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Burrows, George Man, 1771-1846.
Lax, Robert
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Publication/Creation

London : Published by Harding ...; Longman, Hurst, Rees, Orme, and Brown ...; Callow ... ; and Underwoods, 1819.

Persistent URL

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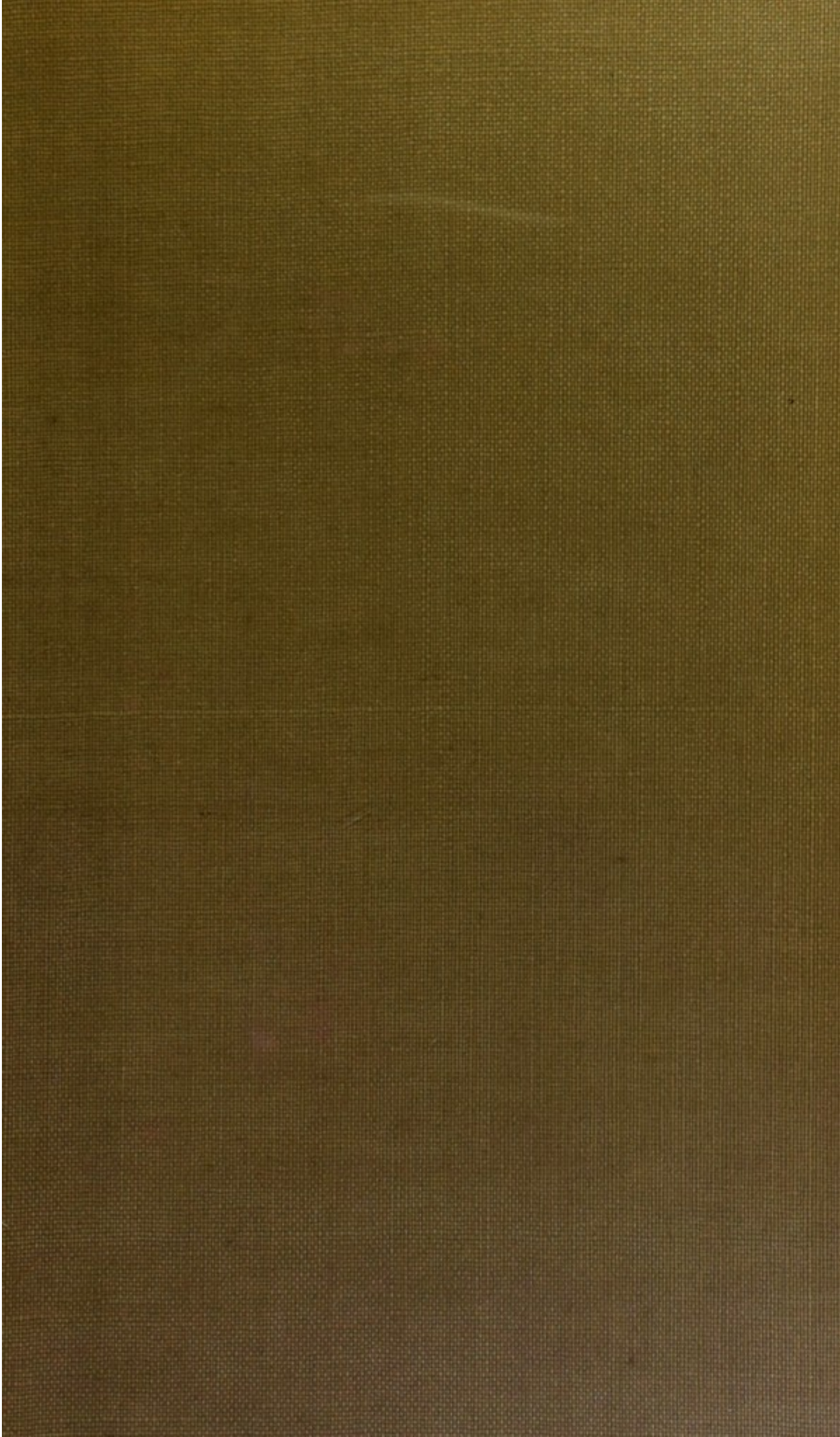
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CURSORY REMARKS
ON
LEGISLATIVE REGULATION
OF
THE INSANE;
AND
ITS PROBABLE INFLUENCE ON THEIR PHYSICAL AND
MORAL CONDITION:
WITH
OBSERVATIONS
ON SOME
DEFECTS IN THE PRESENT SYSTEM:

By **GEORGE MAN BURROWS, M.D. F.L.S.**
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OF EDINBURGH, OF L'ATHENEE DE MED. OF PARIS,
OF THE MINERALOGICAL SOCIETY OF JENA, ETC.

LONDON:

Published by **HARDING**, St. James's Street;
LONGMAN, HURST, REES, ORME, and **BROWN**, Paternoster Row;
CALLOW, Corner of Gerrard Street, Soho; and
UNDERWOODS, Fleet Street.

1819.

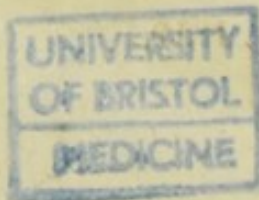
CURSORY REMARKS

REGISTRATIVE REGULATION

THE INSANE;

THE PROBABLE INFLUENCE OF THEIR PRESENT AND
FUTURE MORAL CONDITION.

Presented by
Robert Lax Esq
to the
Bristol Infirmary.
13th Novemb. 1832



that if the proposed Bill had passed into a law, instead of their condition being improved, the objects of the National Asylum would have been abandoned to greater injuries than any which

THESE Remarks were written, chiefly, with the intention of pointing out the tenor of a Bill, which passed the House of Commons in the session before last; and which professed to have for its object, the better regulation of Mad-Houses.

Whether the objections which were urged against the Bill, or whether the palpability of the erroneous principles on which it was founded, occasioned its fate, is not material; but it died, *sub silentio*, in the House of Peers.

As the author's observations were then honoured with the approbation of many distinguished Members of both Houses of Parliament, he is induced to re-offer them, at the juncture when another Bill is announced as about to be submitted to the Legislature. The intended provisions are, at present, unknown: consequently, no suspicion can arise, that any thing in this pamphlet (which, except the title-page, is little altered) is obnoxious to them. Indeed, from the ability and constitutional principles of the Honourable Member (Mr. WYNN), who is its patron, a confident expectation may be entertained, that a measure, embracing more enlightened views, will be introduced. An unanimous opinion has ever obtained among all conversant with the insane,

that, if the proposed Bill had passed into a law, instead of their condition being improved, these objects of the National solicitude would have been abandoned to greater miseries than any which they had before endured.

The interests of those engaged in the care of insane persons are truly secondary considerations. But surely it is not consonant with the maxims of British Legislation to place any class of British subjects out of the pale of protection:—and such, unquestionably, would have been the effect of some of the clauses of the former Bill.

The flagitious scenes the late Inquiry disclosed, can never be effaced, while humanity is cherished as a moral virtue. Nevertheless, the time that has since lapsed is a fortunate circumstance; because the evidence then adduced can now be correctly appreciated. Whatever prejudices the interested and malicious had raised, to inflame and influence public feeling, must, in a great degree have subsided; and the better judgment of the good and the wise will arrive at more just conclusions. And, if they, in whom lies the power, are guided by their own unbiassed reason only, Regulations will be enacted, as much to the credit of the Legislature, as to the advantage of the great cause of Philanthropy.

62, Gower Street, Bedford Square,

March 18th, 1819.

CURSORY REMARKS,

&c. &c.



AN INQUIRY has been instituted by Parliament into the state of Mad-houses and Maniacs throughout England and Scotland. This act justice and humanity and the national character demanded. The House of Commons voted a Committee for this object especially; and gentlemen of rank, property, and talents, zealously devoted themselves to this painful, but necessary, investigation. In the course of two sessions of Parliament, several Reports containing the minutes of evidence were published; the matter of which has excited a very high degree of public feeling.

As a consecutive measure, a Bill was brought forward during the last session for the regulating

of Mad-houses throughout Great Britain: the reasons why it did not then pass into an Act are foreign to the present purpose; but they who were best able to appreciate the bearing and probable effect of its various provisions, could not but rejoice that it was postponed, in the hope that delay would render it more perfect by affording time for dispassionately reflecting upon its general import.

Accordingly, in February last, a new Bill was brought into Parliament, retaining the principles of the former, but with some additions.

The title of the present is the same as that of the former Bill. It may be right to premise, that it enacts that the Acts of the 14th and 55th of His present Majesty be repealed, "*save and except as to any fine, penalty, or forfeiture, for or in respect of any offence committed against the provisions of the said Acts; and the recovery thereof, in any case in which the same could not be recovered under the provisions of this Act:*" whence I presume, that the penal enactments of the former Acts are still in force, in addition to those which the present contemplates: and this ought always to be borne in mind.

I shall quote the sections or clauses most requiring notice; but, as they are not numbered in the Bill, I must refer to the pages; adding such remarks as each particular section may demand;

and reserve the more detailed observations for the conclusion.

See the Bill, Page 2.

“ And in order that proper persons may be appointed for licensing such houses as may be kept for the reception of lunatics, other than lunatic asylums before mentioned, and visiting such houses and all public hospitals, within that part of the United Kingdom called *England* ; Be it enacted, that His Majesty's *Principal Secretary of State for the Home Department*, shall annually on the last day of September in every year, or within ten days then next following, appoint eight persons to be Commissioners for that part of the United Kingdom, of whom four at the least shall be Fellows or Licentiates of the College of Physicians in *London* or *Edinburgh*, as Commissioners for *granting Licences* within the said part of the United Kingdom, and for *visiting the several houses* therein for the reception of insane persons within the same, and all *public hospitals* for the reception of such persons, in such districts or divisions in *England* as shall be allotted by His Majesty's *Principal Secretary of State*, so that there shall be two of such Commissioners appointed for *each district*, one of whom shall be a Physician, and shall also appoint a person to act as Secretary to the said Commissioners at their General Meetings ; and the said eight Commissioners so to be appointed, shall be and are hereby declared to be Commissioners for granting Licences within the said part of the United Kingdom for the year then next ensuing ; provided that two at least of the Commissioners to be so appointed shall be persons who have not acted as Commissioners for the preceding year ; and that no person whatever shall be capable of acting as a Commissioner for more than four years, unless he shall be specially authorized for that service by a new appointment from the *Principal Secretary of State*.”

It must be objected to this plan, that, the

districts will be of too great extent, and therefore must occupy the Commissioners a great length of time in traversing and inspecting; that the expence of travelling will be enormous, although the Commissioners even reside within their own districts; and that as the Commissioners ought either to make several visitations in the course of a year, or their office will be nugatory; therefore no Fellow or Licentiate of the College of Physicians, or Member of the other branches of the Faculty, or any other individual of character and education, will accept of an appointment that must effectually bar all progress in their respective professions and occupations.

A very young physician is not a proper person to execute the office; those in the meridian of life and of good repute probably will have other avocations, and will not accept it; unless it be both permanent, and adequately remunerative for the sacrifice of their views in life, and to the trouble and domestic privations they must endure. Indeed it is quite impossible that the Commissioners can be only temporarily in office: their duties may be suspended for a year, if it be thought prudent, but their salaries must continue; for, how can they accept an occupation which deprives them of all other professional sources of income, and leaves them unprovided every intervening or third or fourth year?

Page 3.—Another section follows, authori-

zing the Secretary of State to appoint six Commissioners, in addition to those nominated for the several districts, for *visiting* only, all public hospitals and licenced houses for the reception of lunatics; but they are to “derive no profit or emolument whatever” from acting under this authority!

This is imposing a very distressing duty; which few country gentlemen will be able to execute in a manner satisfactory to themselves, or to the objects of their inspection.

Page 4.—In the oath or affirmation of the Commissioners, there is a very proper prohibition: viz. “*that I will not directly or indirectly give notice or cause notice to be given to the keeper or person having the care of any house or hospital for the reception of lunatics of the time of visitation of such house or hospital.*” This, if strictly observed, will prove of great service. Men of honour, such as these Commissioners ought to be, will not disregard it. And if visitations were, as now, confined to London only, and were exercised by a corporate body like the College of Physicians, they might be kept secret; but visitations by district Commissioners can never be concealed. When their tour is commenced, intelligence of it will precede them at most hospitals and houses; unless, which is scarcely possible, the Commissioners were to assemble on different days, and visit each day

an asylum in an opposite direction. The inconvenience of such a course, as well as the additional expence, points out that no other mode can be pursued than by progressive visitations ; and these cannot be concealed in the country.

Page 4.

“ And be it further enacted, that the Justices of the Peace assembled at their respective General or Quarter Sessions of the Peace to be holden for any county or place within that part of the United Kingdom called *Great Britain*, are hereby authorized and empowered to nominate and appoint two of the Justices acting for the County, Riding, Division, City, or Place, within which any such licence or licences shall be granted, to visit and inspect, and who by virtue of such appointment and nomination are hereby authorized and empowered to visit and inspect in the manner herein required, such houses as shall be licenced within such district, and all hospitals for the reception of insane persons within the same ; and the said Justices so nominated and appointed, shall be and they are hereby required, with or without the Clerk of the Peace or his Deputy, as they shall think fit, to visit and inspect every such house or hospital, wherein four or more lunatics shall be confined, twice at the least in every year, and every such house or hospital where less than four lunatics shall be confined, once at least in every year ; and they are hereby authorized in like manner, *at any other time or times, to visit and inspect every such house or hospital within such district, as often as they shall think necessary ;* and such Justices so visiting as aforesaid, *shall have at all times, and may use and exercise such powers and authorities in visiting and examining any such houses and hospitals, and the premises thereto belonging,* and THE PERSONS CONFINED THEREIN ! and also, *in examining upon OATH the keeper or keepers of such houses and hospitals, and the attendants therein, as are by this Act given to the Commissioners under this Act.*”

There is another clause of a similar tenour (page 11), requiring that two of the Commissioners shall visit and inspect all such licenced houses or hospitals twice in the year, and whenever desired by the Great Officers of the Crown, &c. with powers for examining similar to those given to the Magistracy, &c. ; and with the addition, that they may also examine *the persons confined as lunatics therein*, and, upon *oath*, or *affirmation*, the *keeper or keepers*, and *the servants or officers of every such house or hospital*, and *the attendants therein*, in such manner as they shall think proper ; which oath the said Commissioners, or *any one of them*, is empowered to administer ! These are very great and extraordinary powers — powers, to which, perhaps, no British subject was ever before exposed.

