

**Letter to the Managers of the Royal Lunatic Asylum, Aberdeen / from Mr. James Garden, Advocate, as agent for Messrs. Murchison, on the evidence and in reply to the deliverance of the Committee in the case of the late Miss Murchison.**

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Royal Lunatic Asylum (Aberdeen, Scotland)

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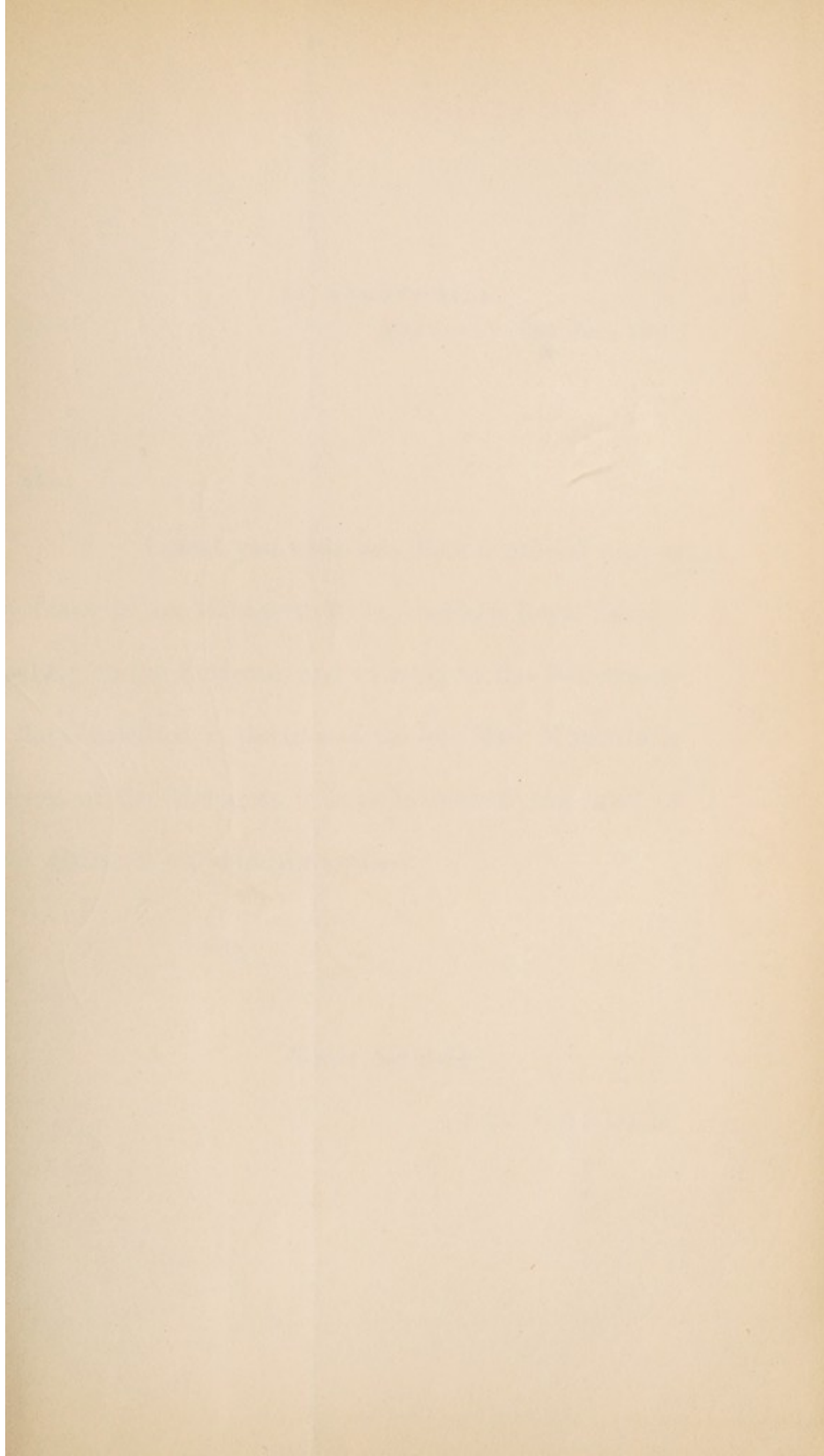
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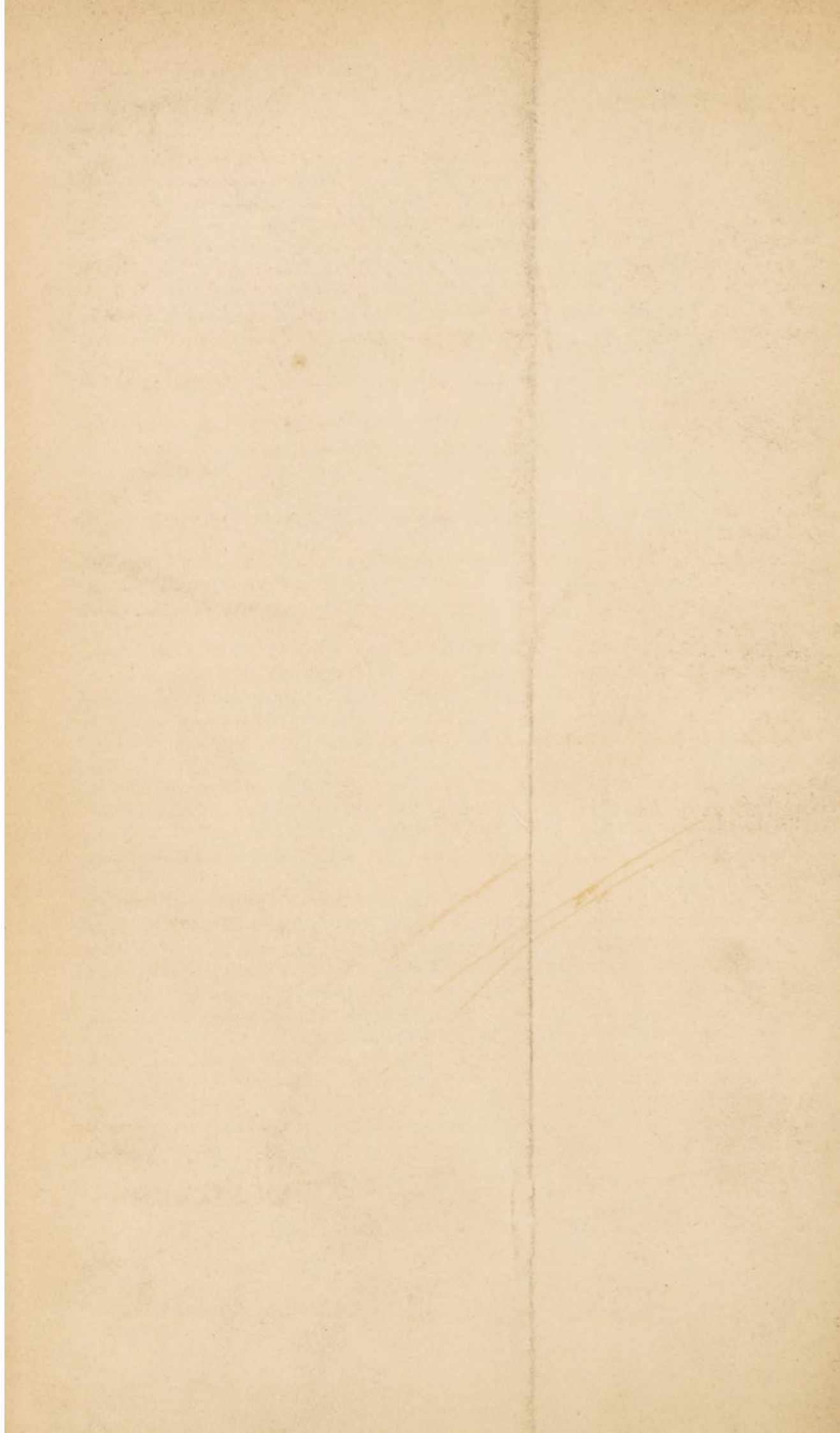
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48, SCHOOLHILL,

