not wish to be placed in an ambiguous position, as deponent would have been placed if he had published strictures based in part on over a hundred thorough personal inspections of the Ward's Island Asylum, at the time when he made autopsies by favor in said institution. If, therefore, Dr. A. E. Macdonald is correctly represented in stating that deponent was a candidate for a position at his asylum, and that deponent "was rejected on my (Dr. A. E. Macdonald's) recommendation," deponent must state most solemnly that this is a gross misrepresentation of deponent's position, because, first, deponent was not a candidate at the time when so "rejected;" second, that he never was a candidate at any time except in consequence of the urgent and repeated solicitations of the said A. E. Macdonald; third, that he never could have been induced to permit the use of his name as a candidate, and at the said A. E. Macdonald's request, unless he had been assured, as deponent was assured, that his appointment was a foregone conclusion; and, finally, deponent never knew, nor would he have knowingly permitted the said A. E. Macdonald, or any one else whom deponent could not even remotely regard in the light of a competent judge, to pass on his "antecedents and qualifications," as Dr. A. E. Macdonald, on the forty-eighth page of the document alluded to, claims to have done. Deponent asserts all and every representation regarding deponent by the said A. E. Macdonald as an unscrupulous and inexcusable misrepresentation of the true facts. The same person might have represented each and every physician in the State of New York as a disappointed applicant for an asylum position on the same grounds as he stated deponent to be such a disappointed applicant, namely, none whatever. Deponent further alleges, that the statement of Dr. Nichols on page twelve of the same document, referring to deponent as making "inquiry in regard to becoming connected with an institution for the insane is utterly unfounded." Deponent further alleges that his testimony is imperfectly rendered in the Senate Report aforesaid, that the documentary evidence he had with him he was not permitted to exhibit, that he was not permitted to give his evidence properly, and that instead of admitting, as the Senate Committee claims, that he had only visited one, and that a City Asylum, deponent testified to having visited, 1st, the Ward's Island Asylum; 2d, the Flatbush Asylum; 3d, the *State* Emigrant Asylum; and 4th, the Bloomingdale Asylum, which latter, in company of Drs. McDonald and Goldsmith, he saw very thoroughly. The Dr. McDonald here mentioned is Dr. Wm. H. Mc-

Donald, not to be confounded with the Dr. A. E. Macdonald referred to in other portions of this affidavit.

E. C. SPITZKA, M.D.

Affirmed to before me this 7th }
day of January, 1880. }

JOHN H. TIMMERMAN,
Notary Public, New York County.

EXHIBIT O. (Referred to, p. 18.)

NEW YORK, 130 EAST FIFTIETH STREET,
December 28, 1879.

DR. T. A. McBRIDE,

Chairman of Committee on Asylum Abuses of the New York Neurological Society.

DEAR DOCTOR:—The accompanying is a letter addressed by Dr. A. E. Macdonald, Superintendent of the Insane Asylum on Ward's Island, to William W. Strew, M.D., late Superintendent of the asylum on Blackwell's Island. It is placed at my disposal by Dr. Strew, and I in turn have the honor of placing it at the disposal of the committee of which you are Chairman.

Respectfully yours,

EDWARD C. SPITZKA, M.D.

Copy of Letter.

NEW YORK CITY ASYLUM FOR INSANE,
A. E. MACDONALD, M.D., *Medical Superintendent,*
NEW YORK, September 29, 1879.

DEAR DOCTOR:—I should strongly advise you to have nothing to do with Dr. Smith.

He was an inefficient assistant here, and I have good reason to believe that, so far from being the innocent signer of the petition, which he claims, he was really active in the endeavor to procure signatures to it. Dr. Pitkin can give you some points about him.

I hope you will preserve this letter, as it may be useful some time.

Yours sincerely,

A. E. MACDONALD.

EXHIBIT P. (Referred to, p. 18.)

CITY AND COUNTY OF NEW YORK, ss. :

I, JAMES G. KIERNAN, of the City and County of New York, being duly sworn, do depose and say that I never at any time of my life wrote an anonymous letter to any one; further, that the exhibit, if made as claimed in the State Senate Committee on Public Health's Report, relative to lunatic asylums, of an anonymous letter purporting to come from myself must have been a falsification, if not something worse.

I further depose and say that every signature which I obtained to the petition praying for an investigation into lunatic asylum management in this State was *bona fide*, and that I either read or explained the main points of the petition to every signer individually, or left the petition in their hands, in order that they might read it themselves.

I further depose and say that the statement of Dr. A. E. Macdonald, representing myself as deceiving Dr. Charles R. Smith into the belief that the petition would get me an asylum position is utterly false as it is on its face absurd. Dr. Charles R. Smith read the petition, expressed his approbation thereof, and did this in presence of witnesses who can testify as to the truth of my statements.

I further depose and state that the so-called "anonymous letter from Dr. Kiernan" was not exhibited when I was under examination before the Senate Committee on Public Health, nor were any questions asked me relating to it.