Page 6.—It is enacted, that any keeper who shall be refused a licence, or who may have been judged to have forfeited his licence, and thinks himself aggrieved, may appeal to the next General Quarter Sessions of the County or Division in which the house shall be situate ; and he is to give sufficient securities to abide the order and award of the said Court ; and the said justices “*shall, in a summary way,*” finally hear and determine the said appeal ; but no proceedings “*shall be quashed or vacated for want of form, or be removed by certiorari or by any other*

writ or process whatsoever, into any of His Majesty's Courts of Record at Westminster, or in Edinburgh, or elsewhere," &c.

A strong prejudice against mad-houses of every description has always prevailed. It has been raised, by the late inquiry, to a pitch which is felt to be operating extremely to their injury; and it will be a long time, if it be ever entirely removed. The instant a complaint, however trivial, against a mad-house becomes public, a violent clamour in the neighbourhood ensues; and the story soon assumes the utmost possible aggravated form, and invariably influences the minds of all ranks throughout the whole county. Even justices cannot guard themselves against these impressions; and the illiterate persons who often compose a jury at a Quarter Sessions, are of course infinitely more likely to come into court pre-judging the cause. Is a court, so composed, the best for giving an impartial verdict upon an appeal made by a superintendant, whose licence has been refused or suspended by the Commissioners or Justices empowered for that purpose? Perhaps a worthy man's fair name, and property to a large amount, and all his future prospects in life, depend upon the decision. Surely, therefore, there is great injustice in denying him access to a court out of the sphere of these local prejudices! And yet by this clause, the

only court where justice may be suspected, is the only one which is open to him, and from which there is no appeal!

Let it also be remembered, that the superintendant of every mad-house will be subject to the malicious accusations of his discharged, and, perhaps, guilty servants: and from the character of these people, there can be no doubt that through their means he will never be free from the expense and trouble of vindictive litigations. The Act gives power for the plaintiff to seek justice in any form or in any court that he chuses against the superintendant; but it denies the latter the same advantage! Surely this is not equitable.

Page 7.—Another clause declares, that before any licence shall be granted or transferred to any keeper of any house for the reception of lunatics, he, with *two sufficient securities*, whereof the resident apothecary (if any) is to be one, are to give bond for payment of the sum of £300. with the condition, that if the lunatics confined therein shall “*be humanely, carefully, and properly attended to; and such keeper or keepers shall observe and perform all such orders, directions, and regulations as the said Commmissioners, or any two of them shall, by virtue of this Act, direct to be observed and performed,*” then such bond is to be void.

Who is to be evidence that the lunatics

have been humanely, carefully, and properly attended to?—the lunatics themselves and the servants?

When the extent and nature of the obligations of these keepers are known, where are they to find securities? What apothecary, who has no other interest in the concern but his salary, will be so foolish as to be bound for the conduct of others at the risk of his own ruin? Can the most honourable, correct, and best intentioned, promise those friends who might be sureties, that under such conditions their bonds would not every day be liable to forfeiture? This is a virtual prohibition against any honest man undertaking the office of a superintendant, or against any one, who himself is not mad, hazarding property in such establishments.

Page 8.—It is enjoined, that there be “*a good supply of water, and A PUMP belonging thereunto.*” What is the special object of providing a pump is very equivocal. If it be meant to afford facilities for the lunatic to drink, *ad libitum*, it must be observed, that it may, like every thing else that gives a discretion to him who lacks reason, be highly detrimental to him.

Page *ibid.*—Any three of the Commissioners are empowered to direct what *height, width, and length, the apartments are to be in any house* hereafter to be licensed; and what alterations

shall be made in any house already licensed. Nay, more: they may determine the time within which such alterations shall be made! It is easy to conceive the abuses to which this power may lead, and the ruinous consequences to the proprietors.

Page 10.—It is enjoined that one of the persons at least concerned in any licenced house, shall personally superintend the management of every such house, *at all times*, during the continuance of the licence.

Sometimes there is only one proprietor, and he a medical man. He cannot, perhaps, reside in the house; consequently cannot, at all times, superintend it; because—first, the profits of a house, of this description only, is rarely enough to maintain a medical man, without other practice; and, second, there is no class of the medical profession more liable to be summoned to visit insane persons at a distance, or to be summoned on judicial cases, than gentlemen in this line of practice; and these engagements sometimes detain them for several days. In cases, therefore, where there is only one proprietor, how can this provision be complied with?

Page 12.—There are seven queries to be put by the Commissioners upon their entering every house or hospital:

Query 2: “*Whether there are as many servants as are sufficient for a due and necessary*

attendance on the number of patients in the house or hospital, regard being had to the state of the patients?"

How are the Commissioners to obtain this information?—from the servants of the establishment? or from the insane patients? Will not the former, in order to lessen their labours, complain there are too few? and the latter, in the hope of easier escape, or of meditated mischief, alledge that there are too many? To judge of the adequateness of attendance from the number of patients only, would be most fallacious: the state of the patients is the only criterion; and that varies every day, nay every hour. Of the proportion of servants which there ought to be to the patients, no casual visitors can ever accurately judge.

Query 5: “*Whether medical aid is afforded to them for their MENTAL complaints?*”

To this no person can return an answer, but the medical attendant; for, although medicines may be administered, yet they may have been prescribed for corporeal complaints. “Mental complaints” is a term which admits of much cavil.

Query 6: “*Whether bodily restraint is used, except where there is a danger of the party injuring himself or others?*”

As it may be presumed no one but the superintendant, by whom all restraint on patients

is, or ought to be, ordered, can answer this question, his replies may be readily anticipated.

In truth, all these queries are superfluous ; since many of them are such as naturally present themselves, and others are perfectly useless. Prescriptions of duty to those qualified to perform it, oftener impede than facilitate its execution.

Page 13.—If the keeper or *attendants* in any private house, or the *servants* or *officers* of any public hospital, “*shall refuse to be sworn,*” or answer such questions, &c. as shall be asked, &c. power is given to take away such licence, and a penalty besides is imposed upon the keeper!

Thus, if an obstinate or roguish servant refuse to convict himself, by keeping silence when interrogated by the Commissioners, the master may be fined, and have his licence taken away : in other words, may be ruined by the contumacy of the servant.

Page 14.—In the clause specifying the medical characters who should be allowed to sign the certificate, after the words “*Members of the Company of Apothecaries in London,*” “*practising as such, or Licenced Apothecaries,*” should be inserted—Because the Members of that Company do not average one in twenty of the Apothecaries in the kingdom ; and several of them are not, nor ever were, of the medical profession ; and, lastly, because many assume the name and

functions of an Apothecary, who have not been examined and licensed according to a late Act of Parliament for the better Regulating of the Practice of Apothecaries.

But why should the signatures of two physicians, surgeons, or apothecaries, be required in London, when that of one will suffice in the country? If two are indispensable in the London district, the words should be, "or of a physician and a surgeon, or an apothecary." Suppose a poor insane person in London is attended by one apothecary; he must call in another apothecary, or two physicians or two surgeons, for one of either will not satisfy the law. Where are poor people to find the means of discharging so heavy and unnecessary an expence?

Pages 15 and 16. — There are two clauses respecting persons who take *one* insane patient only into their houses; but they do not meet the case.

The number of the insane who are provided for in this manner is inconceivable; but they are under very different circumstances. There are some who are slightly or only occasionally deranged, that board with the families of medical men, or with others equally respectable; and these persons generally enjoy every comfort and attention which their peculiar cases require: therefore a very tender course ought to be pursued in regard to visiting those so situated, lest the families receiving these unfortunates should

take alarm, and the patient be deprived of a refuge so consolatory to his feelings and conducive to his happiness. There are others placed out with persons who are exceedingly unfit for so confidential a charge, and require a very strict supervision: but of these more hereafter.

There follow several clauses enacting the registry of patients, the time of admittance, by what authority, the length of time they have been confined, deaths, cures, discharges uncured, numbers of patients in the house, ages of patients, and a very minute account of other particulars; of which it may be very necessary for a physician to be informed, and which it may perhaps be very important for the Commissioners to know: at the same time it should be recollected, that if a superintendant of a moderately large establishment properly attends his other duties, he cannot be accurate in these particulars, without the neglect of others equally important; or be at the expence of a clerk, to keep the various entries and registers with the required minuteness.

Page 19. — “ It is enacted, That it *shall* be *lawful*, in every case where a physician, or other medical person, shall have certified to the insanity of any person, for such physician or medical person to examine the patient at the end of the year; and so at the end of every future year.”

Is it meant that such visits would be *at any time unlawful*? or that such examination may not take place whenever the friends of the patient desire it? If it were made imperative, it, in most instances, could not be complied with; because the patient is frequently removed a considerable distance from the certifying medical attendant: but if he were easily accessible, it might be impossible for the medical attendant to give a decided opinion upon a casual visit; although, when he signed the certificate, there might not be the least doubt of the insanity: and a stranger to the case would, of course, be liable to an erroneous judgment. This clause, therefore, is surely supererogatory.

Page 20.—It is said, “no agreement for the care and maintenance of any insane person shall be made for any other term than by the week, the month, the quarter, or for one year.”

What other term, except a day, is there in the calendar? Contracts will surely never be made for the maintenance of insane persons for life; nor is it likely that any longer than an annual term will be agreed upon. The hazard attending any contracts beyond that period must at all times be too great to become common.

Page 20—21.

“And whereas it is not intended by this Act to give the keepers of any house so to be licensed as aforesaid, or any

other person concerned in confining any of His Majesty's subjects therein, any new justification from their being able to prove that the persons so confined have been sent there by such direction and advice as are required by this Act: be it therefore further enacted, that in all proceedings that shall be had under the writ of habeas corpus, and in all indictments, informations, and actions, that shall be preferred and brought against any person or persons for confining or ill-treating any of His Majesty's subjects in any of the said houses, the parties complained of shall be obliged to justify their proceedings according to the course of the common law, in the same manner as if this Act had not been made."

Hence it is evident that the proprietor or superintendant of any licenced house, besides conforming to all the regulations, visitations, expence, pains, penalties, forfeitures, losses, vexations, and traductions to which the former part of this Act will expose him, is also to be liable to all the litigious, and even criminal, proceedings to which he was before subjected by virtue of any pre-existing Act of Parliament.

Page *ibid*.

" Provided always, and be it further enacted, that no physician, surgeon, or apothecary, authorised to grant certificates as aforesaid, shall be subject or liable to any indictment, information, or action, for having given such certificate as is hereinbefore required; and no keeper of any house licenced under this Act shall be subject or liable to any indictment, information, or action, for having admitted, harboured, entertained, or confined any person or persons, as a lunatic or lunatics, by authority of such certificate or certificates, UNTIL the person by whose direction the person in question shall be

confined as a lunatic, shall have been first convicted of having unlawfully and without reason directed or caused such confinement to be made ; any thing herein contained to the contrary notwithstanding."

The whole of this clause is extracted ; because, although I have read it several times, yet I must confess I cannot comprehend it. Its meaning, as far as regards medical attendants, is clear ; but does it not import that a keeper shall *not* be liable for having admitted, &c. a person as a lunatic, and who has been sent with a regular certificate ? and yet that he *shall* be liable when the person who caused the lunatic to be placed under the keeper is convicted of having "*unlawfully and without reason directed or caused such confinement ?*" and yet it says nothing of the necessity of a keeper knowing or participating in the transaction to constitute the offence ! Either this clause is very loosely drawn, or it contains a very gross inconsistency.

I have referred to and slightly descanted upon those clauses only which are open to the most objection, passing over those which require no comment. Indeed, to comment upon this complicated Bill, containing above sixty clauses, would be as tiresome as useless. But it is impossible for one who has turned his attention towards the subject of insanity, and the moral and physical causes whence have sprung those great abuses which have recently been exposed,

to read this Bill without many serious reflections. However, although I admit reformation and future regulation to be requisite, and am aware that these can only be effected by the Legislature, yet I am deeply impressed with the total inefficiency of this measure : for it cannot accomplish the principal objects ; viz. the improvement and amelioration of the condition of insane persons. It looks throughout at the effects of deranged intellects, without any consideration of primary causes. Those causes have been partly developed in the inquiry : but whether they who have undertaken to digest the evidence are mere theorists ; or are influenced by persons who have some interested motives, and therefore are deceived ; or whether they are really too little informed upon the subject, I cannot pretend to determine : but it is sufficiently manifest, that a most erroneous system is contemplated.

I will first attempt to expose some of the defects in the present system, whence the source of all the evils sprung ; and next offer my objections to the measure proposed as a remedy to them. In doing so, I will endeavour to follow, as nearly as possible, the arrangement of the Bill ; and conclude with a few hints, in the hope that they will contribute to more just and liberal views, and some real improvement in the management of insane persons.

The Commissioners.

The Secretary of State for the Home Department, instead of the Royal College of Physicians in London, is to be the executor of the trust this Bill confers. I am at a loss to conceive what advantage is expected to be derived by this alteration. A Secretary of State assuredly ranks too high to be suspected of abusing this important charge. Nevertheless he is, in my opinion, more likely to err in appointing Commissioners than the College; for he must be guided in his choice, not by his own judgment, but by the report of others; hence he is open to be influenced by political considerations, and those various intrigues which party is apt to engender.