ABERDEEN, 12th June, 1861.

\*

SIR,

I send you with this Note a printed copy of my Letter to the Managers of the Aberdeen Royal Lunatic Asylum, on the Evidence, and in reply to the Deliverance of the Committee, in the case of the late MISS MURCHISON. As one of the Managers, I have to request the favor of your giving it an attentive perusal.

I am,

SIR,

Yours faithfully,

JAS. GARDEN.

1850

I send you with this a printed copy of  
Letter to the Managers of the American Board  
of Commissioners for Foreign Missions  
and in reply to the letter  
of the Managers I have to request the favor of  
you giving it an attentive perusal.

I am

Yours

Very respectfully

J. A. CHURCH

Royal Asiatic Society, London, 1895.

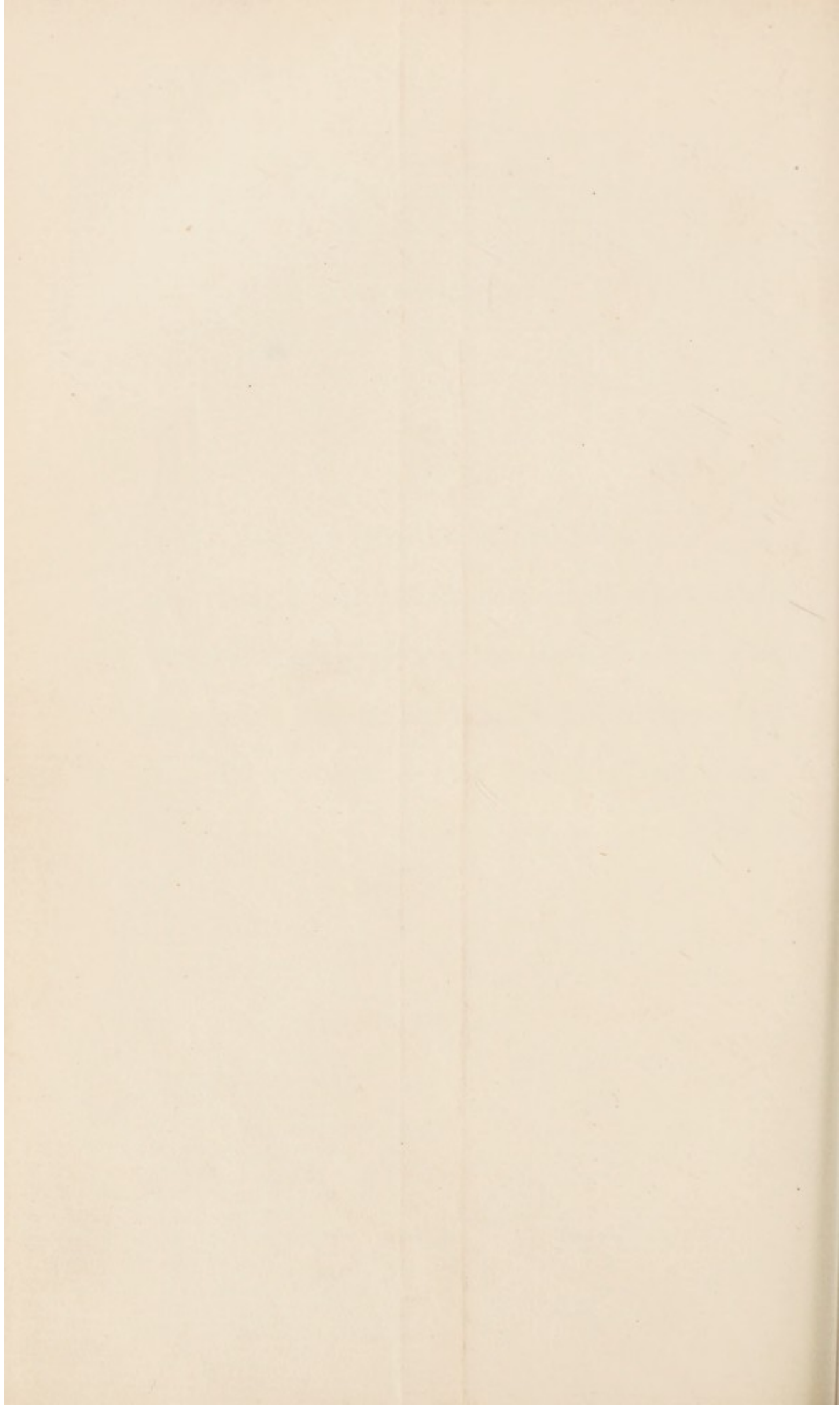
## LETTER

TO THE MEMBERS OF THE ROYAL ASIATIC SOCIETY,  
CONTAINING THE REPORT OF THE COMMITTEE,  
APPOINTED FOR THE PURPOSE OF INVESTIGATING THE  
MATTERS REFERRED TO THEM BY THE SOCIETY,

## EVIDENCE

## DEEYERANCE

PRINTED BY HODGKINS & SMITH, 10, BUNYARD LANE, LONDON, E.C.