I further depose and say that the exhibit of my testimony, as published in the report of said committee, is mutilated to such an extent as to be unrecognizable, that such points as were particularly damaging to at least one of the superintendents are entirely omitted, and that when I was proceeding to give detailed evidence, not only of mismanagement, but of criminal neglect occurring in a city asylum with which I had been connected, I was interrupted by Senator Goodwin, who stated that the Committee had heard enough.

JAMES G. KIERNAN, M.D.

Sworn to before me this 23d)
day of December, 1879. }

JOHN H. TIMMERMAN,

Notary Public, New York County.

EXHIBIT Q. (Referred to, p. 18.)

Affidavit.

On page 33 of the Report of the Committee on Public Health Relative to Lunatic Asylums, No. 64, I find the following testimony and transaction recorded: "Q. If you understood that Dr. Kiernan had written an anonymous threatening letter to the Ward's Island Superintendent, in reference to this matter of investigation, you would still have the same respect for his opinions? A. Any anonymous communication written by a person would serve to weaken my respect for him; I think I would have a great lack of respect for any man who would write anonymous letters. (Dr. Macdonald offered an anonymous letter by Dr. Kiernan.) Q. Do you know that Dr. Kiernan publicly stated that the object he wished to accomplish for himself by this petition was an appointment to an asylum? A. Any personal motive of that kind would weaken my respect in a man or in his testimony; I trusted that Dr. Kiernan's motives were pure."

In reference to the above I hereby declare and certify that no anonymous or other letter was shown me at that time, or at any time, nor did I see any such letter in any one's hands, or in the room, or know that such a letter was introduced as a part of the testimony or otherwise.

Furthermore, I am made to say, "I trusted that Dr. Kiernan's motives were pure;" thus seeming, after seeing or examining such a letter, to change a former opinion, and speak in a condemnatory way of Dr. Kiernan. The facts are to the contrary. After listening to several questions, some hypothetically and some explicitly reflecting upon Dr. Kiernan, I said, in a general way, and waiving discussion about a question, about which I was not informed, "I trust Dr. Kiernan's motives are pure;" thus sustaining, rather than condemning him.

The above quotation constitutes a serious misrepresentation of my words, and introduces an incident of which I have no knowledge.

December 16, 1879. W. J. MORTON, M.D.,
33 E. Thirty-third Street, New York.

Subscribed to before me this 18th }
day of December, 1879. }

JAMES G. McMURRAY,
Notary Public, County of N. Y.

EXHIBIT R. (Referred to, pp. 19 and 20.)

*From the address of Senator McCarthy before the New York State Senate.—
Argus, March 7, 1879.*

"And since his appointment to this office he has regularly visited the County Insane Asylum of Onondaga County, and this last year he made a report, dated May 15, to the State Board of Charities, in which he says: "The institution is in excellent order, and the patients well cared for and comfortable, a physician visits daily, and there are hired attendants, both male and female."

"Some time during August or September last one or two members of the State Board of Charities visited the institution, and finding a portion of it in a very bad condition, called upon the Board of Supervisors to appoint a committee to examine into the matter. Such committee, consisting of three Supervisors, together with Messrs. Letchworth and Hoyt, President and Secretary of the State Board of Charities, visited this asylum and made the following report:¹

"To the Honorable Board of Supervisors of Onondaga County:

"GENTLEMEN—In response to the resolution of your Board of December 4, 1878, relating to the department for the insane of the Onondaga County Poor House, the undersigned, a committee of the State Board of Charities, and a committee of your Board, submitted this preliminary report.

"The committee have carefully examined the Poor House and the department for the insane, and have also taken considerable testimony bearing on the subject. We find the building for the insane badly arranged for the purpose, with many dark, damp, and unventilated rooms; that the whole estab-

¹ This documentary evidence was in the hands of one of the petitioners, and inasmuch as Messrs. Goodwin and Goebel were acquainted with it their voting against Senator McCarthy's resolution shows how our other evidence would have been treated.—*Note of Committee.*

lishment is greatly crowded ; and that there is a lack of proper attendants. The Committee, impressed with the urgent necessity for immediate relief, recommend as follows :

“ ‘2d.—As a *temporary expedient* the *dungeons* in both asylum buildings should be immediately demolished

“ ‘3d.—In view of the facts thus far developed by the inquiry, the committees are of the opinion that no expenditure, *looking to the permanent occupancy of these buildings for the care of the insane*, is desirable. All of which is respectfully submitted.

W. P. LETCHWORTH, President of the State Board of Charities.	} Committee of the State Board of Charities.
CHAS. S. HOYT, Secretary of the State Board of Charities.	