As the Commissioners for visiting and licensing are designed to be composed in part only of physicians, the appointment of them by the Secretary of State for the Home Department may be the most proper. But although unprofessional gentlemen are to be deputed to execute this office, yet I am not the less persuaded that it would have been better that the Commissioners should have consisted entirely of the medical profession. The Members of the Colleges of Physicians of London and of Edinburgh are of course men of education and character;—quali-

fications, that offer the best warranty for the performing of all the duties of this office with judgment and impartiality. They are certainly the most competent to all that appertains to the physical state of the insane ; and are as able as any other persons to appreciate their moral condition. Being also, from their professional habits, more accustomed to note those changes which disease, imperceptible to casual observers, makes in the constitution ; they are consequently more likely to be correct as to the corporeal and mental state of each patient ; and accurately to judge and compare it with any preceding visit. Civil Commissioners, therefore, unless in such matters as relate merely to the domestic œconomy of an establishment, must be deficient of many essential requisites which physicians possess.

The changing of Commissioners seems to imply a suspicion of their zeal or integrity. There can be little apprehension of a Commissioner relaxing or becoming partial in his duty, if he be remunerated in proportion to the responsibility and the trouble of his office. It may be said, security begets confidence and neglect ; but if a power be vested to remove him upon proof of negligence, there will be little danger on this account. Changing will also be injurious, by preventing Commissioners from attaining that degree of knowledge of this Protean malady, and that tact which can be acquired

only by becoming familiar with insane people. These are advantages to be derived from actual experience only; and will render the possessor capable of forming the most correct and decided opinions, and of contributing the most beneficial services in the execution of this office.

Civil Commissioners ought not, on any account, to be residents of that part of the country in which the asylum to be examined is situated; for it is very probable they may be influenced by local partialities and prejudices; from which Commissioners especially should be entirely exempt.

None but those who have been accustomed to insane persons can be aware of the various ways with which they assail friends or strangers; nor of the arts they use to impose upon the judgment and excite compassion. If they are familiar with the person and connections of a Commissioner, the liability to deception is greater; besides, from inexperience of mental derangement, and the influence of private feelings, it is impossible to avoid erroneous opinions of the sanity of their minds. Visits also from persons whom they know, will renew that association of ideas, which the presence of any familiar object revives, and which it is the great object of insulation to dissever. Thus there will be danger that the mad will be made more furious, and that the convalescent will relapse

into madness. This objection does not apply in an equal degree to medical men. It is a well-known fact, that mad people pay a great deference to the medical character; of which, every physician attending much on the insane sees constant examples.

The most experienced will acknowledge the liability of being deceived, even where frequent opportunities of judging of the sanity of the mind have occurred*. How then can those who are not only casual but unprofessional visitors pretend to decide upon any particular case, or prescribe any alteration, or condemn any mode of treatment, or proceed to such summary acts as the taking of evidence, or the discharging of a patient from confinement? If this be applicable to Medical Com-

* Dr. Latham's evidence strikingly exemplifies this fact: "The first time I was a Commissioner," says Dr. Latham, "we examined a house at Plaistow; there were two women confined, whom I thought were not insane: *the keeper said they were, and that we were mistaken.* We desired them to write to their friends to give them a trial: *we were all of opinion that these women were improperly confined, and desired their friends would take them out.* Upon our next visitation the following year, I had, of course, considerable curiosity to know what had become of these two people: *one had drowned herself, and the other had hanged herself!* So that if we suppose the patient is really sane, we feel a great deal of difficulty, and we must *very often* trust to what the keepers say."—See *First Report*, p. 113.

missioners, or to their colleagues, who may by degrees acquire a sort of technical knowledge, how much more forcibly does it attach to the interference of justices and other gentlemen, who must be totally unacquainted with the various features of deranged intellect, and who would therefore be likely to be influenced solely by feeling—the most dangerous criterion in all cases of insanity! The mischief to be apprehended from such interference is nothing to the Commissioner or an intrusive visitor; but might indeed be fatal to the patient himself, to his relatives, and to society at large.

The number of Medical Commissioners or visitors ought always to preponderate; for if any difference of opinion were to arise upon a question relative to the management or release of a patient, it were surely most proper that the medical opinion should prevail: although even that may sometimes be erroneous, yet it is always less likely to be so than that of inexperienced individuals, whose judgment must be very liable to err. One imbecile person in such an office, may render abortive the best intentions of his more capable or prudent colleagues.

Visitations.

But this Bill gives a discretion to many unprofessional gentlemen to visit, *when they*

shall think fit, and at all hours, asylums for lunatics, unaccompanied even by professional men. In the former Act, a physician was always to be with the visiting magistrates; and this ought never to be dispensed with. The visitations of country gentlemen to examine and see that the economy of an establishment, as far as regards its accommodations, state of repair, cleanliness, supplies, &c., may be highly useful; but even these could not be frequent without the hazard of great injury to the patients: and the dangers of the visits would be great or small in a precise ratio with the number of them.

Although there is contradictory evidence upon the question, yet I believe it will be conceded, that the medical treatment of insanity is susceptible of as great improvement as the moral; such, at least, is the opinion of very competent medical testimonies. It may be asserted, and that without the least fear of contradiction from any medical authority, that if the insane be visited in the indiscriminate and judicial manner which this Bill invites and empowers, that neither medical nor moral remedies will be of the least avail; but that every place for their reception must, instead of an asylum where their minds will be soothed, be a complete Pandemonium.

Such regulations are only applicable to

those neglected abodes of madmen of which we have heard ; but if attempted to be executed generally and upon all asylums, will certainly, instead of tending to ameliorate their condition, dissipate the faintest hope of restoring the insane to reason.

Indiscriminate visiting of the insane, both as to persons and time, has a very decidedly injurious effect upon them. Strangers to whom they are indifferent, provided they do not by any imprudency irritate them, are the least likely to affect them. The visits of relations and friends, even if they submit to controul as to the time of paying their visits, and observe the utmost circumspection, prove often of great disservice. But if gentlemen were to frequently visit them, examine their condition, hear their complaints, and be known, which is inevitable, to possess the power of releasing them from confinement, what will be the consequences? Quiescence must give place to agitation and violence ; order to turbulence and insubordination ; content to complaint ; hope to disappointment. In short, every passion, which should be allayed or diverted, will be roused and brought into full action, and aggravate every case.

It may be said, that neither the number of the visitors nor of the visitations will be so many as to produce such effects. But where is the

security? Are there not several commissioners, visitors, and justices to be for this purpose specially appointed? And are not the Custos Rotulorum and the Knights of the Shire, &c. besides of every county, to have the liberty to visit whenever and at whatever hour they shall think fit, and inspect the whole establishment? Suppose, for a moment, that any of these constituted authorities demand admittance in the night, when the patients are retired to rest, and many of them, perhaps, under the influence of some narcotic; what dreadful uproar! what real mischief to the poor patients would ensue! In one moment, perhaps, all the cares and anxieties which had happily produced a state of convalescence upon some of the patients, would be frustrated! and it is more than probable that on many, incurable madness would be entailed. Who can say but some meddling, inconsiderate justice, presuming upon his office, might from ignorance, private pique, idle curiosity, or some worse propensity, interfere; and by so doing blast all prospect of the future happiness even of scores of his miserable fellow creatures?

The power given by this Bill of visiting insane establishments, is a most dangerous one, requires much more consideration, and it is sincerely to be hoped, that it will meet with great modification.

These objections regard only the effects the abuse of visiting may have on the minds of the patients; although the disappointment, which an honest superintendant may experience from the defeat of his endeavours for the recovery of those entrusted to his care, is no trifling matter; nor should the feelings or pockets of the patients' relatives be disregarded.

But of all the provisions respecting visitations, those which authorize the examination of LUNATICS confined in the house, and the *servants* of the establishment, upon oath, and that that oath may be taken in a summary way on the spot, before *one justice*, if more are not present, are perhaps the greatest anomalies in jurisprudence that have yet been exhibited. They strike at the reputation and property of the proprietors and superintendants of mad-houses in a most serious and alarming manner.

There are other evils besides to be apprehended from indiscreet visitations in those institutions where the recovery of the insane is attempted.

If insulation and classification of the insane be practised in public or private asylums, what will be the effect produced by these visits upon the patients?

The object of insulating an insane patient is intended principally to break that morbid association of ideas which connects the mind with familiar scenes, persons, and subjects; that

of classification not only prevents that exasperation of the disorder which improper admixture of patients under its different forms produces, but, if judiciously arranged, is a very efficient means of recovery.

One species of insanity may require insulation ; another, diversion only from the subject of hallucination : the moral treatment necessary may be quite opposite in these cases as well as the medical ; but it may in all be highly requisite to guard against particular impressions. Great progress may have been made towards convalescence after years of frantic raving, of melancholy despair, or from being in a state almost of fatuity. Every look, every word should then be watched by the attendants ; and if they have any sense, and their duty at heart, they will then direct the vacillating ideas of the patient, and guide the first dawnings of his returning reason. This is the epoch, when the utmost judgment and delicacy is to be exercised. It is the very crisis of the patient's fate.

The humane and skilful superintendant is, perhaps, on the point of seeing the fruition of all his cares and anxieties ; and is anticipating the restoration of the faculties of his charge, and the well-earned remuneration for his trouble and his cares ; the relatives and friends of the patient, from the depth of despondency, when bereft of the affection of a parent, a brother,

or a child, by so cruel a calamity, are raised to the utmost pinnacle of hope and expectation: When lo! comes a fatal visitation—the patient must not be denied—he must be examined as to the sanity of his mind—the fatal chord is touched on which depends the harmony of his mental with his corporeal frame; a tremendous explosion follows, and in one moment, the toil of months is destroyed:—the wavering reason is irremediably lost, and sometimes for ever!

Such will be the consequences of indiscriminate, intrusive, or imprudent visitors—such have been the consequences according to the evidence of the most experienced and credible persons*. They may not be frequent; but if ever they happen at all, it will be sufficient to deter any superintendant from taking extraordinary pains to facilitate a cure, or any physician to attempt it; when there is almost a certainty that his exertions are liable to be defeated from the inaptness of the moral to co-operate with the medical plan of treatment,

Insane persons of the highest rank, who, from the sufficiency of their means, can afford every

* Il faut donc pour ces infirmes des établissemens publics ou particuliers soumis à des règles invariables de police intérieure, et l'expérience de chaque jour montre combien la plus légère infraction à ces règles peut devenir nuisible ou même dangereuse."—*Pinel, Traité sur l'Aliénation Mentale, Preface, p. 5.*

facility, and who have a right to expect advantages in proportion to the sacrifices made, will be deprived of a fair chance of so great a blessing as the restoration of their faculties.

Upon patients of an inferior class, such indiscriminate visitations must also have very serious consequences.

If, through the superior intelligence of the superintendant, and the accommodations of the house, any classification of patients is instituted, this proof of good sense, humanity, and integrity cannot avail. Nothing can calm the minds of insane persons when subjected to the constant interruptions of strangers. And when they are aware that there will be frequent opportunities of preferring complaints, personally, to those who have the power of inquiry; and if they make good their story, even of discharging them, every establishment will be a scene of stratagem, deception, and malicious preparation for the expected visitation. All subordination will be at an end, and the superintendant and his keepers will lose all command over the affections of those whose reason is not entirely perverted. In short, to be obeyed, rule must then be enforced with a rod of iron; for all personal respect or attachment will, from that moment, cease; and if the superintendant dare, even for safety sake, exercise a rigid authority, he will be subject to censure, and perhaps, punishment from those very persons, who, *ex officio*, have

compelled him to act a part foreign to his nature and his conviction.

The examination of lunatic hospitals and houses should accord, not perhaps with what their superintendants profess, which, generally, is the cure of insanity, but with the real practice pursued in them; and the capabilities to promote that end. A very little discrimination will point out whether an establishment is appropriated merely for confinement, where nature is left to her own operations, or whether any physical or moral facilities are afforded for the recovery of the patients. If it be merely a place of confinement, the mode or frequency of visitation is less to be dreaded; but if it be conducted really on a plan for the recovery of the patients, the utmost forbearance should be observed.

The object of lunatic institutions being so dissimilar, it will readily be perceived, that if all were visited according to the same rules, or were inspected by persons incompetent to make the necessary distinction, great mischief must ensue. Visitations of public and private lunatic asylums therefore ought never to be conducted on analogous principles.

Lunatic Asylums.

A public lunatic asylum is generally under the superintendance of a committee, selected

from those who support it by their charitable donations; to whom all the officers are more or less subjected. Every officer, therefore, holds his situation during pleasure; and to those who elect him only, is he amenable for his conduct; and if he be unjustly attacked in the execution of his duties, they will defend him. If he misbehave or give offence, he may be dismissed. If he feel offence or find other cause, he may, when he pleases, retire. The obligations are reciprocal. If the superintendant act in a manner to merit censure or dismissal, his reputation may be affected, and his income suffer; but he has no property involved, and the injury is not irremediable.

But what, under similar circumstances, is the situation of the superintendant, which is almost synonymous with proprietor, of a private asylum? If he be accused, justly or unjustly, the expense of defence, and the obloquy too, for it is impossible for the superintendant of a mad-house to be accused, and obloquy not attach, falls entirely upon himself. If he be arraigned, and although it prove falsely, yet odium and injury will light upon him; and the proposed law affords him little chance of escaping condemnation: his character is tainted, and, consequently, the destruction of his property certain.

Hospitals are public or general property ; private institutions belong to private individuals : the one emanates from and is supported by charity ; the other is a mere speculation of certain monied persons, or perhaps of a sole proprietor, or is an asylum of a medical man for his patients. Of the first, the superintendant is the servant of the governors or directors of the charity : of the second, the superintendant is almost always a proprietor, and has a considerable property at stake.

It is therefore a very gross error in this Bill to class hospitals with private institutions. There is no analogy existing, but that both are asylums for lunatics. Hence that which may be a wholesome law for the one, may be greatly detrimental to the other.

In many lunatic public hospitals, safe custody and kind usage only can be attempted : indeed, often nothing more is professed ; and any plan, moral or medical, with a view to recovery, is quite out of the question.