15  
Royal Lunatic Asylum, Aberdeen.

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EVIDENCE

AND IN REPLY TO THE

DELIVERANCE

OF THE COMMITTEE

IN THE CASE OF THE LATE MISS MURCHISON.

LONDON :  
PRINTED BY HOOPER & SON 45, FLEET STREET.

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1861.

London: Printed by Hooper & Son, Fleet Street.

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# LETTER FROM MR. GARDEN.

48, SCHOOLHILL,

ABERDEEN, 12th June, 1861.

To the Managers of the  
ROYAL LUNATIC ASYLUM, ABERDEEN.

GENTLEMEN,

I regret to have to trouble you with this communication, but I am sure you will consider an apology unnecessary when you have perused the following remarks. I am also requested by the Messrs. Murchison (the brothers of the late Miss Murchison) to state, that they have never performed a more painful duty than the one they now feel compelled to follow; but the evidence adduced, and the extraordinary deliverance of the Committee, leave them no alternative. The necessary delay in my corresponding with them, in London, has prevented me sending you this letter sooner.

I need not enter into any explanations respecting the circumstances attending the late Miss Murchison's death (which you are aware took place in your Asylum), as the Committee of Management have printed, and circulated among you, all the documents connected with the correspondence and investigation which have taken place; you will, therefore, have facility for reference to the facts, which I shall proceed to call your attention to.

You will observe that my letter of 10th December, 1860, was addressed to the "President of the *Managers*" of the Asylum, and I stated that I had been requested "to submit to the *Managers* of that Institution" the remarks which followed. I also concluded by observing, that "I submit this statement to the *Managers*, that *after* such enquiry as *they* may think proper, they may let it be seen that steps will be taken, effectually to prevent a repetition of such treatment, which was not only hurtful to the feelings of Miss Murchison's

Page 1\*.

Page 6.

\* The figures in the margin refer to the pages of the Pamphlet printed by the Committee.

relatives, but also most injurious to the interests of such institutions." Through the irregular course which has been adopted by a portion of your number, styled the "Committee of Management," the matter was not brought before you, as requested, and you have been prevented from taking that independent course, which would best serve the interests of the public, and of the Institution under your charge.

Page 65.

There was an evident desire on the part of the Committee, and one at least of the medical officers, to hush up the matter, and to avoid an investigation. Before any reply had been sent to my letter, or before proper, if any, enquiry had taken place, two Members of the Committee called on me on different occasions, and urged me to *withdraw* the complaint,\* while as shewn by the evidence of Dr. Macrobin himself, before he had even seen, or heard, the exact particulars complained of, he made an effort to effect a similar arrangement. This was the first symptom of the spirit which subsequently pervaded the proceedings, and which an appeal to the full body of Managers would probably have checked.

Pages 12  
and 13.

The Committee then, without consulting you, most irregularly in my opinion, transmitted my letter to the Board of Commissioners of Lunacy in Edinburgh, requesting them to undertake the investigation, because, according to their own words "as they (the charges) involve not merely the conduct of Dr. Jamieson, but also the character and usefulness of the establishment under their (the Committee's) care, the enquiry will be *better* and *more satisfactorily* conducted by parties entirely independent of themselves" (the Committee). It is here admitted by the Committee that they considered *themselves* on their trial, and that it was not natural to expect that the investigation could be conducted by them, in the most impartial and satisfactory manner—an estimate of their qualifications for the duty which is fully borne out by their "Deliverance."

\* See Minutes of Meeting of Committee, page 12, where it states that Mr. Garden's letter had been "before last Meeting" and remitted to the Provost and Mr. N. Smith, to see Mr. Garden on the subject, and to report; but no minutes of the previous meeting are given.

Before commencing the proceedings, I repeatedly urged on the Committee the wrong course they were adopting, which was not calculated to vindicate the character of the Institution. I pointed out to them, that as guardians of the welfare of the patients, and trustees for the public, their duty and interest ought to induce them to learn the truth, and not to act as pleaders for themselves and the officials, and that my position ought merely to be, to *aid* them in the investigation and *assist* them in arriving at correct conclusions.

These representations were unheeded, and the investigation took place in a manner which clearly shewed, that the confessed disqualification to act impartially, was not unfounded; the Committee did not lend the least assistance, or take one single active step, in the inquiry. While, I would remark, all the witnesses, but one, who had seen Miss Murchison, and had known her state, were the medical officers themselves, whose conduct was complained of, and others who were still engaged in the Asylum, and subordinate to the former;—a circumstance, which ought to have made the Committee more careful, and is not without weight in considering this case.

The letter of Dr. Jamieson of 24th December was never communicated to me by the Committee, and I received it a considerable time after, only through the courtesy of the Lunacy Commissioners in Edinburgh. That letter, and the evidence subsequently adduced, contain a great deal of matter quite irrelevant to the questions referred to in my letter of complaint, which I shall not say was intended, but was certainly calculated, to distract attention. I shall, in the first place, confine myself to the real points, and then refer briefly to some of these other subjects unnecessarily introduced, merely for the purpose of shewing their incorrectness.

The complaint is that “From the commencement of Miss Murchison’s more serious illness, about a fortnight before her death, there was great cause of apprehension; from the time when the epileptiform fits came on there was imminent danger; and, however far Dr. Jamieson may have been mistaken before, there could be no mistake of her danger within

Page 5.

five minutes of her death, and after the death struggle had continued for some time."

Page 4.