H. W. CLARKE, W. H. H. GERE, E. V. KING.	} Committee of the Board of Su- pervisors.

“ ‘A committee of the Board of Supervisors on County Buildings, after visiting the Poor House, next visited the Asylum for Insane Persons, and an editor of one of the Syracuse daily papers, who accompanied them, wrote as follows :

“ ‘They next visited the Asylum for Insane Persons. They passed through the various wards and halls and found nothing that was of a very objectionable nature. After passing through the upper parts of the building they continued their tour of investigation, and descended into a sort of sub-cellar of the building. *Here a sight met their gaze, and a state of affairs was discovered that they were utterly unprepared for, and that utterly astounded them. In this cellar, which was as dark as night, with a stray gleam of light occasionally struggling through crevices and slight openings, were found five pens, constructed of heavy plank, with plank doors that had a small aperture in the centre. The doors were unlocked and opened in obedience to the committee's demand. The rays of their lanterns were thrown into the interior, and there, crouched in straw upon the floor, or grouped shuddering in the farthest corners, were naked and half-clad human beings. The stench that arose from these dungeons was of the most repulsive and sickening character, and the atmosphere was of the most stifling nature. There was no light, no ventilation and no sanitary conveniences.*”

EXHIBIT S. (Referred to pp. 19 and 20.)

[Extract from a pamphlet entitled *Management of the Insane in Great Britain*, by H. B. Wilbur, M.D., Superintendent of the State Asylum for Idiots, Syracuse, N. Y., embodying quotations from the official reports of the Prison Commission for 1876.]

There is a Commissioner in Lunacy in this State, whose duty “it is to examine into and report annually to the Legislature the condition of the insane and the management and conduct of the asylums, public and

private, and other institutions for their care and treatment." To quote from his last annual report, "The State Commissioner of Lunacy visits when and where he pleases, often at night as well as by day." His custom is, however, to give fair notice of his coming, and he becomes the guest of the medical officers.

In his report for 1875 he gave an unqualified indorsement of all the State asylums for the insane. He had visited from time to time the Asylum for Insane Convicts at Auburn, and he commended the management of that directly and by implication. It occurred, however, that the "Prison Commission" of last year made an investigation of the management of that establishment, and I quote from the testimony¹ taken in regard to it.

Dr. McDonald,² who was appointed Superintendent in the spring of 1876, thus testified:

"I found the institution in a decidedly unsanitary condition; I think I never saw its equal in that respect, presenting an appearance of squalor and destitution beyond anything I have ever seen in any pauper establishment or poor-house;" "the bath-rooms and water-closets were a stench to the nostrils;" "the beds literally swarmed with bugs;" "the food badly cooked and badly served; three-fourths of the patients were suffering from dyspepsia and bad diet;"³ "the bread was sour, the flour being of an inferior quality; the cells dingy and dirty;" "no provision for extra diet for the sick or feeble was made, except a weak tea;" "there were very few of the modern remedies used in asylums; about the only one was hydrate of chloral."

As to punishments.—"Punishments were the order of the day when I came there; I have a patient there to-day who has a pistol-ball in his arm, that was shot in by my predecessor, and another in his hip; I found one patient with handcuffs upon his hands fastened behind him; I am told patients were paddled; one of my present attendants says that he has seen my predecessor black the eye of a patient, and he did not think anything of doing it himself."

One of the attendants testified to paddling patients, handcuffing them, and chaining one in a crib.

Another testifies that this "paddling" was done even in the case of a female patient, by the direction of the assistant physician. He describes the paddle as "a piece of thin oak stick, about as thick as a piece of heavy sole-leather, and about two and one-half inches wide, with a handle." This is applied to the naked body. He also testified that a man was chained up, shackled and handcuffed night and day for about two months.

¹ Among the documentary evidence excluded.—*Note of Sub-Committee.*

² Dr. Carlos McDonald; not to be confounded with the Dr. A. E. McDonald referred to in Exhibits D, E, F, N, O, P, Q, X.—*Note of Sub-Committee.*

³ The suggestion forces itself instantly on the mind of the reader that the Commissioner of Lunacy would have found a fitter sphere for the exercise of his gastronomical theories of insanity by paying *some* attention to his unfortunate wards, instead of libelling the *not yet insane* farming population of our State, as in Exhibit U.

The Superintendent habitually carried a revolver. There were no records, medical or otherwise, kept of the daily life of the patients.

The above items are a few points selected from whole pages of testimony to the same effect, and showing the grossest mismanagement in an asylum that the public would naturally suppose would receive more attention at the hands of the Commissioner of Lunacy than any other.

I perhaps should add, as a partial apology for the Commissioner of Lunacy, or, at all events, to give him the consolation that companionship affords, that at the very time when these abuses were committed at this institution, the American Association of Superintendents of Insane Asylums met at Auburn. They spent a half-day in inspecting its wards, and then passed resolutions¹ which contained the following language: "That their visit had been peculiarly interesting, as giving most obvious evidences of good management."

EXHIBIT T. (Referred to, p. 20.)

From the official report of the State Commissioner in Lunacy, in the case of the People of the State of New York on complaint of Jonathan T. Norton against the Society of the New York Hospital.—(American Journal of Insanity, January, 1877.)

(Italics our own.)

Page 353: "The exact limits of occultation of her memory, and the varying degrees of obscurity exhibited by it during the passage of an *umbra* or *penumbra* over her mental horizon, form curious phases of disordered action in the processes of recollection, and impart to her testimony a character very difficult to weigh in the balance of *intellectual veracity*."