Most of the private houses are conducted upon a similar plan ; while others are under an admirable arrangement and discipline, and strikingly evince the ability of the superintendants, and their good intentions.

Private asylums may be classed under four descriptions :

1. Houses which are kept by medical gentlemen, over which they have the entire controul, or within which they actually reside.

2. Houses of which neither the superintendant nor the proprietors are of the medical profession: these may be sub-divided into houses where the whole moral arrangement is adapted to promote any medical plan for the cure of the insane; and houses where security and good usage are principally professed, and where medical advice is never resorted to, except at the special desire of the friends of the patient, or for corporeal ailments.

3. Houses of medical gentlemen, and of others, that afford an asylum for one or two patients who do not require much restriction or confinement.

4. Houses hired by some under-keeper without licence, for the accommodation of one or perhaps two patients.

Scarcely more is required than to make this statement, to shew that the same rule of legislation cannot be appropriate to every class.

Many of these establishments are more numerously tenanted than hospitals: and although the superintendant of them be a man of character and humanity, who will neither tolerate an irregularity nor any unnecessary coercion, yet, too often, the recovery of the patient is considered to be at variance with his

interest; and he therefore confines himself to the mere letter of his duty. But this is not always the fault of the superintendant; for it is a melancholy truth, which I have too often experienced, that the friends of an insane person frequently object to the application of any medical means for the cure. Did the objection arise from want of confidence in all human aid to accomplish this end, it might admit of some palliation: but, unhappily, I am obliged to confess that it often has no such origin. The expence has been the sole object with many; but with others, I have reason to fear it has had a less excusable motive. Certainly, if the superintendant is inimical to a curative system, he will not regard the physician, nor adhere to his advice, whether recommending a regimen moral, medical, or dietetic.

In those houses which are the property of medical gentlemen, or at least that are under their immediate management, the recovery of the patient, if it be not a hopeless case, is always professed, if not practised. The reputation of these establishments therefore greatly depends, not only upon the moral conduct observed, but on a judicious application of such means of cure as the judgment of the medical superintendant directs.

Establishments for the insane sufficiently

large, first, to indemnify the proprietor, and next to support in respectability a family, require a length of time to form ; a large sum must be sunk before any return is made ; and a command of a considerable fund to conduct it to advantage is essential. It is easy to conceive that there is no species of property more precarious ; because none depends so entirely upon contingencies, over which the wisest and the best have little controul. An unlucky accident, the carelessness or wickedness of a hireling, may in one day destroy the brightest prospect, and throw eternal obloquy upon the most correct character.

In one respect all private establishments are strictly alike : that is, that their prosperity depends on reputation ; and if, by any means, accidental or designed, that be impeached, ruin is inevitable ; for the odium of malversation will continue so long, even after the cause be removed, that the proprietor becomes bankrupt ere he can retrieve it.

Public asylums may be exposed, from similar causes, to a like stigma ; but the consequences are not felt in the same way or degree by the individuals connected with them.

Abuses and great defects have been clearly proved to exist both in public and private institutions for the insane ; and even in some of the former, where, from the constitution of the cha-

rity, such consequences seemed properly guarded against. Nor can it be denied that they may occur again, and the possibility ought to be met by suitable legislative provisions and restrictions. But, in admitting the necessity of something being done, I am not prepared to allow that what is proposed partakes either of wisdom or of humanity.

One might be almost led to conclude, from perusing this Bill, that there is a secret wish to suppress all private asylums for the reception of the insane. If such an impression obtain, it would be more honourable at once to avow it, and grant no more licences for them; and let notice be given to the proprietors that after a limited time they shall cease. But if they be deemed essential for the accommodation of the superior classes of insane persons, or if they really present advantages for the restoring of the insane, then a law ought not to pass which virtually must exterminate them. In this particular the Bill appears to me both impolitic and unconstitutional. Private asylums are as much private property as an inn or a hotel; with this difference, that the one is professedly for the entertainment of those who are unhappily bereft of their faculties, and the other for those who yet enjoy them.

The power of ordering such alterations and

additions to buildings as the Commissioners may judge expedient, is open to strong objections.

Every asylum, indubitably, ought to be large enough to afford such accommodation to the patients as is consistent with their health, comfort, and security. But such an authority ought not to be entrusted with any set of men; some of whom may, in their own persons or connections, have an interest in the projected alterations too strong to be subdued. And the danger of this power increases with the locality of the lunatic asylum.

If one of the Commissioners be an architect himself, who is so competent a judge of the convenience and state of repair of buildings? Or if a Commissioner, Visitor, or Justice, have any near and dear friend to whose interest he is attached, to what an extent might such influence involve the proprietors of lunatic asylums.

Were all the Commissioners physicians, there would be less probability of any collusion.

Surely, if a house be surveyed before a licence be granted, that, and the specifying in the licence the maximum of patients it should be allowed to receive, would guard against the danger of overcrowding it.

In a private house not only the number of the patients, but their rank, species of insanity,

state of mind, &c. are all circumstances ever changing, and inducing an alteration in the internal system of the establishment. Really, this power of altering buildings at the option of those who are but casual visitors, and who cannot be acquainted with, nor perhaps comprehend the reasons which dictate the arrangements in regard to the patients, must be a fruitful source of error and dispute, and of ruinous expence to the proprietors; and, after all, perhaps without any adequate benefit either to the moral or physical condition of the inmates.

It appears, that many of the private asylums especially are ill calculated, from their site and arrangements, for the reception of insane persons; and that more are contained in the rooms than their dimensions can conveniently accommodate. Likewise that the accommodations for exercise are not sufficiently extensive. These are great faults: but I know of none so difficult to rectify.

Perhaps there are not above one or two private houses for the reception of insane persons in the whole kingdom, that have been built for that special purpose. They are usually the deserted seats of persons of large fortune and establishments, or have been previously occupied as schools, &c. These have been altered or built to, as the number of inmates have increased. Defects there consequently must be, even in the best o

them ; although many, upon the whole, are reported to be very commodious. The situation is sometimes certainly ineligible : they have been, perhaps, often abandoned by their former tenants on this very account ; and hence, their value being reduced, facilities have been afforded to convert them into mad-houses.

But the proprietors of the largest asylums have usually commenced with small houses ; unless where several persons of property have coalesced and opened an imposing establishment to attract, by its superior appearance and accommodation, a sudden influx of patients. Some have been established by medical men upon a plan well calculated for the purpose. Others have their rise in a practice before adverted to, of under-keepers boarding one or two patients in some lodging or cheap house, and, gradually augmenting their number, are at length enabled to hire larger houses, which finally grow into extensive establishments.

There is decidedly too much risk in the success of such an undertaking for capitalists to venture upon building houses for this express purpose, or to encourage the union of several persons so to do ; for it is a concern that every one knows depends often upon the good conduct of a single individual, who must have the management of it. Few will therefore be found to enter upon so uncertain a speculation. Medical

men, in early life, never possess a superabundance of money ; and, when they are more advanced, are generally fully engaged with other professional pursuits. When, therefore, any person opens a lunatic house, it must be commenced in the ordinary and cautious way of hiring one already built ; and the same course must be pursued by all whose means are limited.

The impediments to the having of buildings exactly adapted for the reception, classification, and recreation of insane persons, may be pretty accurately conceived, when the estimates of an architect, who was examined by the Committee of the House of Commons, and whose opinion seems to have great weight, are considered. It appears that the cost of an asylum near London, for seventy insane *paupers*, would be about £18,000 ; in Yorkshire, near £14,000 : that the Wakeful Asylum plan, with *all* the accommodation fit for the house, for 100 patients, near London, would cost about £33,000 ; in Yorkshire, upwards of £25,000 ! One intelligent superintendant of a private asylum states as his opinion, that the exercising grounds ought to be in the proportion of an acre to each patient : this ground should be surrounded by a wall twelve feet high. Add the value of 100 acres of ground near London, and the cost of a wall of this height and extent, to £33,000, (I will say nothing of the difference of an architect's cal-

ulation and the real expenditure,) for one hundred patients; and then let us judge of the practicability of houses being built purposely, by private individuals, for the reception of lunatics. From the Reports, it seems that one gentleman had under his charge between 600 and 700 lunatics. According to the scale laid down for one hundred, what would be the expence of purchasing land, and building, and walling grounds for his patients? Let it be remembered also that these calculations were for the accommodation of all ranks of patients. The superior ranks require still more room.

If therefore Commissioners have an unlimited power to object to the unfitness of premises, to order the enlargement and addition of rooms and grounds, &c. and if they are very fastidious, or happen to be influenced by any pique or partiality, expences might be imposed which could not be met, and would lead to the utter ruin of the proprietor. But upon the necessity of interference in this matter, I shall here briefly observe—permit none but proper persons to become superintendants, and the public will have more security for every thing being conducted as it should be, than from any intermeddling with the internal arrangements of those whose peculiar business and interest it will ever be to create a good name, and to preserve it.

Evidence against Superintendants.

Hitherto the house and property of an Englishman have been held sacred. A law which throws open an honest man's doors at any time and at any hour, before a suspicion is excited or a complaint made, is surely very repugnant to the feelings and to reason. But by this law also, his house is not only to be forcibly entered, and all his private affairs and concerns examined and exposed as if a suspected person, but his very servants are instigated, by an offer to them of half the conviction money, to inform against their master; and, upon the oath of such persons, a summary conviction may be pronounced against an upright and useful member of society. Nay, more; even lunatics, persons whom the law pronounces as *non compos*, who are neither cognizable by nor amenable to any law whilst they are insane, are to be encouraged to give evidence!—and against whom?—Why against those of whom they would gladly say any thing their weakness or malice can suggest, in the hope of being freed from the only individual in the world who they suppose is the occasion of their constraint and detention!

Perhaps it is the first time that servants of any description were invited by a public Act to inform against their masters; and yet,

strange contradiction! they themselves are to be liable to punishment, if they have the honesty to be true to their trusts. It is, perhaps, equally novel to empower justices to enter upon a person's premises at any hour or season, and, in a summary way, to examine and swear menial servants as to their master's actions.

Suppose such servants to be sober and discreet, can we expect them to be sufficiently informed, and able to truly appreciate the real principles which move a physician in his prescriptions, or a superintendant in his directions as to the treatment of maniacs? May not orders be issued by a superior, not only wise, but also proceeding from the most humane motives; and yet be in the opinion of an inferior, who knows nothing of the reasons that dictate them, cruel, wanton, or unnecessary? Is the master, whose judgment ought not to be questioned, and who is frequently obliged to take the most decisive steps on the emergency of a moment, to be deterred lest he should alarm or displease an ignorant domestic*? or is he to be obliged

* " C'est le chef de la police intérieure qui doit se montrer sous ces deux aspects differens, maîtriser les gens de service pour les faire concourir à son but; et que devient alors ce plan si sagement combiné, si une autre autorité intervient avec maladresse, et donne des impressions en sens contraire."

—*Esquirol.*

to enter into explanation to satisfy him, who should be in greater subjection than a servant in any other service, and serve "not with eye-service as men-pleasers," that he is doing no wrong? But if such servant, instead of "with good will doing service" happens to be, not only ignorant, but likewise negligent and cruel, for which he has been reprimanded, or perhaps discharged!—what then is the predicament of the master? This disgraced servant may lodge a complaint against him before a magistrate; the magistrates may enter upon his premises when *they think fit*, and, supported by the oath of a malicious, revengeful, and very likely perjured man, may cause the said master to be fined, and prosecuted, and finally to have his licence taken away!

It may be replied, that this is an extreme case, seldom likely to occur; that no magistrates would convict without thorough investigation, &c. To this I rejoin, 1stly, that it is not an extreme case: 2dly, that it would very frequently occur: 3dly, that magistrates, as well as other men, have their passions and failings, and may be deceived. Can any thing repair to the superintendant the consequences of a hasty and erroneous conviction? Of whom is he to seek redress?

They who proposed this mode of eliciting evidence against superintendants, are little

acquainted with the true description of the persons who act as keepers*, i. e. servants, whether male or female, in these establishments.

Under-keepers or servants, acting as attendants on the insane persons, I lament to say, are almost always taken from the lowest classes, are usually without education, and consequently are not possessed of very correct reasoning powers. This is a very melancholy acknowledgment, and will give pain to the humane and considerate; but in proportion to its truth, so does it strengthen the argument that the setting of these people up to be judges of actions, of the propriety of which, generally, they can have no conception, is a most absurd, nay a most dangerous, expedient.

Before any one sanctions so novel and preposterous a practice, let him ask himself what effect the knowledge of such a power would have upon his own household servants. Let him compare the services which a private family requires, and those which the attendance upon

* It should be remembered, that the word superintendant is here used where the Bill speaks of *keeper*. Keepers are properly the men who act as nurses of, and attendants on, the insane; female keepers are generally called nurses. Servants, under-keepers, or attendants, are with me synonymous. A superintendant is the master, and may or may not be a proprietor.

madmen demands. Is there scarcely any analogy? Would the same effects result from disobedience of orders? In fact, is it not too probable that menial servants in any situation would seek revenge, when they know it could be so easily gratified as by laying an accusation, supported by oath only, against their masters? Can any subordination obtain where such a law exists? "Les serviteurs," says a very competent judge, "doivent donner l'exemple de la déférence et de l'obéissance aux réglemens et aux chefs."

The weakness and impolicy of this provision can only be equalled by the absurdity of another included in the same clause. Lunatics are to be considered evidence also against their unfortunate superintendants!!

This really is so ludicrous, that I am very much inclined to believe it was suggested by some of the incurables. A madman certainly sometimes has lucid intervals; and during these intervals, it is true, he might be a credible witness; but how is any Commissioner, Justice, or other stranger, to ascertain whether such witness at the time any alledged overt act was committed, or at the moment of his giving evidence touching that act, was sane or insane? But the sanity of the witness is not hinted at—a lunatic is admitted to be unques-

tionable evidence! Perhaps this notable witness will be some poor maniac, who

————— *was phrenzied by disease or woe,
To that worst pitch of all, which wears a reasoning show.*

Thus is the superintendant to be exposed: his character, and every thing that is valuable to him in life, is made dependent upon the caprice of visitors, who cannot be competent judges; upon the good-will of a set of mercenary, ignorant people, without whose services he cannot prosecute his concerns; and, lastly, upon the report of his mad patients, who have merely to be acquainted with their power, to deride and defy him whom they ought, for their own comfort and happiness, to consider omnipotent.