Again :—" There was a purpose on the Resident Physician's part to conceal from the relatives of Miss Murchison her real state up to the very moment of her death, and that they would not, so far as Dr. Jamieson was concerned, have heard of her illness till after her death."

Page 6.

And again :—" There seems to have been a reckless disregard to the feelings of the patient's relatives."

Notwithstanding the deliverance of the Committee, a proper examination of the evidence must convince any one that these allegations are fully proved, and it may even be considered by some that it shews more than I have ventured to assert.

For the sake of convenience I will divide the subject into the following heads. 1. When was the patient in a dangerous and dying state? 2. Was the patient's real state concealed from her relatives? 3. Was there a reckless disregard to the feelings of the patient's relatives? 4. Do the answers to the three first questions justify the conclusion that there was some unexplained purpose in the course adopted by the officials of the Asylum? And I shall confirm my views by giving copies of reports on the whole case by several of the most eminent authorities in the kingdom.

*1st—When was the Patient in a dangerous and dying state?*

Pages 8,  
30, 41, 64.

The attack of erysipelas in the head, about two or two and a half months before her death, is proved and admitted.

Page 30,  
32.

It is also proved that, about a fortnight before her death, she complained of a pain in the ear, and that there was then a good deal of yellow matter began to flow from it (her ear), which continued till her death. Elsie Grant, the nurse, says : " The ear was always rendering (or discharging). I kept wadding in it, and had the wadding often to change." Dr. Jamieson, the Resident Physician (having had Elsie Grant's evidence read over to him), in answer to a question, says, that

her evidence is substantially correct, except that he *thinks* Elsie Grant exaggerates as to the ear (and one or two other qualifications which I shall notice presently), but he does not deny the fact itself. Dr. Macrobin, the Consulting Physician states "I knew of the running at the ear." Page 58. Page 64.

Elsie Grant states that "during the fortnight before she died, she was never able to leave her bed. She appeared to me to be getting weaker every day. She was taking no food, and was unable to sit up in bed or to come out of her bed without assistance." She then says that Miss M. had a fit on the Sunday afternoon, and adds, "After that fit, Miss Murchison never spoke; she might say 'Yes' or 'No' faintly." \* \* \* She says also, "Miss Murchison was wasted; I have seen people worse wasted than Miss Murchison was, but not much worse. After this Sabbath, 25th November, Miss Murchison was not able to turn herself in bed." To this Dr. Jamieson states, "I *think* she (E. Grant) Page 30. Page 58.

exaggerates her debility and emaciation, and the little that she ate." But just see what his own Consulting Physician, Dr. Macrobin, whose evidence immediately follows, says:— "She was very often unwilling to take food unless *pressed* upon her." \* \* \* \* Page 63.

"She had frequently to be coaxed to take her food;—and my opinion is that had she been gotten to take more food than she did, she might have recovered"! Page 64.

A remark so extraordinary that it has been the subject of amazement among medical men, and would appear to indicate that Dr. Macrobin considered that Miss Murchison died of starvation!

On Sunday, 25th November, the patient complained of drowsiness and pains in the head, for which Dr. Jamieson prescribed a blister to the neck and leeches to the temples, and on *that day* she had the *first* of a series of convulsive, or epileptiform, fits. The nurse explains these fits thus, "I observed her eyes to roll, she also foamed a little at the mouth; I observed nothing else. After this Dr. Jamieson saw her that night; I cannot say at what hour; I told Dr. Jamieson at that time what I observed. I told him all I have now said. I told him she had had a fit." She adds, that there were two Page 30. Page 31.

Page 58. more fits *that night*, which she reported next morning to both Dr. Jamieson and Dr. Macrobin. Dr. Jamieson admits that he was told of these fits, but has no *recollection* of "such *minute* details as those she mentions about the fit on the Sabbath *afternoon*." He makes no such remark as to the fits which occurred on the Sunday night, and which were reported to him and Dr. Macrobin on the Monday morning, and surely the mere mention of fits, by the nurse, ought to have induced him, as a medical man, *to have asked for minute details* (see Page 34. pages 27 and 29). Miss Elrick (the Matron) "saw Miss Murchison in a fit soon after breakfast on the Sabbath before her death. She was convulsed, the features twitched, as if suffering Page 40. pain." Mr. Frazer (the Assistant Surgeon) says, "the Sunday fits were reported to me on that *same evening*." Dr. Macrobin Page 64. says, "the nurse, on the Monday, told me, or else Dr. Jamieson told me, that Miss Murchison had had some kind of a fit, on the Sunday, after I had been at the Asylum, but from the information so given, I was not satisfied that they were epileptiform fits. She could give no indication of what kind a fit it was. She said some fit of some kind, something she had never seen before." (This might mean, that she had never seen at all before, or only in Miss Murchison, but, in any case, it was a fit, and was something unusual.)

Pages 31, 34, 38, 40. The patient next had fits, but of a severer character, on Wednesday, 28th November, continuing with short intervals from 9 o'clock that day, till noon on Friday 30th, when she died. About 2 or 3 o'clock on the morning of Thursday, Pages 31, 34. 29th November, the fit was so extremely severe, that the nurse sent for the Assistant Surgeon and Matron, and on that day, Dr. Jamieson wrote to Dr. Murchison that "during Page 78. the last twenty-four hours she has had about a dozen of these (epileptiform) attacks."

These are the undoubted and admitted facts, as regards the symptoms of the case, and I shall now proceed to draw attention to the way in which they are explained by the Medical Officers of the Asylum and their opinions thereon.

Dr. Fraser, Assistant Surgeon to the Asylum, states that it was not *until her death*, that she was seriously ill. The

serious illness, or alarming illness, commenced on the morning of the *Thursday* before her death. This was the first time I considered there was any occasion for alarm about her.” Pages 39, 40.

He says that from such fits as he saw on the *Thursday* he was “somewhat alarmed,” and he considered the patient “slightly in danger.” He saw her twice on the *Friday* morning, when he considered her “quite the same as on the *Thursday* morning,” though at 9 o’clock on that (*Friday*) morning, he found it necessary for the first time to send for Dr. Jamieson. Dr. Fraser states that he “understood” Miss Murchison had been the subject of such attacks of erysipelas before, but this is ascertained not to be the case, at all events, during the time she was in the Aberdeen Asylum. The Doctor admits that she never had fits before, and that, as far as he knew, she had not been considered to have ever laboured under any organic disease about the head. Page 41.