Page 363: "Because we know that insanity *permanently* enfeebles the mind, and that an act of self-introspection involving memory becomes *thenceforth more difficult*, and because also, in the effort to perform it, the mind is apt to fall into the oldest worn channels of thought—those, in fact, which were most used during the period of its greatest insane activity."

"If this be the law governing the action of healthy minds, are we authorized to assume that this law wholly suspends its action in disordered minds? Or, in other words, can we assume that the memory gathers strength from the weakness of the organ which gives it expression? I can find no authority for such an expression."

Page 382: "It is not surprising that the public should deem it impossible, when relatives of an insane person cannot endure his presence at home,

¹ The passing of "resolutions" endorsing the management of the particular asylum whose guests the Association members are, is a matter of routine nowadays.—*Note of Sub-Committee.*

that strangers should be kinder and more forbearing with him in the privacy of an asylum. It is idle to criticise this as sheer ignorance; it is wiser to confess that it is a *feeling* of human nature which we must respect, because *born of our affections*, while at the same time it is *our duty to allay the distrust which springs from it*, PARTICULARLY *when any accidents occur to the insane.*"

Page 387: "I am myself often amazed at the facility with which managers confide the delicate task of caring for the insane to the persons I meet with in asylums as attendants."

EXHIBIT U. (Referred to, p. 20.)

Extracts from the fourth annual report of the Commissioner in Lunacy, January, 1877.

(Italics our own.)

Page 9: "Persons really cured of their insanity do not revert with pleasure to the days of their mental disorder. They do not dwell like hypochondriacs over their ills and plagues. It is a dream which they do not care to recall. Happy, grateful, *trembling* over the enjoyment of their restored powers, they are not the ones to *dabble with the feet of memory* in the turbid waters of a disturbed mind *and* passions, or to summon a public audience to the recital of scenes belonging to the night side of nature. Persons who are constantly reviewing the phenomena of their past insanity give the strongest evidence of being uncured."

Page 16: "Wherever men centre and aggregate, the most *ordinary* friction of life becomes insensibly straining to the brain. *The sympathy of crowds is a recognized fact. The communication of like results upon individual members is the first step in individual declension.* The weakest fall first, but *all* eventually droop until they come to wear a recognized type of excitability, which is associated with the border-land of insanity. Nor is it possible to compute the effects upon generations of men arising from the habitual consumptions of such narcotics as tobacco and alcohol, which have now become *real necessities* of life to thousands. If any friction can more insidiously undermine the nervous system of man than that produced by the foregoing social idols, *we have yet to learn what it is.* Vice has its periods of satiety and disgust, but with narcotics the game is always one of increasing fascination, and *always fatal* to the player. *None draw a prize in it save disease or death.* In fact, a man in the clutches of these habits is digging his own grave daily, with fetters on every function of his body and every faculty of his mind. He is always less than he might be, because he is always discounting his capital in life, instead of restricting himself to the use of its natural interest alone. Thus, while living in the present, he borrows from the future.

Page 16: "But with drunkards and debauchees who pauperize their families by first pauperizing themselves, the descent of their progeny into idiocy, imbecility, and the *myriad phases of scrofula*, is rapid and decisive."

Page 16: "Poor food, physiologically speaking, and monotony of diet, become so through its narrow, and therefore ignorant range of selection, is another very fertile source of degeneracy in the laboring population, particularly of the agricultural districts. Observation reveals the fact that for many months in the year the diet of the farmer consists of old salted meats and one or two starchy vegetables. Wheat in the shape of fine flour is the common cereal used, to which, by way of variety, buckwheat—an inferior element of food—is superadded. This latter would scarcely be employed were it not for the amount of molasses which it invites the use of as a sauce, and the consequent temptation to consume it in excessive quantities. It is well established by our commercial statistics that Americans consume more sugar *per capita* than any people on the globe. *Pork, molasses, and buckwheat form the tripod upon which, in the Northern States, the demon of degeneracy builds his shrine in almost every farmer's household. Parent and child alike worship at it, with traditional reverence for its cheapness and great facility for storage. Meanwhile, over the whole family broods the perpetual nightmare of dyspepsia, obscure invalidism, and those multiple judgments born in the flesh, yet executed through the moral nature,* which call for the physician rather than the priest. They are only chimeras distilled from the vicious products of imperfect digestion, and easily dispelled by physical remedies. The marvel does not so much reside in their occurrence as in the persistence of those habits of life which produce them. Some call them "judgments," others call them "crudities;" but, in either case, the condition of the blood shows itself in the character, and, inasmuch as society is deeply concerned in the results which flow from phases of character, the subject is sufficiently public to justify comment.*

"In this day of commercial dispersion of all forms of food there can be neither necessity nor apology for living habitually upon salted meats, and thus converting into a staple article that which should be partaken of only as an auxiliary one. If our farming and mechanic population would eschew liquor and live cleanly without and within, there would be fewer invalids, paupers, criminals, and lunatics. There is practically little or no nutriment in old salted meats, the brine of which ultimately extracts all the albuminates and phosphates, leaving behind little besides *strings of fibrin and chondrine indurated to the consistency of parchment* by long contacts with salts and potash. And as for *pork, its deleterious influence on the glandular system, whenever habitually used, is a fact too well known to require either argument to sustain or commentary to illustrate it. Cursed in the Scriptures by direct as well as indirect condemnation, its use may be considered pernicious under any circumstances*, but particularly so when that use is made habitual and exclusive. . . . This is why farmers' wives and children show the ill-consequences of such a diet as pork, salted fish or meats, and buckwheat earlier than do the father or grown brothers, who are much out of doors, and also visit other tables than their own, and so get the benefit of a little change.