Is not this subornation of evidence? And is not this considered an illegal act? In what other light can such proceeding be viewed?

Why should a stretch of the laws be sanctioned by the Legislature to the oppression of one class only of British subjects? What have the superintendants of mad-houses done to deserve this indiscriminate severity? Why are they to be deprived of the liberty of exercising their judgment in their own affairs; or be placed under the domination not of one presiding and exalted authority, but of a heterogeneous assemblage of Commissioners, Visitors, Knights of the Shire, and Justices of every county?

Why are servants to be suborned and directed, with the mad inmates, to rule over him who ought to be their governor? Why is his character to be exposed to traduction without a fair opportunity of replication; and his property to spoliation, without that form of trial which is open to every other British subject? Why is he, in short, to be subject to mulcts, fines, pains, penalties, actions, confiscations, and imprisonment, more than other subjects of these realms? Has he dared to adopt a course of life repugnant to divine or human laws, that he should be the most obnoxious and degraded of all ranks? Truly he dares to devote himself to attempt the alleviation of one of the greatest afflictions with which Providence has visited human kind! He dares to devote himself to a life of care, of peril, of watching, and of eternal anxiety. He dares to be the associate and the guardian of him who is lost to himself, to his friends, and to society. And if a man of honour and of information can perchance be found to devote himself to an employment that can afford little real satisfaction, but from the conscientious discharge of a painful duty and the hope of a maintenance, is that individual to have the indelible seal of degradation upon his head, and all the odium of one who has forfeited his right to the respect of his fellow subjects, and to the protection of the laws of his country?

It may be urged, in justification, that where persons not possessing their mental faculties, and who are consequently unable to protect themselves, are confided to the charge of others, that the law should in a peculiar way extend its protection, and prevent the possibility either of their being misused while under that charge, or of being detained when there is no longer a necessity for it. This is undeniable. But on the other hand, if the enactments of this Bill should deter men of intelligence and character from devoting themselves to the care of the insane, what would be gained by these coercive and restrictive provisions?

It, therefore, resolves itself into a question: whether an act of Parliament which excludes professional gentlemen and men of intelligence will be the best preventive of the existing abuses; or, whether, by prohibiting none but professional and other properly qualified persons to be entrusted with the care of the insane, the same object would not be attained?

Superintendants.

The friends of humanity and melioration of the condition of insane persons, in the zeal of philanthropy, seem to forget that, while they are so solicitous to preserve them from cruelty and oppression, they are actually moving Parliament

to treat those who are to have the care of them without any feeling or respect. There certainly is as much impolicy as there is of injustice in this proceeding.

The provisions of this Bill induce me to conclude that I certainly misinterpreted the import of many of the queries of the Members of the Committee of Inquiry; for I was led to think that a conviction had arisen out of the investigation, that all houses for the reception of insane persons ought to be under the superintendance of men of character and ability, and particularly of medical men.

This indeed, as far as it could be done without violation to the rights of others, would be very desirable; and a field for observation would be thus opened, which might soon establish an improved view of the causes and the cure of mental derangement.

Medical men, of whatever class, will now, thank God! be men of education and information. I avow, and glory in it, that I have a very exalted opinion of the medical character in this country. Speaking of them as a body, they possess all those qualities which sound principles and education bestow; and, hence, that nice sense of honour which characterizes gentlemen. They exercise a liberal profession; and the services they render to society are of the first importance, and ought to be appreciated accordingly.

Can any one for a moment suppose, if such an Act were to pass, that men like these will ever condescend to accept a medical appointment to an hospital, where the recovery of the insane patients is expected ; and where his success, perhaps, would be judged by some arbitrary scale, to which, if it did not attain, the failure would tend to their discredit ? Or will such men embark their property or professional character either in establishing or connecting themselves with a private lunatic asylum, when both property and character are at the mercy of strangers, many of whom may have much more zeal than judgment and discretion ; of a set of servants who are more ignorant and roguish than almost any other ; and of madmen whom God has deprived of the attributes of man, and the law of the rights of a citizen !

Already, if I am correctly informed, the recently appointed physicians to a hospital, of which much has lately been heard, have experienced the interference of overweening zeal with the medical department, in a manner that fully exemplifies its nature and effects.

That the outfit of a private establishment, upon a scale adequate to remunerate a professional man, must require a considerable capital, is evident. It must be equally clear, that no one professional man, who has a considerable fund, would ever embark it in a specu-

lation of this description. In fact, there are as few fitted by nature as by fortune for it. None but a Howard, a pure philanthropist, would by choice select this occupation. Hence private establishments for the insane generally originate with a combination of individuals, who form a joint stock fund, incited only by the prospect of large profits; but even these speculators look for reasonable security for their money. Will the physician or the capitalist enter into such undertakings when exposed, as I have shewn they certainly will be, to a controul that will defeat the professional views of the one, and the sordid hopes of the other?

If such establishments scarcely produced a maintenance for a family, and provided, with good management, a moderate competency for old age, while there was full latitude for the exercise of the judgment, what prospect will offer, were this Bill to pass, but immediate deterioration of property, and eventual disappointment?

Medical men rarely enter upon life possessing more than enough to settle them in practice. Some are so fortunate, perhaps, as to have something left towards their support till they have acquired an income from their profession. Did they possess in early life adequate property, there would be wanting the confidence which maturer age inspires; and this would be an obstacle to success in this line of practice: and

when they have arrived at a fit age, they generally are fixed in some other much more congenial with their feelings. There are, therefore, moral impediments to medical men establishing houses for insane people. If it be desirable that such establishments be under their direction, it behoves those who take an interest in the subject, not to devise greater impediments than are compatible with the honour and interests of men of liberal minds and of character.

Professional men may be engaged to attend lunatic hospitals and houses as well as upon any other medical duty, and they may discharge it in a manner so as to give satisfaction ; but while they are under the direct influence and at the beck of others, their utmost endeavours to restore the minds of their patients to reason will be utterly abortive. With all these positive obstacles, and a state of absolute degradation, can any gentleman of the medical profession become the superintendant of a mad-house ?

What are the necessary qualifications of a superintendant ? They are such as are seldom found combined :—they are endowments of nature ; not mere acquirements. He ought to possess an excellent understanding, the more cultivated the better, tempered manners, vigilance, courage, and great presence of mind. He should entertain a full impression of the Divine precepts

of pure religion, be practically moral himself, and enforcing it, by his example, upon those under him. Such a man, indeed, is rare. But if he be found, will he become a superintendant, and subject himself to the proposed law? Decidedly, he will not! If he combine with these requisites the knowledge of medicine, it must be a great additional recommendation: although, if actually living with and personally superintending the management of insane persons, it may detract somewhat from that inherent respect they usually have for the medical character.

Such are the persons only that ought to have the superintendance of the insane; and such should be encouraged by every possible incitement to undertake this important but never very desirable charge. And it is a fair inference, that if none but persons properly qualified and worthy had had the charge of mad-houses, the alledged instances of misusage, neglect, and of inadequate accommodation of the insane would never have occurred. Therefore, I apprehend that greater caution in this respect alone would be a simple and sure means of securing to insane persons all the attention and comforts which the nature and diversity of their cases require, and all the advantages their circumstances can afford.

When the testimonials are satisfactory, and a superintendant is established in his charge, he

should instantly have free scope for the exercise of his talents and his authority. Instead of laws being made to shackle and controul him, they should be stretched, if it were possible, to favour and protect him above all others.

A superintendant of a mad-house must be a despot or a slave ; there is no medium. Like a despot, he must have undisputed sway ; every thing must emanate from himself ; and the happiness or misery of his subjects must depend on his personal qualities. If he be subjected to the tyranny or caprice of superiors, his hands and his actions are fettered ; he is the slave of those placed over and of those placed under him ; he will neither give satisfaction to the one, nor contribute any real benefit to the other*. He must also possess the entire confidence of the insane persons under his

* “ Dans une maison d'aliénés il doit y avoir un chef et rien qu'un chef dont tout doit ressortir.” ESQUIROL.

“ Un des points capitaux de tout hospice bien ordonné,” says Pinel, “ est d'avoir centre générale d'autorité qui décide *sans appel*, soit pour maintenir l'ordre parmi les gens de service, soit pour exercer une juste répression contre les aliénés turbulens ou très-agités, soit pour déterminer si un aliéné est susceptible d'une entrevue demandée par un de ces amis ou de ses proches ; ce juge suprême doit être *le surveillant de la police intérieure*, et tout est dans la confusion si le médecin ou tout autre préposé a la foiblesse de céder à des réclamations qui lui sont adressés, et à mettre sa volonté et ses ordres en opposition avec ceux du même chef.”

charge ; and, indeed, of all composing his household ; for although the affections of the insane are generally perverted, yet most are susceptible of kind and candid treatment, and are often singularly correct in the performance of any promise. Fear is the last expedient that should be tried—“ *Malus est enim custos diuturnitatis metus, contraque benevolentia fidelis vel ad perpetuitatem.*”

These are the qualifications which, in my opinion, superintendants ought to possess ; and although we may not expect often to find characters so complete, yet it is an incumbent duty in no instance to dispense with what are of primary importance.

I fear the spirit that has pervaded the framing of this bill will be little disposed to concede confidence to those whom evidently it is meant to awe and intimidate ; and yet it will not be denied that there are but few individuals who preside over lunatic establishments, possessing either those endowed or acquired qualities which fit them for the office.

If a medical man be appointed to attend an asylum for lunatics, and is not either proprietor or superintendant, and it is expected that medical means are to be used for the recovery of the patient, it is absolutely necessary that he should be entirely independent and uncontrouled in all his prescriptions. This I fear will not be easy to accomplish ; and yet when he is ex-

posed to the interference of any and especially of a superior authority, he never can be successful in his practice.

The union of a medical man with any one not of the profession, and having an interest in the profits of a lunatic house, would be an absolute incongruity. The one, if he have those feelings which his education and his profession ought to infuse, will be exerting all his medical skill to restore those under his charge to their faculties, and consequently to their families; while the other, perhaps, having no other views than large profits, even if he cooperate in the moral treatment of the patients, will too often, if not openly yet covertly, thwart the best endeavours of his medical colleague to restore them to reason; because that would be diminishing the number of patients in the house. The cures which nature accomplishes must be submitted to; but the attempts of art he will condemn as worse than useless. And yet if the physician and the superintendant do not coincide in principles and views, the utmost possible confusion will ensue. Dr. Pinel seems particularly aware of this, and every where seizes occasion to extol M. Pussin, the superintendant of the Salpêtrière*, for his zeal and ability, and the cordiality of his co-operation.

* “ Il n'est pas facile de résoudre la question générale relative à la concentration de l'autorité pour le maintien de l'ordre

But there is a description of superintendants, before alluded to, who, from their ignorance, callousness, and peculation, have done infinite mischief, and brought much odium upon all engaged in the care of insane people. These are under-keepers, who have undertaken, in their own lodgings, the charge of private patients. There is no greater abuse existing in the

dans un hospice d'aliénés, puisqu'on doit prendre surtout en considération le zèle et la capacité respective du médecin et du chef de la police intérieure: ils peuvent être dans les mêmes principes, vivre dans la plus grande harmonie, et alors le médecin qui a des vues élevées se repose entièrement, pour tout les objets de direction et de police, sur le surveillant générale. Il peut aussi y avoir une extrême différence entre un surveillant très-habile et un médecin insouciant et très-borné dans ses vues, et dans ce cas le premier ne manque pas d'envahir toute l'autorité, comme un hospice très-connu en a donné long-temps un exemple remarquable. Comment donc établir des règles générales qui puissent convenir à des cas aussi opposés? Il n'est pas moins vrai que, quels que soient les principes de l'administration générale d'un hospice, quelques modifications qu'ils reçoivent des temps, des lieux et des formes du gouvernement, le médecin, par la nature de ses études, l'étendue de ses lumières, et l'intérêt puissant qui le lie au succès du traitement, doit être instruit et devenir le juge naturel de tout ce qui se passe dans un hospice d'aliénés, qu'il doit sans doute laisser l'exécution des mesures répressives au surveillant, sans jamais lui donner aucun signe d'improbation en présence des aliénés ou des gens de service, mais qu'il ne doit pas moins approfondir les causes des événemens tumultueux qui peuvent survenir, et en faire en particulier l'objet d'une communication franche et bienveillante."—See *Traité Médico-Philosophique sur l'Aliénation Mentale*.—Edit. ii. p 224.

whole system of management of the insane ; and, from *à priori* reasoning, it would appear not easy to explain how such people acquire the confidence of respectable persons to a degree to be so trusted. But it is not so difficult to unravel as might be imagined.

A male or female under-keeper or servant hires, no matter where, a furnished lodging or cheap house. Ignorant and low-bred, they indulge their propensities, being freed from the controul of a superior ; and here, if so disposed, exercise the most unbounded tyranny over their unfortunate patients. And this goes on for a considerable time, perhaps, before the relations discover the abuse of their confidence. The facilities for obtaining patients by these people, are many. In the course of their service, either in the house of a patient, or in that of their master, where he may have been confined, they contrive to insinuate themselves into the good graces of the patient's connections ; and, if possible, they also find opportunities of recommending themselves to medical gentlemen. If their conduct receive approbation, they are ever after on the watch for a relapse of the patient, and take care to claim occasionally the patronage of the medical attendant who visited him. By these arts, and by offering their services at a cheap rate, they get employment in some private family on their

own account ; and when it is necessary to remove the patient, they often induce his relations, by the same temptation of greater œconomy, to entrust him to their sole direction. A desire to conceal the malady of their relation, perhaps from a fear that themselves may be suspected as partaking of it, and a false calculation of œconomy, easily tempt families to listen to the offers of these people ; and medical gentlemen, who know but the most favourable side of them, too often are accessory to these contracts. I have known keepers, whom I have discharged for inhumanity and gross neglect, in a week or two afterwards have the care of a most respectable insane person ; and that without the least inquiry respecting their character ; and although months or years have elapsed since they were employed in the families of those by whom they are now trusted. It requires only a proper security that the keeper is worthy of confidence to prevent this cruel practice.