Dr. Jamieson, the Resident Physician, in his letter of 24th December, refers to the attack of erysipelas, and “its probable connexion with the cerebral, or head, disease under which she laboured,” and, he says, “that the leading symptoms standing in the way of convalescence were *simply* of the nature of *debility*, and until the *morning of the day on which she died*, no experienced physician would have given up *hopes* of her recovery, or have *foreseen* the fatal termination of the disease.” He also says, that “in regard to the fits—as to the time of their appearance, and their significance of a fatal issue to the case, they were only suspected for a time (!) were for a time of an equivocal character, and were never satisfactorily developed, nor seen by myself, until the day (29th November) I wrote Dr. Murchison about them. Fits are a common occurrence in cases of brain diseases, without foreboding the near approach of dissolution, and Miss Murchison’s fits had not a serious aspect until the morning before her death.” *This is Dr. Jamieson’s opinion, notwithstanding the fits appeared for the first time, after discharge from the ear, and erysipelas, which latter he himself believed to be connected with disease of the brain.* Page 8.

Dr. Macrobin, the Consulting Physician to the Asylum, Page 11.

Page 63.

See Appendix  
Page 33  
of this  
letter.

states, that the patient was of a scrofulous habit of body, but this is not admitted. He also says, that she was subject to occasional "discharges from the ear," but this is not proved by any other witness, it was never heard of before the one occasion already noticed, and Elsie Grant (who for nearly three years was Miss Murchison's private attendant and nurse) has made a solemn affidavit that Miss Murchison "never had any such discharge from the ear on any former occasion, during my attendance on her." The Doctor also gives the following strange evidence, "I knew of the running at the ear. That did not appear to me to be anything serious.

Page 64.

In fact it was nothing at all but one of the marks of her scrofulous constitution." Seeing that it came after the erysipelas, that brain disease was believed to exist and that convulsive fits actually followed, I apprehend that few experienced medical men will agree in such views. But, even if there had been a purulent discharge from the ear before, it was not of that serious importance as it became, when it supervened upon erysipelas of the head and face, was accompanied by pain in the ear and was followed by convulsive fits on November 25th. *It is the consecutive occurrence of all the symptoms in question that indicated the danger to life.* A medical man, believing the patient to be "of a scrofulous habit of body," ought certainly to have attached all the greater importance to these symptoms.

Page 64.

Dr. Macrobin differs considerably from both Dr. Fraser and Dr. Jamieson, for he says, that "*up to the Wednesday (28th November), when the fits were fully established, I would say that there were no indications of approaching death, other than she shewed before; there was no indication of exhaustion of vital power.*" It appears, according to this, that the fits were fully established, or developed, on the *Wednesday*, and that on that day, there were indications of exhaustion of vital power, and of approaching death; quite inconsistent with the letter of Dr. Jamieson to Dr. Murchison on the following day (29th November), in which he said that she "does not present symptoms of exhaustion," and added "*we look for improvement.*" Unlike the other two medical officers, Dr.

Page 78.

Macrobin gives the above opinions, though he "did not see her in any of the fits."

Notwithstanding the facts proved to have existed for the first time during the last fortnight of Miss Murchison's life, Dr. Macrobin boldly states that he does not consider "that there was *any more* evidence of organic disease in the head than formerly." Page 66.

The opinion of Dr. Kilgour is taken by the Committee, and after remarking that his report is founded upon the evidence, he observes, that Miss Murchison appears to have had attacks of erysipelas before, from which she recovered entirely, and there was no reason to apprehend that she would not acquire her usual state after this one." Page 69.

Now this opinion turns out of no value, for she never had erysipelas before; and the only authority for such an assumption is the remark of Dr. Fraser, who had been Assistant Physician to the Asylum for only one year, and attended Miss Murchison for only the last two months, namely that he *understood* that she had been subject to attacks of erysipelas. Page 39.

But an attack of erysipelas *only* would not be of the same importance, as when followed by discharge from the ear and convulsive fits. In the same way Dr. Kilgour says, "The circumstance of a purulent discharge from the ear in connexion with these convulsions *might have been* a symptom of some importance in *indicating* the fatal event, *did not* the evidence of Dr. Macrobin shew that she had been subject to these purulent discharges;" but I have already proved that this also is incorrect, and that Miss Murchison never had discharge from the ear before. Page 41.

Dr. Kilgour also says, that "if these (epileptic) attacks came on now for the first time (which was the case), they no doubt would *have led* to the suspicion of a *further stage* of the disease in the brain." Page 69.

He concludes by volunteering some strong remarks as to the mode of conducting the Institution. But the result of Dr. Kilgour's evidence is, that he draws conclusions from statements which he will now find are *not facts*, and that his opinion must be different from that which he has expressed, when he ascertains that the circumstances are reversed from those which he was led to believe. See Affidavit, Appendix Page 33 of this letter. Page 69.

Pages 69 and 70.

- Page 70. Dr. Dyce states that when he last saw Miss Murchison (Tuesday evening of 27th November) and in "*ignorance of her having had convulsions*, I should not then have considered
- Page 71. her in immediate danger." He considers she was in "absolute danger from the time the convulsions became clearly manifested," and he further remarks "I think I gather from the evidence that it was Sunday (25th November), previous to my seeing Miss Murchison, that the convulsions were mentioned as having occurred by one of the nurses," (the convulsions on the Sunday were seen by several nurses, and the first one by the Matron). He further remarks, that Drs. Macrobin and Jamieson "did not appear satisfied that Miss Murchison had had convulsions on Sunday, but on reading the evidence it appeared to me, that there had been more than one convulsion prior to Tuesday." He considers that "any nurse of common shrewdness and observation ought to be able to say, whether her patient had had a convulsion or not, and that although she might recover from one fit, yet another "may have come on at any time, and have taken her off;" and she was therefore in danger after their first appearance.
- Pages 30, 33, 34, 37. Now I maintain that from the evidence it must be clear to every impartial person, that "from the commencement of Miss Murchison's more serious illness, about a fortnight before her death, there was great cause of apprehension; from the time when the epileptiform fits came on, there was imminent danger; and however far Dr. Jamieson may have been mistaken before, there could be no mistake of her danger within five minutes of her death, for this is admitted by himself, in his letter of 24th December, where he gives it as his opinion, that "*until the morning of the day on which she died no experienced physician would have given up hopes of her recovery*, or have foreseen the *fatal termination* of the disease,"
- Page 8. though Dr. Jamieson having also stated (as the reason he wrote to Dr. M.) that on the 26th the case had *then* the appearance of ending seriously, and that there was then "the probability of the illness ending in death," and that she was
- Page 8. not in a state of "obvious or extreme danger until the day
- Page 11.

before her death," it is difficult to understand what his opinion of the case really was.