"If farmers, instead of stripping their farms of products for table use, in order to bring them to market, would live on some of them at home—if they

would discard as habitual articles of food those which we have just commented on as pernicious, and take more fresh meats and fish, milk and eggs, graham flour instead of fine wheat, together with oatmeal and *rich* cheese, and for vegetables, not potatoes or rice alone, or beans or peas, but *carrots, onions, cabbage, cauliflower, tomatoes, salads*, and CORN-MEAL, together with acid fruits, most of which foregoing articles may be grown on any farm in this State, *there would be less dyspepsia, less ill-health and indoor unhappiness, less degeneracy of children, less SCROFULA, less consumption, and finally, less insanity.*"

EXHIBIT V. (Referred to, foot-note, p. 22.)

Letter from Dr. E. C. Seguin to Dr. Willard Parker, *Junior*, Dr. Willard Parker, *Senior*, being at the time very ill.

41 WEST TWENTIETH STREET,
NEW YORK, December 18, 1879.

MY DEAR DOCTOR:

A very unjust and misleading document, called a Senate Report on the petition for an inquiry into the management of asylums, which was sent to the Legislature last winter, has been widely circulated.

Among a number of false statements is one which gives the reader the impression that your father, Dr. Willard Parker, was not heartily with us, and leaves it doubtful if he signed the petition.

Will you do me the favor to answer, at the earliest moment convenient to you, the following questions:

1. Did not Dr. Willard Parker sign the petition?
2. Am I wrong in recalling his energetic expressions to the effect that asylums needed overhauling?
3. After the Senate Committee's summons, was he not still with us, and was he not indignant at being summoned as a witness when he was a petitioner, praying for information?
4. Does he not now fully sympathize with the movement for asylum reform.

Sincerely yours,

E. C. SEGUIN.

Answer of DR. WILLARD PARKER, JR., to above letter.

December 18, 1879.

DEAR SEGUIN:

My father did sign the petition you refer to; was, and is still, strong in his convictions that many of our asylums need "overhauling"; was indignant at the subpoena, and so expressed himself in a letter to the committee, and is now in hearty sympathy with the expressed object of to-night's meeting.

In great haste, yours,

W. PARKER, JR.

EXHIBIT W. (Referred to, p. 11.)

BROOKLYN, 129 PIERREPONT STREET,
December 24, 1879.

J. A. McBRIDE, M.D.,

Chairman of the Committee on Asylum Abuses:

MY DEAR SIR—In the printed report of the Senatorial Committee on Asylum Abuses, it was stated that, from among the hundreds of registered physicians of Brooklyn, there was only one whose signature was affixed to the petition to the Legislature. Had the honorable committee of our State Senate possessed a Medical Register, and had their desire for accurate information been sufficiently strong to impel them to turn over the pages of this book, they would have been gratified at the discovery that some dozen or more names of those appended to the petition were those of Brooklyn's best known physicians, and they would not have made a statement which ran some risk of being regarded as reckless and unwarrantable. As I obtained these particular signatures, and am personally responsible for them, it is simple justice to myself, to my professional colleagues who are interested with me in this movement, and to our cause, that I should make this statement.

Very truly yours,

LANDON CARTER GRAY, M.D.

EXHIBIT X. (Referred to, p. 11.)

NEW YORK, Dec. 26, 1879.

DEAR DR.:

Although no longer a member of the committee, I still take great interest in its work, and will aid in this work to the best of my ability, if that aid is acceptable. In this view, I submit the accompanying deposition,¹ as well as the following lines. I regret that so much of myself has to appear herein; but, the tactics of the Superintendent, assisted by the member of the Senate Committee examining, and who, for the occasion, acted as the unblushing attorney of the superintendents, force me to do as I have done. This, more particularly, because the distorted account of my testimony has evidently induced certain superficial critics to assume that the charges of your committee were based on personal malice. Historically, this is false. It is a matter of accessible record that I had not even the pretext of a grievance against any superintendent prior to the day on which Dr. E. C. Spitzka read the paper, in consequence of the acceptance of which the Committee on Asylum Abuses was appointed; that I was dismissed from my position under Dr. A. E. Macdonald, because of the very moderate part which I took in the discussion, I demonstrated before the Senate Committee. They have not seen fit to publish my testimony on that point, just as they have not scrupled to suppress many other things which I said, and which, if published, would have deprived the superficial critics above alluded to of the pretext (which to them, I think, must have been a welcome one) for condemning the

¹ Exhibit P.

petitioners who went to Albany, as neglecting to furnish evidence based on personal knowledge.