Hence it appears highly probable, that, under the operation of the new Act, no person of property or character will, in future, undertake the superintendance of a private asylum ; and it is equally clear that those who are now embarked in that line, will, rather than subject themselves to all the vexations and hazard attending their present occupation, direct their property and attention into channels more pro-

fitable, or at least more secure ; and where they will be suffered to follow the conviction of their own judgment, and enjoy the fruits of their honest labours uninterrupted.

What then will this promised Bill, which has occupied so much time and attention, effect ? Will it create a superior, more enlightened, or more humane class of superintendants than those who now preside over these institutions ? Certainly not ! The man of substance will, neither on his own responsibility nor in co-partnership, risk any thing ; and the man who has little or none, cannot, if he were willing, establish a house, such as the Commissioners will perhaps require before they license. How then will the condition of the insane be improved, either physically or morally ?

Comparative Advantages of Public and Private Asylums.

There are who contend that public asylums might answer every purpose for the accommodation and recovery of the insane, resting their argument simply upon the proposition that large societies are most favourable to their restoration. If all asylums for the reception of a large number of patients were like that at Glasgow, or the Retreat at York, or La Salpêtrière at Paris,

and the governors and managers possessed the charity, discrimination, and discretion of the Society of Friends, or the ability and devotion of Dr. Pinel*, I should so far coincide as to admit that large societies present great advantages. But, if it be implied that the lunatic asylum with which every county is intended to be burthened, will offer superior advantages to private establishments, it is a position I must deny.

Unhappily, insanity is confined neither to rank, sect, nor relative happiness in life. Yet, in the placing of a lunatic, all these circumstances ought to be considered; and, if observed, will greatly influence the chance of recovery. It is not to be supposed that, as society is constituted, the friends of a lunatic of family or affluence would choose he should be the inmate of a place supported by public benevolence, even a

* It is impossible to speak of this excellent and venerable Physician, without joining in that tribute of respect which all Europe awards him, for the services he has rendered to society by his Observations upon Mental Alienation. A friend of mine, who knows him well, writes—"M. Pinel still constantly resides in the Hospice (La Salpêtrière), and daily visits his patients, whom he treats with a truly fatherly kindness; and it is an exquisite mental gratification to see how much the study, the care, and the assiduous researches of this celebrated Physician, have succeeded in dissipating the horrors of the situation of those unhappy sufferers, and in shedding around them a ray of hope of a better futurity."

although they knew he would have a distinct and suitable accommodation: neither should it be forgotten what would be the feelings of that patient when enjoying lucid intervals, or when he became convalescent, upon discovering where he was confined.

Insanity is well known to sometimes effect its own cure; and therefore in any situation, where the common offices of humanity are exercised, there will a number recover: but I think it will never be contended, nor am I acquainted with any document that warrants the conclusion, that as many recover in public as in private institutions. I am not aware that a register of the proportion of cures to the cases admitted, in any private establishment in this kingdom, has been published. The Retreat of York comes nearer to a private house than any other to whose registers there is a reference. But in France there are very excellent private institutions, which in this respect have preserved a most commendable degree of accuracy. One is kept by Dr. Esquirol*, Physician to that fine

* Dr. *Esquirol* had written a very elaborate article upon Asylums for Lunatics for the last volume of the *Dictionnaire des Sciences Medicales*, when he received a commission from the French government to visit and inspect all those establishments in France; for which reason he withdrew the Memoir, in order to add to it the result of his observations during his

Hospital for Female Lunatics at Paris, La Salpêtrière, and the colleague of Dr. Pinel; and the other by a very respectable physician, Dr. Dubuisson. Let us compare the proportion of cures as published by those physicians with that in La Salpêtrière, the Retreat at York, and Bethlem and St. Luke's Hospitals:

PRIVATE ESTABLISHMENTS.

Esquirol's.	Dubuisson's.
62 in 100.	59 in 100.

PUBLIC ESTABLISHMENTS.

Salpêtrière.	Retreat.	Bethlem.	St. Luke's.
46 in 100.	36 in 100.	41 in 100.	42 in 100.

The proportion of cures would appear larger, if the same exclusion of hopeless cases of insanity were observed in the Retreat, as in the Hospitals of Bethlem and St. Luke's. But candour demands, that it should be stated, that under all its recent circumstances, the means of successful treatment have been much abridged in Bethlem Hospital.

From this comparison it is evident, that the French private asylums have the advantage over all public asylums; and that the proportion

tour. He has just communicated his Report; but it is not yet published. It is very highly spoken of, and from Dr. Esquirol's well-known abilities and experience, there can be no doubt of its being eminently interesting and useful.

of cures is much larger in the French than in the English hospitals*.

There is one circumstance which makes the number of cures in private asylums preponderate, independently of superior accommodation, classification, &c. ; and that is, that the cases brought to private asylums are more commonly recent ; when insanity is always most capable of cure.

That hospitals for the reception of lunatics are of great public utility cannot be disputed ;

* In Germany the proportion of cures is apparently much smaller than in England or France. In 1803 and 1804, at Vienna, it was 27 in 100 ; at Berlin, 28 in 100 : but there are a large number of epileptics included in this enumeration. From a letter with which I am just favoured by Professor Horn, Physician to the Royal Prussian Hospital La Charité, at Berlin, it appears that that Institution for lunatics contained, on the 1st of January 1816..... 211

Admitted in the course of the year 1815..... 208

419

Discharged cured..... 106

313

Or about 25 in 100.

The Report for 1817, published January 1st, gives nearly the same results.

Having been promised aid in this inquiry from physicians in almost every country in Europe, I hope to be able to publish, in a work I am arranging upon Mental Derangement, a summary of the information obtained upon this curious and interesting subject.

since they afford security and comfort to those who, until they were built, were at large, and often dangerous to society; and who, as we have had recent proof, were rather treated as brutes than as unhappy fellow creatures. But while the present system is pursued, although every county may in time possess its hospital, yet generally they will serve for little else than their name imports, — Asylums for Lunatics.

It is to be feared that the funds, which should be appropriated to the supporting of these institutions, are, according to the plans I have seen, likely to be expended on a building, vast beyond all possible necessity, and yet deficient in almost every requisite for the cure of the patients. If thus improvidently the resources are exhausted, it requires not the gift of prophecy to foretel, that in a very few years lunatic asylums, like many other public works, will exist but as monuments of the success of the designing and interested few, and of the folly and delusion of the many.

Without being so sanguine as the French Physician, who, as an instance of the perfection of the interior, describes a visitor upon entering a public lunatic asylum, as exclaiming: “*Mais où sont les folles?*” But where are the mad people? yet we may rest assured that the spirit of reformation has gone forth; and that it will be a less difficult task than Parliament

appears to conceive, to amend the present defects, to improve all lunatic institutions, and afterwards to prevent their relapsing into a state of neglect and turpitude.

The great secret of managing all mad-houses is example. It is a maxim that ought to be engraven—"That example, which determines the conduct of the sane, has an equal influence upon the insane."

Defects of the present System, the Sources of existing Abuses.

He who arraigns any system, must have formed in his own mind some outlines of one which he conceives would be better, or he renders little service to society by his objections. From the most attentive consideration of the subject in every point of view, I confess that a very different course to the one proposed strikes me as being necessary to accomplish any good; but that course would be so opposite to the views of the advocates of the proposed system, that I am sensible it will never meet with their approbation.

However, ere a remedy be suggested for the disease, let us endeavour to trace it to its origin. It is by freely exposing errors that they are most effectually corrected.

Whether we look retrospectively, or prospectively, it is impossible to conceive any thing less adapted to any practical benefit, than those laws which have been passed relating to the management of the insane. Let us refer to the Act Geo. III. 1774, under which mad-houses are at present regulated, and to which Dr. Powell, the Secretary to the Commissioners of the College of Physicians, very judiciously refers as the origin of the existing evils.

It appears that this act is so framed as to be little more than a dead letter, except in the metropolis and its immediate vicinity. Within the limits to which it extends (seven miles), the London Commissioners have regularly granted licences, a nominal security has been required of the licensed, visitations have been made to all the private houses, regular certificates from medical men of the state of mind of every patient confined within licensed houses were usually found filed, and the returns were generally made to the secretary of the Commissioners within three days of a patient's being admitted. The Commissioners were physicians only.

So far the act is good: but unluckily it contains no penal power whatsoever; nor does it provide any adequate fund for remunerating the visiting Commissioners, who are commonly of the first rank in their profession, for the

sacrifice of their time which is in fact their property, in the execution of this public duty ; and therefore it is not performed so frequently or so effectually as it might be. The sources of the fund are confined, I believe, to the fees taken for the licences ; and these scarcely sufficed for the ordinary and very moderate expences : nothing was left for the prosecuting of delinquents. Hence, defective as the Act was in other points, the want of funds rendered it still more so.

There cannot be a doubt that to the defects of this Act for the purposes for which it was passed, may principally be ascribed all that has since been wrong, and which created the necessity of the late investigation. An act which provides only for the metropolis and a circuit of seven miles, is virtually leaving the rest of the kingdom exposed to the same abuses as existed prior to its enactment. Commissioners the most competent, both by education and character, are appointed and enjoined by it, to examine all private houses within the London district. They are also to grant a licence to all who may apply for it ; but, by a gross oversight, they have not the power of refusing it to any applicant, however infamous his character ; nor can they suspend his licence, or take it away, or refuse its renewal, however gross his misconduct in the execution of his office, as a superintendant or keeper. It is true,

he is to enter into a recognizance of £100, and give sureties for a like sum, for good behaviour during the period of the licence, and he is amenable to the laws for his good conduct, by action, &c. ; but the rarity of a forfeiture of a recognizance, or of a prosecution at the suit of the Commissioners, are proofs of the difficulty of bringing these delinquents to punishment.— There are, besides, a prodigious number of other defects in the Act ; but faults enough are enumerated to shew the facility of very improper persons becoming superintendants. Hence there can be no difficulty in determining whence sprung so many ineligible houses and superintendants, and the infamous acts which have disgraced the national character.

There is much to condemn and correct in some private houses even within the range of the visitations of the Commissioners of the College of Physicians ; can we then be surprised to find greater abuses existing in those situated beyond their limits, where little or no jurisdiction is exercised ?

As to some improper acts alledged to have occurred in a particular private establishment in the environs of London, few gave credence to those charges when made before the Honourable Committee of the House of Commons ; and subsequent events have fully proved the malignity and

falsehood of the accusations. The length of time the gentleman implicated has superintended the most extensive private establishment in this or perhaps in any other country, and in a manner so highly honourable to his character, it might have been thought, would have shielded him from such gross and virulent charges. Fortunately the motives of the accusers were early detected. But this event alone shews how exposed the most meritorious are to the machinations of the disappointed and revengeful; and it ought to serve as an example of what may be the consequences, if a law were passed, sanctioning, and rewarding servants, whose bad conduct too often merits the severest censure, for coming forward and swearing upon a summary investigation to the delinquency of their masters.

It is impossible to attach the least reproach to the College of Physicians, for the many defects and negligences in the system of managing the insane within its district. We have seen the limited powers it possessed. The Commissioners might remonstrate and threaten; but that was almost the extent of their power. The monies arising from the granting of licences were not sufficient by any means to remunerate them for their trouble, in the execution of this necessary but disagreeable office. How then could any prosecution against offenders be sustained?

It was an honourable sense of public duty only, that could prompt men of such character to undertake it; and it was the sole influence of that character, and not the fear of the powers with which they were armed, that produced as much reformation as had actually taken place in most private houses within their range of visiting.

The President of the College of Physicians, Dr. Latham, and Dr. Powell, distinctly affirm, that in those houses of which they had occasion to complain, gradual improvements were observed. And there can be no doubt but equal amendment might have been remarked in all private asylums, had visitations, by equally competent persons, been extended throughout the kingdom.

Compared with some of the private houses in the counties, those within the London district may be deemed excellent. On the other hand, justice and candour demand the acknowledgment that some of the country asylums, from locality, and other causes, highly creditable to the good sense and humanity of their superintendants, have advantages over many in the metropolis. And it is gratifying to find, although it is no other than ought to be expected, that most of these asylums are under the immediate direction of medical gentlemen.

According to the Act of 1774 also, justices assembled in quarter sessions in the counties,

may grant licences, and *may* appoint two of their body and one physician as Commissioners, who *may* examine houses, and *may* take notes of observation, and *may* deliver the same to the clerk of the peace, and he *may* transmit them to the Secretary of the London Commissioners; but there is nothing in the act to compel keepers of houses to apply for licences, or to prevent their receiving lunatics without licences, or to oblige Commissioners to examine such houses or take notes, or for the Clerk of the Peace to transmit them to the Secretary; consequently medical certificates may or may not be given with each patient: therefore in whatever county the Commissioners are lax in their duty, there abuses most prevail and exceed.

Again, pauper lunatics, the most likely of all others to require the protection of the law, are wholly unnoticed by the act of 1774; no medical certificate of the necessity of their confinement, nor returns of their admission, were required: "and the fiat of the parish officer alone is thus sufficient to consign a person to confinement*."

* There is a very wise and praiseworthy provision in the new Bill for the care of insane paupers; a provision which strikingly exhibits the characteristic humanity of British legislators.