*2nd—Was the Patient's real state concealed from the Relatives?*

The evidence on this head is so clear and indisputable, that I am surprised at the manner in which it is sought to rebut it. In answer to a question by Provost Anderson, Dr. Jamieson states that he was "not aware in *any way* that Mr. Garden was Miss Murchison's legal curator." Now, independent of the facts that Dr. Murchison has informed me, that he originally told Dr. Jamieson that I was his sister's curator, and that I always paid her board and expenses, the Petition to admit Miss Murchison to the Asylum *was signed by me*, and contains these words, "the Petitioner was appointed Curator Bonis to her by the Lords of Council and Session," the *same document* being also signed by Drs. Macrobin and Jamieson, and has been in their possession ever since. But Dr. Jamieson admits, that when I called on him on Tuesday, 27th November, I told him that I was her Curator, and that the sole object of my asking Mr. Dyce to see the patient, was my anxiety for the information of her brothers, to ascertain whether she was in a dying state, and yet even after that he never communicated to me any information whatever, much less acquainted me with any fits, or dangerous symptoms, or on the Friday morning that her recovery was hopeless, as he has since admitted.

It is said that there never was any difficulty in obtaining information, but how then is the concealment from Dr. Dyce of the fits (which occurred on the Sunday), when he called at the Asylum on the Tuesday, and in the company of Dr. Jamieson saw the patient, accounted for? Dr. Jamieson knew that I had sent Dr. Dyce on purpose to get information as to Miss Murchison's real state; but Dr. Dyce says, "Dr. Jamieson did not at that time tell me that she had had convulsions, or that her nurse had said that she had had convulsions;" and Dr. Dyce further states, that even the suspicion of having fits ought to have been mentioned to him. Had

that been the case, his report to me would have been different from what it was. No attempt is made to justify this, and the *Committee do not notice it.*

On Saturday 24th November, Mr. Murray saw Dr. Jamieson in the street, and, after a long conversation about Miss Murchison, he asked Dr. Jamieson to write to Dr. Murchison, and describe her case; and he sent a note to Dr. Jamieson, on the following day, again asking him to do so. On the Monday (26th November), Dr. Jamieson did write a letter to Dr. Murchison, which commences "Mr. Murray informs me that you are desirous to hear from me regarding Miss Murchison's present state of health." Dr. Jamieson gives no other reason then for writing, but in his letter of 24th December, to the Managers, he states, that he did so, because he had understood that the relations at a distance had not been informed by Mrs. Fleming of Miss Murchison's illness, and he adds; that "he wrote to Dr. Murchison in such a way as to satisfy him of her state, and to afford an opportunity for corresponding with myself. *This I should have done at that time, whether in relation to Mr. Murray's information, or not, considering it my duty, when illnesses begin to have the appearance of ending seriously, to make those who are by nature most nearly interested in a patient, aware of the PROBABILITY of the illness ENDING IN DEATH.*"\*

Dr. Jamieson gives at the time, as the reason for writing his letter of 26th November, that he understood Dr. Murchison *wished him* to write; but after these proceedings have commenced, he states that he would have written *at that time* without any request from Mr. Murray, *because* it is his DUTY to apprise relatives when a case appears likely to end fatally. Here is a recognition of his duty, and an admission of the dangerous state of the patient on that day. But let any one

\* The Committee, in their Deliverance (page 24), state, that "Dr. Jamieson says that he wrote that letter, not from being urged to do so by Mr. Murray, *as alleged*, but because Mr. Murray had told him, the previous Saturday night, that Miss Murchison's friends had never been made aware of the previous attack of erysipelas." Two different reasons are given for writing that letter, and the only one given in the letter itself, is the alleged one as to Mr. Murray.

compare that letter with the above remarks, and the evidence, and see if it was written "in such a way as to satisfy him (Dr. Murchison) of her state." There is no mention of the discharge from the ear having followed the erysipelas, nor of the fits which supervened, and occurred the *day before* he wrote. On the contrary, he says that "her illness occasions me more anxiety than alarm." He does not even use the words "*very anxious*" as Dr. Macrobin erroneously remarks. Yet the Committee state that "it is proved that Dr. Jamieson wrote to Dr. Murchison on 26th Nov., giving *full particulars* of his sister's condition at that time"!! Again, in his letter of Thursday, 29th November, he observes, that the state of the patient had *changed* into that of a succession of fits, *since he last wrote* (on Monday 26th), and he says that "although weak, she does not present symptoms of exhaustion" and that we "*look for improvement,*" though in his letter of 24th December, to the Managers, he states, that she was in a state of *obvious* and *extreme* danger the day before her death, namely on the same day as he had written to Dr. Murchison that he "*looked for improvement.*" Even that information did not reach Dr. Murchison till the day after his sister's death. It is on the *Wednesday*, that Dr. Macrobin says, the fits were fully established, and that there were *then* "indications of exhaustion of vital power."