I had prepared a report of the testimony which I gave at Albany, the day after I gave it, at Dr. Spitzka's suggestion, as I agreed with him that from the manner in which the Senate Committee had acted while we were under examination, and that the stenographer was observed to neglect taking the testimony at certain points, and to be utterly incompetent to follow the speakers at others, that we might expect, at most, a fragmentary report. It turns out that the report was not only fragmentary, but mendacious in fact. Thus, on page 47 of the report I am represented as stating that "on one occasion I was asked to give the death certificate of a patient who had died in this asylum; I refused to do this." Thus making it appear as if I had been entrapped into admitting that I had been guilty of insubordination. The fact is this: I testified that "I was asked by a superintendent to sign a *bogus* death certificate, assigning any ordinary somatic affection as the cause of death, in the case of Odenwald, a patient who had perished from violence, and that my refusal, and the refusal of an undergraduate, who was asked the same thing, forced on a coroner's inquiry, to defeat the occurrence of which the *bogus* certificate would have been necessary."

This is only one of many distortions.

There is another important matter to which I testified from the most intimate personal knowledge. Page 5 (the Senate Committee on Public Health) reports as follows: "Outside of the State asylums, it appears that but one undergraduate is employed, and that he obtained his place by *examination as to qualifications by the authorized medical examining committee* of the institution in which he is employed." Without repeating the testimony which I gave, I desire to state the following: The gentleman, who was a candidate for a position at the same time as myself, and myself, were sent around to the residences of Drs. Loomis, Wood, and Sands. Dr. Wood was not at home, Dr. Sands was engaged, and Dr. Loomis told me that he had so recently examined me (as a candidate for graduation in a medical school) that there was no necessity for repeating the performance. Now, I wish particularly to state that the examining board composed of these gentlemen is not to blame. They are merely acting under higher orders.

This is the examination which a superintendent on page 13 of the Senate Committee's Report refers to as "more of an examination" than that passed by "many graduates." The same superintendent, a few lines lower down, states that he "never heard it stated that superintendents were not versed in the anatomy of the nervous system, except in this petition and the newspaper comments upon it." I can contradict this, and within the corroborative knowledge of many members of your committee, as well as of the Medico-Legal and New York Neurological Societies, at whose March meetings, in the year 1878, two long papers were read criticising superintendents from every scientific point of view, at which this superintendent was present, and was unable to answer a single point in the two papers named.

After I left the Senate Committee's room (much I regret it now), after being interrupted in my testimony by Senator Goodwin, and at the urgent suggestion of Dr. Spitzka, who held that it was beneath our dignity to play

any further part in the prearranged comedy enacted by the Senate Committee, Dr. A. E. Macdonald is represented as making certain statements (page 48, S. C. Rep.).

It may be well to state that, previous to our leaving the room, Dr. Macdonald rose to cross-examine us. Dr. Spitzka abruptly refused to permit him to do so. I, however, offered to let this or any other superintendent cross-examine me if he would consent to let me cross-examine him in return, both being under oath. This he declined, or rather Senator Goodwin did it for him—I think very wisely.

In his final peroration Dr. A. E. Macdonald makes several statements, which are all of them without any exception utterly false. As regards his statement that Dr. Spitzka was a "rejected applicant for a position at his asylum," I will state of my own knowledge that the position in question was merely an honorary one, and that Dr. Macdonald on several occasions requested me to suggest the position to Dr. Spitzka, and after my doing so, urged it on Dr. Spitzka in my presence. Furthermore, in regard to this superintendent's denial that I had assisted him in writing the best paper on insanity he had ever written, a statement that is correct, though it escaped me in the heat of the moment and under the irritation of a cross-examination of the most unprecedented character, I submit the following quotation from the paper referred to. It is entitled "General Paresis," by A. E. Macdonald (from the *American Journal of Insanity*, April, 1877); on page 3 is the following statement: "I have accordingly, during the past two years and a half, with the assistance of Dr. James G. Kiernan, of the asylum staff, engaged in the collection of material for the notes which I submit this evening."

How does this compare with the statement that "he (Dr. Kiernan) simply performed the clerical work, which was an apothecary's duty—no more"? No apothecary in the employ of the Commissioners of Charities and Correction ever dreamt that it was his duty to write (clerically or otherwise) the scientific articles of the physicians over him. I was not, as the acknowledgment shows, an apothecary when the paper was written, though I was such when it was read. I made all or nearly all the examinations of patients, collected the bibliographical quotations, and in doing so now find that I had made a misquotation, which I do not think the "writer" himself is aware of, though I can easily point it out.

I would not have violated the professional amenities so far as to make these statements, if it were not necessary to do so in order to controvert falsehoods reflecting on my sincerity and truthfulness.