As this judicious provision for the medical care of insane paupers brings to my remembrance in vivid colours, the

It must suffice to detail only these egregious errors, to be prepared to expect as a conse-

proofs I have had of the dreadful want of medical care which *some* paupers in many parts of this kingdom experience; and as it is possible these observations may be perused by some of those Members of Parliament who have most interested themselves in providing for the comfort of the poor, I cannot pass this opportunity, although the matter be not strictly relevant, of detailing some few but strong facts. Perhaps further inquiry may ensue; and an evil be stopt that I have for years cherished the hope of seeing corrected.

Not long since, I had the honour of presiding over a very numerous Medical Association, for the purpose of applying to Parliament for legislative regulations to prevent the introduction of ignorant and improper persons into the medical profession. In that capacity I had the conducting of a correspondence, which extended into almost every county in England and Wales; and consequently I became the channel through which the statements and sentiments of large and most respectable provincial associations were transmitted.

In relating various abuses which affected their interests, there was one in which all the country practitioners were nearly uniform; and that was, the gross medical neglect of the parochial poor.

In most parishes the medical attendance is *farmed*, as it is termed: that is, a contract is made by the parish officers for attendance on the paupers, at a certain sum per year. This contract is entered upon at Easter; previously to which, notice is given to all the *Doctors* in the vicinity to send in their proposals. Accordingly all the regulars who think it worth their notice, and irregulars, consisting of farriers, bone-setters, mountebanks, and all the would-be tribe, make their tenders; and he who is so fortunate as to offer the *lowest* terms, is appointed the Parish Doctor for the ensuing year.

quence what has occurred. The only matter of surprise is, that more frequent enormities were

In parishes where any person of education and character resides, who condescends to enter into parish affairs, this abominable custom does not often obtain.

Five pounds per annum, for medical attendance and medicines, is a liberal salary, where the casual poor have averaged from sixty to a hundred; and even in parishes inhabited by persons of property, and who would blush to be called inhuman, I have known forty shillings only allowed; and of contracts for medicine and attendance at two shillings per head per annum. This is no exaggeration. I have abundant and irrefragable evidences in my possession to support these allegations. Nay, to so infamous an extent has this practice gone, that in a parish not ten miles distant from the metropolis, when the day arrived for electing the *doctor*, one was chosen in preference to the rest, because it was remarked that during the year he attended, there were always the greatest number of deaths! The gentleman who stated this, offered to verify it upon his oath.

Possessing these testimonies, I thought it an act of humanity and justice, as I was then in frequent communication with several leading members of Parliament, to state the matter to them, and inquire if such contracts could not be rendered illegal. But I received no encouragement; on the contrary, all declined interfering, on the ground that nothing could be done without some alteration in the poor-laws, with which all were afraid to intermeddle. Perhaps the times are now more auspicious; and means may be found to abolish a practice so injurious to the poor, and derogatory to the medical character.

Pauper lunatics, from their hapless condition, naturally demand the greatest attention; and it behoves us to provide for all the wants of their animal life. But age, disease, and

not discovered in the course of the late investigation.

These are all radical defects, which, if the Act of 1774 had been wisely drawn, and had been made operative over the whole kingdom, would have prevented the existing evils.

To provide against the recurrence of the causes of complaint, two very essential steps are—1st, that no person shall have a licence whose qualifications cannot stand the test of severe proof: and, 2nd, that some plan should be devised to improve the class of persons who act as under-keepers and nurses of insane persons.

I am confident that all other considerations are subordinate; and that these two objects accomplished, not only would the condition of the insane be ameliorated, but it would be improved to the highest degree of which it is susceptible.

If men of character and some education only are entrusted with a licence to keep a lunatic asylum, will they not feel that their reputation and success in the undertaking is involved in their providing every thing requisite? Would it not be inconsistent with the character of an

poverty, often reduce an industrious person to the lowest ebb of misery; and with the consciousness about him of his degradation and his necessities, he is certainly no less an object of commiseration.

honest and intelligent superintendant, to appropriate a house for the reception of a greater number of insane persons than it could contain? or to suffer any iniquitous concealment or coercion to be practised? or that the food should be defective? or that either their moral or medical treatment should be neglected? If the character and interest of the superintendant be not a security for good conduct, will the dread of punishment improve him, and insure better treatment?

The fundamental principles of all reformation or improvement, in the management of mad-houses, or in the medical treatment of insane persons, therefore, consist:—1. In the fitness of the qualifications of those who are permitted to take charge of them: 2. In having regular members of the faculty as superintendants: 3. In leaving superintendants uncontrouled in their management: 4. That when persons qualified do undertake this charge, in protecting and encouraging them, rather than in holding them up as incorrigible, and bound only by the strong arm of the law: 5. In the competency of Commissioners, or Visitors, to the duties of their offices.

It appears to me an axiom that there is no more reason to exercise coercion, pains, and imprisonment upon a man of sane mind, than upon him who unhappily is bereft of it. If a man violate or resist the law he is not in his sober

senses, and must take the consequences ; but if he perform all the duties of his station as a good citizen, he certainly has a right to some consideration, and ought not to be treated like a rogue or a madman.

Parliamentary inquiries may undoubtedly be very useful upon many subjects ; but we have had abundant proof that they are liable to the fallibility of all human affairs. Any mode of investigation that is open to party feelings, to deception, and to all the low chicanery which little minds well know how to practise upon persons of ingenuous and honourable character, should be viewed with caution. On these occasions, all the passions are brought into play, and excite too often popular feeling—a ready engine in the hands of the artful ; and thus impartial justice is too often perverted. The most illustrious characters have felt this truth ; and the rapid transition of public opinion, which way soever expressed upon the result of the inquiry, is the best proof of the extreme probability of erroneous conclusions when deduced from such premises.

Much of the evidence detailed in the *MINUTES* on this Inquiry is well calculated to inflame ; and it requires no depth of penetration to perceive, that the witnesses have studiously exaggerated many otherwise simple incidents. This has had its effect ; but the truth which

was perverted in many instances upon the late inquiry, has since been more manifest, and juster views will succeed. From the Reports, it is evident, that much which was imputed has partaken more of the sin of omission than of commission; for, from the censures or admonitions only of the Commissioners, great amendment in private lunatic asylums actually took place;—a proof that there rarely existed a disposition in the superintendants to neglect the correcting of what had been remarked to be improper.

Although the *primum mobile* of every thing in an asylum for the insane, is the superintendant, yet he is incapable of carrying any plan into effect, unless he is seconded by able and judicious assistants. Without their help, it is utterly impossible for him, however correct and vigilant, to succeed in keeping good order in his establishment, and much less in improving the condition of the insane. Intermediate officers may be appointed as overseers of the under-keepers; but so much depends on every servant, however inferior his station, that if he be not intelligent, faithful, and obedient, the harmony of the wisest system is deranged, and rendered futile. Unhappily, these necessary adjuncts, as I have before remarked, are, generally, illiterate, vicious, and mercenary. To attempt to reform the present race, I fear, would indeed be a hopeless task: the evil is too

deeply rooted. Yet, with the aid of Parliament, and concurrence of the patrons and proprietors of all lunatic institutions, it is highly probable a plan might be devised, which, acting prospectively, would tempt persons of some education and better dispositions to engage in this employment.

As this is a most serious impediment to improvement, and claims the greatest attention from all those whom humanity has interested in the welfare of insane persons, and as it may afford useful information, I shall perhaps stand excused, if I enter rather fully into the situation of these people, and the relation between them and their employers.

The wages of men and women attendants on the insane in private houses, never, until length of services has merited augmentation, exceed those of domestic servants. Superior servants in gentlemen's families are much better paid. Their emoluments are sometimes considerable; but this, however, always depends upon contingencies. Hence they are needy and rapacious. While they are in the asylum, they add something to their regular wages from the cast-off clothes of the patients they attend, and from such casual donations as the friends of the patients bestow. If they attend patients from home, it is on their master's account; and, in addition to their usual wages, a weekly perquisite is exacted for shaving, dressing, &c.

They are sometimes placed in situations of great trust; having often the care of deranged persons of rank and fortune committed to their charge. In the execution of this trust, if they conduct themselves so as to give satisfaction, they sometimes are handsomely rewarded. I say sometimes, because it more frequently happens that the connexions of the patient dismiss them without a compensation at all equivalent to the value of their services. It should always be recollected that their lives are often risked in the performance of their duty; and although they, by vigilance and care, frequently prevent the perpetration of acts that would entail present misery, and perhaps the loss of immense property on their patients' relations; yet they are too often most illiberally requited when there is no further occasion for their attendance.

From a hope of higher wages, they sometimes unthinkingly discharge themselves from the permanent service of the asylum of which they are the servants, and take the patient on whom they are attending on their own account. They then run the risk of his recovery or death, or their discharge from that service: in any of which cases they generally become destitute; for their former master will never hire them again, and their breach of faith being known, no other will confide in them.

Thus, whether they are serving in an asylum

or out of it, on their master's or their own account, their emoluments are so precarious, that it is very rarely, or with the utmost difficulty, a prudent and discreet attendant can save a competency to support himself when past active duty.

There is something, also, in the idea of attending upon mad people, revolting even to ordinary minds ; and an impression obtains that there is some personal risk, and a greater degree of responsibility, than in any other employment. Besides, there being nothing sufficiently lucrative to compensate very respectable persons for so serious a charge ; consequently few but the uninformed, whose minds are insusceptible of comprehending the nature of their duty, will engage in it.

The best servants are those which are formed in the establishment ; but, “ evil communication corrupts good manners ;”—they soon become contaminated by association.

Although these people, like most of the lower classes, bestow little reflection upon the future ; yet example with the most ignorant sometimes produces effect where the wisest precepts fail. They who are prudent see and feel the total want of provision for their old age, when they are no longer capable of fulfilling those functions which this service peculiarly requires. If opportunities of acquiring a competency were more frequent, prudence, œconomy, and forethought,

cannot be expected where there is such great laxity of morals, and so many temptations to dissipation.

They who are unacquainted with the œconomy of insane establishments, may not feel the full force of this evil; and, judging by comparison with other large establishments, may conceive nothing more is requisite than the strict exercise of the authority which every master has over his servants. But where the servants must be taken from a class so generally deficient of those principles, which happily often attach by reciprocal ties of affection and gratitude, and which kind usage on the one part and faithful services on the other beget; that reciprocation must be of very rare occurrence, and is little to be reckoned upon: and, feeble as this tie now is, the operation of such a Bill would totally sever it. Superintendants, whose character and practical knowledge ought to be respected, will agree that this is one of the main obstacles to the accomplishment of any plan they have attempted towards improving either the moral or physical condition of the insane under their care.

Dr. Haslam, in a recent little tract, offers some judicious observations upon this subject; but I believe his experience of keepers has chiefly been confined to those in public hospitals; and there is less difficulty perhaps in procuring

or retaining good keepers in them than in private houses. Dr. Pinel found that recovered insane patients, having perhaps no resource when discharged as cured, have been engaged, and always proved the best keepers. All public hospitals have this advantage; and frequently avail themselves of it, as well as of the occasional services of convalescents. Keepers, therefore, employed in public asylums, look forward with confidence, that, if they conduct themselves properly, they will be promoted, and be provided for when they are no longer able to do their duty; those belonging to private houses may perhaps earn more money than those in public hospitals; but they have no provision in expectancy. Sensible of this, Dr. Haslam observes, that "perhaps nothing would more tend to improve the condition of this class of persons, and incite them to a more humane and conscientious discharge of their duty, than the establishment of a fund, as a provision for the latter period of their lives, to which, during their employment, they should contribute by a weekly or monthly instalment." But this scheme, however humane or practicable, will by no means correct the evil.

These persons ought to be selected from other and less vicious classes. They should have been brought up in habits of industry and

regularity; and possess at least a respect for religion and morality. A Benefit Society would only have the effect of making them more idle and insolent, and less obedient to their employers. It is too dangerous an expedient to be encouraged. Still the forlornness of their situation is greatly to be commiserated. Public laws and private regulations may succeed each other *ad infinitum*; but, unless the melioration of the condition and qualities of these subordinate but essential agents is also accomplished, any effective amendment in the state of the insane will be vainly attempted.

I have dwelt much upon the character and situation of these people, because it is impossible too highly to estimate their great importance to the physician and superintendant; nor can any but those who have felt the severe disappointment and perplexity arising from the deficiency of their qualifications, conceive how frequently the wisest plans and best intentions are frustrated by their ignorance or want of principle.

Although I have ventured to censure particular provisions of this Bill, yet I freely confess that much is required and may be done by Parliament for improving the general condition of the insane. But the proposed regulations abound with objections so numerous and strong, that I am perfectly confident they will deteriorate the condition of those for whose benefit they are

intended ; as they assuredly will that of the persons to whom the insane must be confided.

Indeed can it for a moment be seriously expected, that any thing so complicated is calculated to eradicate evils, the roots of which are nourished by the vitiated state of society ; to reform which all the penal statutes of the land must fail. The very principles of the Bill are discordant ; and whether it be analyzed clause by clause, or whether it be considered synthetically, it must be pronounced by all competent judges to be totally irreconcilable with legitimate induction. When first introduced into Parliament, those best acquainted with the subject trusted that a measure so extraordinary and defective would cause its own defeat : therefore little open opposition to it was manifested. The unprejudiced saw clearly that it originated in those exasperated feelings which the investigation had excited ; and it is to be feared those feelings still prevail and warp the better judgment of its advocates. Another recess has passed, yet the measure is restored with all its original deformity. This cannot be the effect of pure conviction. It is quite contrary to all former examples ; and induces a strong suspicion that some interested individuals must be industriously, though secretly, at work, to keep alive that irritation

which their own arts originally excited*. And as it has now received the sanction of one branch of the Legislature, it is high time to expose its import and various errors†.