Much stress is laid by Dr. Jamieson, and the Committee, on Mrs. Fleming's visits to the Asylum, and it is strongly attempted to distract attention from the real points, by shewing that she was the medium of private and friendly intercourse between Miss Murchison and her brothers; and it is asserted that she ought to have "conveyed the intelligence which she came to the Hospital weekly for the purpose of gathering." Mrs. Fleming's visits were those of a long attached relative, and it was certainly satisfactory to the other relatives to know that Miss Murchison was often seen by a lady, who took a deep and affectionate interest in her, and who was connected with her. The brothers were naturally anxious to shew their sister that they had not forgotten her, and private letters

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- passed between them occasionally, and illustrated papers were sent weekly to amuse her. But do Dr. Jamieson and the Committee really mean to say, that Mrs. Fleming came to the Asylum as their *Medical adviser*, to write to them her real state, and describe to them her symptoms, and inform them when they assumed a dangerous aspect? Indeed, Mrs. Fleming explains it herself when she says "Miss Murchison's brothers depended on me seeing her, but not in writing to them, I understood they depended on Dr. Jamieson for that." But the evidence of the medical officers themselves is a complete answer to the fallacy of this excuse. Drs. Macrobin and Fraser both remark that the medical officers "know very much better than any nurse the state of their patient;" though this does not appear to have been the case in this instance, yet, if such were their views how could they expect that an occasional visitor quite unaccustomed to such matters, could give the real state of the patient? Yet Dr. J. states that he would probably have written sooner had he known that Mrs. Fleming "did not convey the intelligence which I understood she came to the Hospital weekly for the purpose of gathering." Now, it has been seen that even Dr. Dyce, a professional man, could be misled by having the most important symptoms and facts concealed from him, and how could Mrs. Fleming tell what was not communicated to her, and what she could not possibly ascertain otherwise? Dr. Jamieson himself states that after he wrote his first letter to Dr. M., Mrs. Fleming "was requested to be satisfied with bulletins of her (Miss M.'s) state," and he therefore, admits that she had to depend entirely on what she was told. Dr. Jamieson says that he did not know till the day of the death, that Mrs. Fleming was related to Miss M., and 'if this be the case it aggravates his omission to communicate to the relatives the serious and dangerous symptoms, and when he did write and profess to give the real state of the patient, (on the 26th and 29th) to exclude the most important facts.
- Miss Elrick, the Matron, states, "she appeared to me to be seriously ill a few days before her death—that is, from the

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previous Sabbath. From that time I thought her very ill. *About that time, I spoke to Dr. Jamieson about sending notice to her friends.* This was within the four or five days before her death. *I said I thought it would be well that her brothers should know that she was so ill.* I cannot state what reply the Doctor gave to this." \* \* \* "I think I saw Mrs. Fleming on the various occasions on which she called during the last four or five days of Miss Murchison's life. I saw her once or twice—at all events, once in the morning and once in the afternoon. I cannot name the days. *I did not, on any of these occasions, tell Mrs. Fleming that I thought Miss Murchison was in a dangerous state. I did not tell her she had had fits.* I answered her inquiries as well as I could. I thought Miss Murchison was very ill during the four or five days before her death, but I cannot say that I considered her dangerously ill, or *dying*, until the Friday. I thought her *extremely ill* that morning I was called for to see her (which was *Thursday* morning, 29th). I thought her in a *critical* state on that morning;" Miss Elrick's definition of 'dangerous' seems to be on the point of death, or 'dying'!

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It is difficult to understand what Dr. Jamieson means—in one place he says that he wrote Dr. M. on the 26th, because the patient's illness had then "the appearance of ending seriously," and there was then the probability of the illness ending in death!" in another he says that she was not in a "state of obvious or extreme danger *until* the day before her death," (that being the day he wrote that he *looked for* improvement), and as an excuse for not communicating this to the friends he remarks that, except Mrs. Fleming, he did not *see* any one connected with Miss Murchison after she became dangerously ill! But as he admits she was in a hopeless state on the morning of the day of her death, why did he not then send a message either to Mrs. Fleming or myself (as Curator)? Nothing can be clearer than that as far as Dr. Jamieson was concerned, no one connected with Miss Murchison *did* know of her dangerous illness, until after her death, and that it was studiously concealed from Mrs. Fleming and Dr. Dyce, and indeed on every other occasion when information was really

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sought for, as in the letters to Dr. M. It was impossible for the relatives and friends to divine facts which have been disclosed only since Miss Murchison's death.

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Though these statements will be confirmed in a still more forcible manner by the facts to be referred to under the next head, I cannot refrain from noticing the prevarication, and the strange confession, of the Matron, as shewn by Mrs. Garden's account of her interview with her on the afternoon of the day before Miss M.'s death. "On the Thursday, I again saw Miss Elrick, and she said to me she was glad that I had come; that Miss Murchison was very ill. I asked if she was much worse. She said, "Yes;" and when she saw me coming, she had sent to tell Dr. Jamieson, and that he had said I could not see her. I asked if she would answer one question, and that was—"Do you think Miss Murchison is dying?" And she replied, very distinctly, "Yes, I do." I said, "Why is it concealed from her friends that she is dying?" Her answer was, "*Mr. Garden had seen Dr. Jamieson.*" I said, "Yes, he had." She then said, "And Dr. Dyce saw Miss Murchison," I answered, "Yes, Mr. Garden sent Dr. Dyce to see her." She then said, "*Perhaps I have done wrong to tell that she is dying;*" I said, "No, you have done right—if she is dying, certainly." I said, "if she was dying, her brothers will be very angry if it is concealed."

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Page 11.

Dr. Jamieson entirely misstates the case when he remarks, "It appears that I ought to have expressed not my own opinion in my own way, but the opinion rather of Mrs. F.," but what was expected of him was, that when he did write to the brothers, and when Mrs. Fleming called, and when Dr. Dyce was sent specially for correct information, that he ought not to have concealed Miss Murchison's dangerous state, and the undoubted symptoms about which there seems to be no difference of opinion among impartial medical men.

*3rd—Was there a reckless disregard to the feelings of the Patient's relatives?*

If one part of the case is more painful, and unaccountable, than another, it is this one. The foregoing remarks all answer

the question in the affirmative, but the conduct of Dr. Jamieson and the Matron, on the last morning of Miss Murchison's life, seem scarcely credible in a civilized country.

I have shewn that Dr. Jamieson considered her in a hopeless state on the morning of her decease. The fact of an altercation taking place on that occasion, and caused by Dr. J. himself, cannot be characterised by any milder term than shameful. Dr. Jamieson thus explains it himself, in his letter of the 24th December :—“ When she called on the 30th, she was kept in the waiting-room, until I had notice of her visit, and given permission to see the patient ; and when I came to her after some altercation *arising out of* an attempt to make Mrs. F. comprehend the reasonableness of *my exercising an authority* in the matter of the visitation of patients, (being then satisfied of Miss Murchison's dying state), I sent her up stairs, but accompanied by the Matron.” Dr. Jamieson admits that this unseemly altercation on his part arose out of his own attempt to vindicate his power of admitting or excluding visitors. Page 9.