I quote further from Dr. Macdonald's report for 1875: "For a time I have been without any assistants at all. It has been fortunate for me that in the latter contingency, I have had the aid of Dr. James G. Kiernan, the apothecary of the asylum, whose former service as assistant physician, and whose industry and ability rendered him a valuable ally." From the report for 1874. "Drs. James G. Kiernan and M. J. Madigan. . . . They have been especially painstaking in the preparation of the statistics which accompany this report, no small labor in any case, and much increased in the present instance from the unsatisfactory condition of the records from which the tables had to be compiled."

If you consider it desirable that these facts be put in the shape of an affidavit, I am ready to do so.

Very truly yours,
J. G. KIERNAN, M.D.

Dr. T. A. McBRIDE,
Chairman Committee on Asylum Abuses.

I, James G. Kiernan, M.D., of the City of New York, being duly sworn, do depose and say that every statement of the foregoing letter is true and a full and exact account of the circumstances mentioned therein.

JAMES G. KIERNAN, M.D.

Sworn to before me this 7th }
day of January, 1880, }
JOHN H. TIMMERMAN,
Notary Public, New York County.

EXHIBIT Y. (Referred to, p. 11.)

[This exhibit is made as showing on what grounds many of the petitioners signed, and what letters were sent by them in reply to the summons of the Senate Committee [Ex. B]. It has been submitted to the Committee by Dr. E. C. Harwood, and is a copy of a letter sent to Albany.]

LAW OFFICES OF HULL & MYERS,
No. 21 PARK ROW, ROOMS 36, 37 AND 38,
NEW YORK, May 1st, 1879.

HON. L. S. GOEBEL, }
HON. A. T. GOODWIN, } *Committee on Public Health:*

GENTLEMEN:—Yours of the 26th *ult.* received. Two considerations influenced me in appending my signature to the petition before your Honorable Committee relating to lunatic asylums: First, the statements appearing from time to time in the public press with reference to those who have been (unfortunately) committed to asylums without just cause, the treatment received by some of the inmates at the hands of their keepers, and the recent exposure of the Syracuse affair.

Second, the views expressed by a physician, in whose views I have full confidence, as to the manner in which management should be conducted.

Personally I cannot testify to anything bearing on the manner in which the State Commissioner in Lunacy has discharged his duties, nor as to the internal workings of asylums. I deem the appointment of investigating committees to examine into the workings and management of all our State institutions a matter of public utility, and if for no other reason I should have signed the petition now before you. I do not know the intention of the Committee, but I venture to suggest that a practical way in which to investigate the working of the institutions would be by personal visitations by the

Committee among them at a time when those in charge should not be informed of your intended visit, and also by summoning before you and examining those who have been inmates and discharged therefrom, either by an order of the court, or as restored. Their names and residences could easily be obtained from the records of the institution, and I doubt not that some would be found who would not be so beside themselves but that they could give such experience of their treatment as would interest your Committee, and no less the public, in whose service you are engaged.

If your Honorable Committee believe I can give any information of any value to them (which I doubt) I am ready to appear at the time appointed on receipt of further notice.

Very respectfully yours,

JOHN G. H. MEYERS.

EXHIBIT Z.

[From the Annual Report of the Comptroller of the State of New York.
Transmitted to the Legislature, January 8, 1879.]

Another case deserving criticism has been brought to light in one of the State institutions which publishes a *Journal of Insanity*.¹ This paper has been published for many years, and from an account rendered to this department, at my request, I learn that since 1850 its bills have been paid out of the funds of the institution to the amount of \$17,092.42. Up to 1856 the institution received from the paper \$670.53. Since 1856, or for twenty-two years, the treasurer reports no receipts from the paper, but says: "I have understood and believe that they have been spent in editorial services and the purchase of books for the asylum libraries." It would seem, then, that one at least of our charitable institutions not only has large miscellaneous receipts, the vouchers for the expenditures of which never come to this department, but that it has receipts the amount of which its own treasurer cannot state, and the vouchers to account for which he never sees. It would be difficult to properly stigmatize such loose management. These instances would seem to indicate that much can be done in our institutions looking toward economy and prudent management.

My report for 1877 contained the following: "I would recommend for your consideration the policy of abolishing all local boards of trustees,² and the erection of a system by which the different institutions shall be managed by one controlling power. As it is, the responsibility for loose and expensive management is not centered in any one. If we are to look for improvement, it can only be found in establishing a fixed and definite responsibility, in place of the present plan, where there is practically no accountability."

I respectfully renew this recommendation.

F. P. OLCOTT,

Comptroller.

¹ It is almost superfluous to mention that this refers to the Utica Asylum.—*Note of Sub-Committee.*

² This excellent suggestion, if carried out, would strike at the root of countless other evils.—*Note of Sub-Committee.*

EXHIBIT AA. (Referred to, p. 11.)