It may be asked, if the multiplication of oaths, and penalties, nay, if transportation, or the pain of death itself, have, in the slightest degree, diminished the frequency or flagrance of every species of profligateness? Are not our wisest legislators, magistrates, and divines, convinced of the inefficacy of penal statutes for the prevention of crime? And hence have not many institutions sprung up in various parts of England for the prevention of vice, by inculcating the precepts of our holy religion and sound morality? and others, by the encouraging of virtue and industry? This is true philanthropy: but it is also the result of a conviction of the total failure

* The industry displayed in publishing from the Minutes such garbled extracts as were most likely to rouse public indignation, and the studied circulation in England of a recent trial in Ireland, detailing the most disgusting scenes of wickedness and obscenity, is presumptive evidence of the truth of this suspicion. But the very circumstances which took place in the Irish Mad House, afford a striking example of the necessity of a good moral character being ascertained, before any person is entrusted with a licence.

† It must be remembered, that these observations apply to the Bill framed in 1816, and revised, and again brought forward in 1817; and have no relation to the Bill about to be introduced.

of punishment in deterring from the commission of crime; and nothing can check its progress, with all its concomitants, but by instilling into the minds of the rising generation such principles as will induce them to avoid the paths of idleness and wickedness, and pursue honest courses.

These are truths which cannot be denied. Yet do we see a measure brought forward that is repugnant to the moral and physical good of those whose condition it professes to ameliorate and improve; and which breathes throughout a spirit of vindictiveness, and bad policy, rarely known within the range of British jurisprudence.

It is impossible for any one engaged in the management of the insane, and possessing the *mens conscia recti*, not to feel indignant at the proposed regulations; the conclusion of which amounts to nothing more than removing an alleged and reprobated system of tyranny from the insane, to inflict it upon the sane to whose charge they are committed.

Although the amelioration of the present, and the improvement of the future condition of the insane be primary objects, yet in the zeal for attaining so desirable an end, it must not be forgotten that the rights of individuals have ever a claim to due consideration. It must be allowed that the proprietors of private houses, and superintendants of hospitals have a very deep interest in the provisions of this Bill. Are the many to be in-

volved in one general ruin as an atonement for the crimes or errors of the few? Has this inquiry proved that all are equally base? Has neither integrity, nor humanity, nor ability, been evinced by any superintendant in the conducting of his establishment? I must take upon myself to answer, that the Minutes, although they disclose many disgraceful and inhuman acts, do not satisfactorily prove any enormity to have been practised in one private house of respectability. Some of the scenes detailed are certainly horrible; but the theatre of them was commonly some receptacle of the lowest description, unlicensed, unvisited, and, before, almost unknown.

Since the multiplication of penal statutes has failed in preventing crimes, and vice is unchecked by prosecutions and punishments, why should we expect that a policy that has been found to be totally inefficient, should in this instance only be applicable? Why should not a system of lenity and encouragement to all concerned in the care and management of the mentally deranged be substituted?

Acting upon the old adage, that prevention is better than cure, such a plan is more feasible than one of punishment and objurgation. Patronage, and adequate remuneration to those who will devote themselves to the charge of insane persons, whether as superintendants, or in the subordinate situation of keepers, should be held forth.

That such a plan ought first to be tried before the rigorous one proposed, is surely reasonable; and I am indelibly convinced, that it would not only prove successful, but that it may be accomplished at an expence to the public, trifling, comparatively with the scheme now under discussion.

A Bill embracing so extensive and complex a plan must necessarily be attended with an enormous expence. It is not my business to inquire whether the objects can justify the expediture. But I have heard of no opposition to the measure upon this ground. Still, as some of its most strenuous supporters in Parliament are the jealous guardians of the people's rights and property, I cannot for a moment doubt that they will the more readily embrace any plan tending to benefit the insane, if it be effected at a more moderate cost, and without affecting the liberties of the subject.

England is renowned above all nations for the nobleness, excellence, and number of her religious, charitable, and moral societies. The immense contributions of private individuals for their support, is at once a proof of public spirit and sound principles. That which in England is the especial and voluntary act of the public, emanates, in other countries, from the Government; which intermeddles with, supports, and directs

every thing that regards public œconomy. The Parliament of Great Britain frequently extends its aid in support of useful institutions, and all truly national objects; and, no doubt, the same spirit of patriotism has sanctioned this unlimited provision for carrying into execution the proposed Act.

But however imperative the regulations of madhouses may be, let me conjure those who are so zealous for reformation, to reflect upon what tender ground they are treading. The sources of charity are pure but irregular, and should be inviolate. Any interference with, or attempt to controul those who support by their voluntary contributions public institutions, should be well weighed before it is sanctioned by such high authority as Parliament. It is a measure of the greatest delicacy, and may have a very dangerous effect; not only on existing charities, but may influence the minds of those disposed to benevolent actions, but who will not suffer the interposition and direction of absolute authority, however exalted, in the disposition of what they have voluntarily bestowed.

The inspecting of all lunatic asylums by competent Commissioners, but with greater caution and limitations than this Bill admits; attention to the qualifications of superintendants; the licensing and registering of all private asylums; and regulation respecting medical and

other certificates, &c. are all essential and fundamental points; and if wisely provided will afford necessary security against the recurrence of those evils of which there has been so much cause of complaint. But the great desideratum to effectual improvement should never be forgotten: viz. superintendants possessing the physical and moral qualifications requisite for filling those situations.

Next, and an indispensable part of any plan for improvement, is the holding out of rewards for the good conduct of under-keepers or attendants; and the securing of a provision for them when disabled, as they often are, in the performing of their dangerous duties, or when grown too old to exert that activity which never can be dispensed with. Connected with a plan to this effect, there should be a regular register of their names, characters, periods of service, and present abode. This would be a check upon their conduct; and when out of place, through the same channel, they would be easily found or hear of situations, before their little earnings were quite exhausted.

Similar plans for the support and relief of many of the lower orders are common; but none can ever be supported from the resources of these persons for their own benefit: their poverty, comparative paucity of numbers, and dispersion, preclude the necessary co-operation. It can only

be by the all-powerful assistance of the Legislature, that any scheme for their relief can be accomplished. The charge of it cannot be urged as an objection by those who have consented to so great an expenditure as must attend the operation of this Bill—a measure, the success of which is, in my opinion, infinitely more problematical. Nor should the trouble of carrying such a plan into effect be regarded, when the good likely to result to those for whose sake all these pains have been taken, is duly weighed and estimated.

Finally, upon public grounds, it may be objected: first, that this Bill is totally inefficient and inapplicable to the objects it affects to accomplish; second, that it interferes so entirely with any medical plan for the restoration of insane persons to their mental faculties, to their family, and to society, that neither skill, devotion, nor expenditure will avail; hence, the physical condition of the insane will, instead of being improved, be greatly deteriorated; and third, that it holds out no encouragement for men of character and education to take the charge of insane persons; hence the moral will be equally injured with the physical condition of the insane.

From a perusal of the Replies to the Questions put by the Committee, it is evident that insanity is greatly under the controul of medicine—a fact that strictly accords with my own

observations ; and that a judicious combination of medical with moral remedies promises to establish, if not defeated by injudicious interference, an improved mode of practice for the cure of it. This important inference is happily derived from the best practical authorities. Yet it is plain, from some of the Queries inserted in the Bill, and particularly the fifth, viz. “ whether medical aid is afforded to them, (i. e. the insane patients) for their *mental* complaints ? ” that those who framed the Bill have adopted a theory of their own as to the nature and treatment of insanity ; with which medical men may perhaps be in no way disposed to coincide. The most positive medical opinions are naught when opposed to the favourite hypotheses of speculative philosophers ! But a single fact is sometimes more expressive than a volume. If reference be made to the Questions, on the utility of insane persons having free access to a *pump* of water, and the judicious and peremptory objections of Dr. Finch*, they will be found cogent and conclusive. Yet this improper licence is to constitute a part of the intended law ! I think it will not be hazarding much to assert, that such tenacity of opinion is not justified by any medical authority whatever ; but that many of the principles adopted in the Bill are in direct

* See First Report, 1815, p. 51.

contradiction to the evidence which the medical, and even other persons, acquainted with insanity, and who were examined, adduced.

Insanity, perhaps, arises out of the vices of civilization, and will increase with the progress of it, to the injury of society. To rebut, therefore, false opinions and inferences in regard to it, the promulgation of which must aggravate, and perpetuate the errors they inculcate, is at least attempting some good.

It would be irrevelant here to enter into any discussion of the reasons which, in an age so enlightened, have retarded our pathological knowledge of insanity; and consequently a more rational practice for its cure. This would, perhaps, be more fitting the subject of a medical work*. The matter, however, contained in the Reports, if dispassionately read, presents a mass of information, on which a tolerably accurate view may be founded.

The Antients considered every species of insanity emanating from a physical or corporeal *cause* only, and the disorder of the intellects as an *effect*; and their practice being conformable

* Upon this intricate subject I have presumed to offer some opinions, in a brief ESSAY "On the Pathology of Insanity," in the 34th Number of the *London Medical Repository*; and propose entering more fully upon it, in a work nearly ready for the press.

with that theory, there is reason for believing it was generally much more successful than that of the Moderns. In the earliest ages, there was little difference in regard to the medical treatment of insanity; but in the moral, perhaps, there was a greater degree of discrepancy. Of the success attending modern practice in this country, there are no records prior to the foundation of Bethlem Hospital, extant. The practice of medicine has received many boasted acquisitions within the last century: if, therefore, we inquire whether improvement in the medical treatment of this malady has kept pace with the progress of the healing art, we ought to refer for proof to the earliest date, and compare the results.

The registers of Bethlem have not hitherto exhibited more than the number of patients admitted, discharged, and detained. I have not had opportunity of consulting them; but from what is published, there is no reason to boast, that the system of treating insanity had improved within the last century in England.

Dr. Tyson, who was physician to Bethlem, states, that from 1684 to 1703 (twenty years), 1294 patients were admitted into that hospital, of whom 890 were discharged cured, or about 2 in 3: from 1784 to 1794 (ten years) 1664 were admitted, of whom 574 were discharged.

cured, or rather more than 1 in 3 only* ! This certainly applies to one hospital only ; but from the facts stated (page 66), there is too much reason to conclude that further research would elicit analogous results.

To what is this retrogression to be attributed ?

May not medical practice have bowed too lowly at the shrine of philosophy ?

Throughout the whole of the 17th and part of the 18th centuries, the philosophers, who flourished and eminently adorned the age, were deeply involved in speculations upon the seat of the soul, and with metaphysical disquisitions upon the relation of mind to matter. This famous controversy ended by the triumph of Descartes over the advocates of materialism, and the establishing of the independency of mind on the body. Hence the mind has been treated as a

* It is but justice to add, that since the first publication of this pamphlet, a system has been adopted in New Bethlem, which, while it reflects the highest credit on the judgment and zeal of the Physicians, cannot fail to produce correspondent benefit to the patients. Although the local situation of that hospital, and other insuperable errors in the design, are great obstacles to that success which the amplitude of its funds admits, yet, agreeably to my own views of the nature and treatment of insanity, I confidently predict, that whenever its registers are published, they will exhibit satisfactory evidence of great practical improvement.

substance, possessing distinct properties, and subject to the infirmities of disease. The opinion of Descartes and his followers became a favourite doctrine, it was taught in the schools, adopted as a dogma of Alma Mater, and has continued to pervade both precept and practice to this epoch.

Even physicians became entangled within the vortices of metaphysics, and every thing was explained agreeably to the new philosophy. Thus nothing was so attractive and seducing as the solution of the mysterious operations of the human mind upon the animal machine. Hence, too, every aberration of intellect was considered as a specific disease; and the research for first causes was overlooked in the contemplation of their effects. The treatment of insanity consequently retrograded; for what are remedies, if prescribed to symptoms only, and the causes remain concealed or neglected?

Nothing is more distant from my intention than to enter into the mazes of these speculations; but I shall venture an opinion, that the true obstacle to the establishing of a correct theory of the causes, and of a sound practice in the treatment of insanity, is, the impression that the mind can become diseased independent of the body. There is not a single proof that will substantiate such a position.

Insanity always originates in a corporeal

cause: derangement of the intellectual faculties is but the effect*.

Disease of the mind, therefore, as a primary affection, is a chimera, existing only in the brains of poets, pseudo-philosophers, and metaphysicians. Hence then to inquire "Whether medical aid is afforded for mental complaints" is nonsense.

The French physicians pursue the only way by which the pathology of insanity can ever be satisfactorily elucidated. They now minutely dissect the bodies of the insane; and the much greater facilities they possess for morbid researches, have enabled them to throw considerable light upon the subject†. And we have incon-

* To those who have before professed similar opinions, I am aware materialism has been objected; to this I have to answer only, that it is the objection always urged when nothing else can be advanced to get rid of an unanswerable argument. I am not regardless of the opinion of the world upon this point; and trust my principles are sufficiently known to exempt me from suspicion. But in seeking truth, I cannot chuse but to controvert opinions, which I am convinced have proved the greatest obstruction to the knowledge of the origin, and, of course, to the treatment of insanity.

† One effect has been, that the dissections of Dr. Esquirol, one of the physicians of La Salpetriere, at Paris, completely disproves the assertion of his colleague, Dr. Pinel, that the brains of maniacs afford no evidence of disease. The fact is, that, generally, though not always, there are very visible marks of a morbid condition of some of the contents of the crania of insane people.

trovertible evidence that the treatment of insanity in France, at present, is far more succesful than in England. This success may be principally ascribed, physically, to their physicians discriminating whether the abberrations of the mind arise from existing organic lesion, or whether from a supervening morbid action, the consequence of such lesion; and, morally, from greater attention to the employment of the intellectual faculties as a concurrent means of cure; and, lastly, from the perfect exemption they enjoy from any interference, except by those *who are competent to appreciate what they are appointed to judge.*

If a plan for the mitigation of the present state of insane persons, or for improving their physical and moral condition, be sincerely desired and sought, they who are interested must first divest themselves of those prejudices which *ex parte* and suspicious statements, popular clamour, and scholastic dogmata, have implanted in their minds. Purity of intention implies purity of principles; but when engaged in matters of public interest, it is not sufficient to mean well: consequences should be weighed ere we decide, lest where we intended to do good, evil be perpetuated.

END.

Printed by JOSEPH MALLETT, 59, Wardour Street, Soho.