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss.:

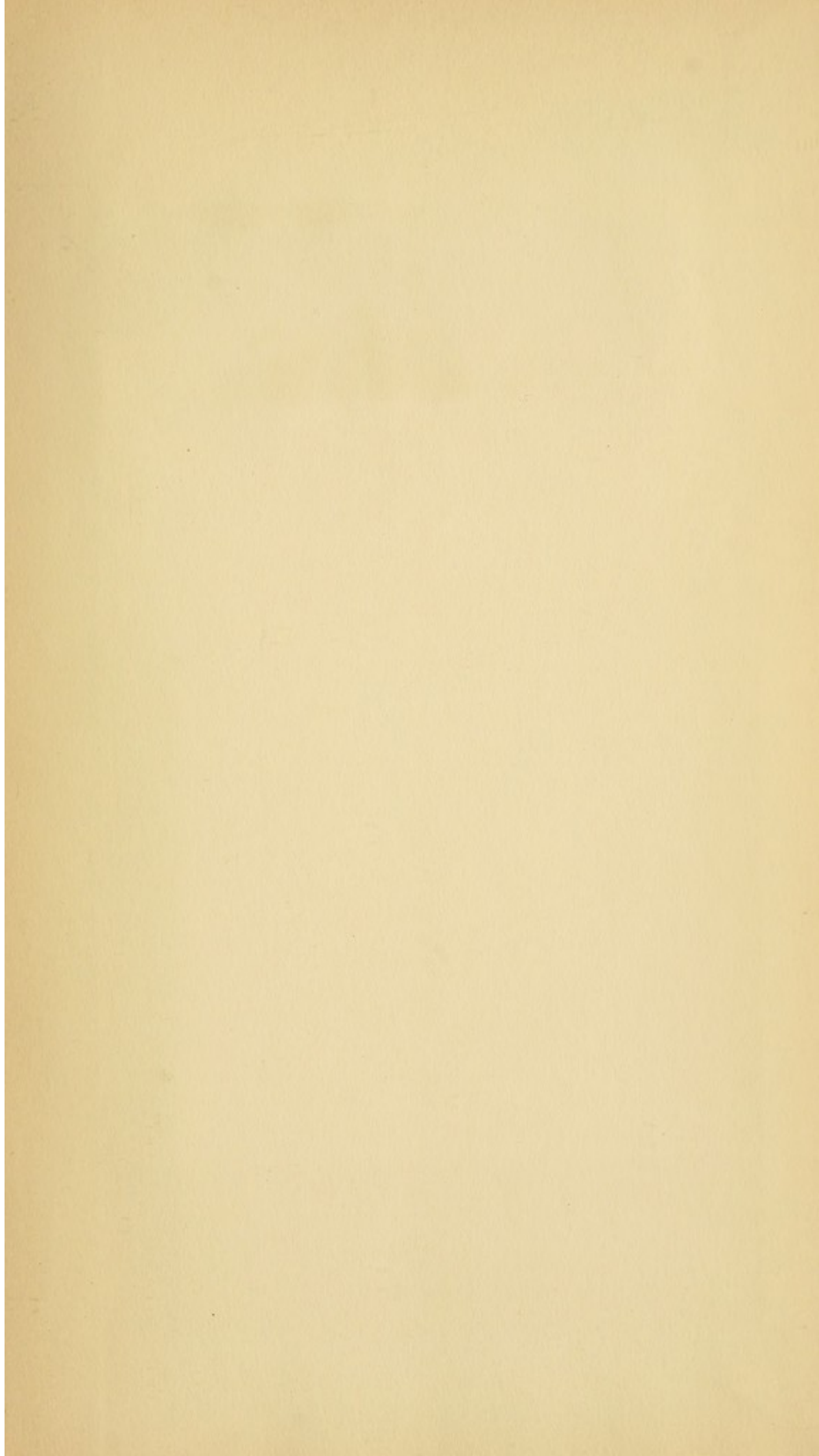
Thomas A. McBride, M.D., being duly sworn, deposes and says : That he circulated a *bona fide* copy of the petition to the Legislature for asylum investigation in the New York Club, in the fall and winter of 1878-1879, and obtained many signatures to it ; that among the signatures affixed to this petition were those of James Struthers, James M. Dunbar, and J. Nelson Tappan ; that Dr. A. E. Macdonald stated in the report of the Senate Committee, to whom the said petition was referred, that he was authorized to withdraw the signatures of these gentlemen, because, in the case of two of them (Messrs. Struthers and Dunbar), the petition which they had signed was one praying for an increase in the comforts of the insane, and not one demanding an investigation ; and in the other case (J. Nelson Tappan) the petition had been signed under the misapprehension that it was a club paper. Now, the said Thomas A. McBride, on the contrary, deposes and says that he explained the purport of the petition to the above gentlemen, and saw two of them affix their signatures ; and he deposes further that each of the above-named gentlemen have informed him since that they were induced to withdraw their signatures on the representations made to them by Dr. A. E. Macdonald, that there was no necessity for such an investigation, and that the object of the petition was to satisfy personal malice and envy ; and Dr. McBride further deposes that he saw the signature of J. Nelson Tappan affixed to a *bona fide* copy of the original petition ; that it was not signed late at night ; that it was not signed at the same time by thirteen others under the impression that it was a club paper as is stated in the Senate report ; and further deponentsaith not.

T. A. McBRIDE, M.D.

Subscribed and sworn to be- }
fore me, this 6th day of }
January, A.D. 1880. }

S. B. GOODALE,

Notary Public, New York County.



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