But let me just shew how strikingly the Committee have disregarded the evidence on this point. Mrs. Fleming gives the following account of this painful interview :—“ I first saw the door-maid, Christian Alves, and asked her how Miss Murchison was to-day (30th November) ; to which she replied, “ There is no difference on her, *but there is no one to be allowed to see her to-day.*” I asked her if she would tell the Doctor that I wanted to see Miss Murchison, and she then shewed me into the waiting-room, and said she would go and tell him. I was left in the waiting-room three quarters of an hour ; at the end of which time I saw Dr. Jamieson. This might have been *about ten minutes* before Miss Murchison died. I said to the Doctor that as I was her only relative in Aberdeen, and as her brothers depended on my seeing her, I wished to know from the Doctor a *reason*, which I might give to them, wherefore I was not permitted to see her. The Doctor replied— Was I to think the relatives who had friends there, were going to see them when they thought proper ? I said, I did Pages 44,  
45.

not think that was a *reason*: I wished to *know the reason*. He said that I had come from mere *curiosity* to see her. I said, I still thought that was no *reason*; but that I had not come from curiosity, but from love to her—that I wished to see her in her last moments. He then said, I had injured her the last time I was there, by speaking to her about death. I said, I denied that charge, as I had not spoken to her, either then, or at any other time, about death. There was a good deal of altercation ensued—I pleading hard to get, and he refusing. He told me I would be treated in the same way if I was there,—meaning that, if I was a patient, my friends would not be allowed to see me; and he said also that it was *against his strict orders* that I had seen her on the Wednesday, and that had *he known, he would not have permitted it*. I then said, “Then, Doctor, if she were dying, I would surely be allowed to see her (*not then thinking that she was so near death*);” and he replied, “No, though she were *dying*, you would not see her.” At this time Miss Elrick came in, and said, ‘Oh, Doctor, let Mrs. Fleming go up stairs;’ and he said, ‘Well, go up then.’ I shrunk back, and said, ‘If it was against the rules, I would not go.’ He then said, “Well, stay down then; I don’t care what you do.’ I am perfectly sure that he used these last words \* \* \* \* Dr. Jamieson gave me *no idea* that Miss Murchison was dying. He did not tell me that she had had, or was in, convulsions. I never heard that. When Miss Elrick came into the room she did not say that Miss Murchison was dying; she only said, ‘Oh, Doctor, let her go.’ No one said to me that she was “dying.” Mrs. Fleming then went up stairs, and got into the room only just in time to see Miss M. breathe her last.

Dr. Jamieson admits in his letter of 24th Dec., that at the time when he was satisfied of the patient’s dying state, such an altercation arose from an attempt on his part to make Mrs. Fleming understand the sort of authority he exercised in the Asylum, but in his evidence he says that her account of what took place was new to him, and that it was generally incorrect. However, he is then asked several distinct questions, and it is singular how unconsciously he confirms it. “Being asked, whether the words,

‘Was I to think that all the relatives who had friends there were going to see them when they thought proper?’ were used on that occasion. *Answer*—No. I am sure *these words* were not used. Being asked, whether he said *anything to that effect*? *Answer*—I told her that people were not to see patients without my permission. Being asked, is he sure that the words, ‘No, though she were dying you would not see her,’ were never used by him? *Answer*—*I may have said* that though they were dying they would only be seen with my permission; and, if I used these words, it was following up my previous answer, and had reference to it. Being asked, whether Miss Elrick used these words, ‘Oh, Doctor, let Mrs. Fleming go up stairs?’ *Answer*—*I rather think she did use them, and I thought them very inapplicable* at the time! Being asked whether he used the words, ‘Well, go up then?’ *Answer*—I asked Mrs. Fleming to go up before Miss Elrick came; and I sent for Miss Elrick to take her up. Miss Elrick entered the room for that purpose, and therefore it was that I thought her words very inapplicable. Being asked, were the words, ‘Well, stay down then; I don’t care what you do,’ used by him? *Answer*—Mrs. Fleming, after being asked to go up with Miss Elrick, refused to go; upon which I said to her, ‘*Then stay down*,’ and I may have added, ‘I don’t care which you do,’ I am quite sure I did not say, ‘I don’t care *what* you do’ (which seems a mere playing upon words.)” Miss Elrick also confirms the latter part of the interview, at which she was present, and she remembers “laying her hand on the Doctor’s arm, and saying, ‘Do, let her go,’ or ‘Do, let her come.’” It cannot be believed that such observations would have been made had there been no cause for them, particularly as they are confirmed by Mrs. Fleming. I should here remark, that even if Dr. Jamieson was not previously aware that Mrs. Fleming was a relation of Miss Murchison’s, though Dr. M. states that he originally mentioned it to him, there is no doubt that Mrs. F. then told him that she was her only relative in Aberdeen, and that it was known to Miss Elrick (the Matron).

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Elizabeth Strachan (one of the nurses) states, “We were Page 38.

Page 34. watching for Miss Murchison's death that morning (30th). I did not say so to Miss Elrick, but she knew it. I know that Miss Elrick was aware of this, because it was clear to any person." The paltry excuses which Miss Elrick makes for keeping Mrs. Fleming waiting so long on so solemn an occasion, evince the character of heartlessness. She says, "I remember Mrs. Fleming calling on the morning of Miss Murchison's death, between ten and eleven o'clock, perhaps about a quarter before eleven. I happened to be very busy at household matters when Mrs. Fleming called, and it might have been about *three-quarters of an hour* after she called, till I saw her." \* \* \* "An hour and a-half may have elapsed between the time I was told Mrs. Fleming had called, and the time Miss Murchison died. I had got two new cooks home that day, and was very busy at household matters;" and she also says, "I did go up to Miss Murchison's room with Mrs. Fleming. We had scarcely entered the apartment together, when she expired. She was *just breathing her last as we went in.*"

Page 35. Yet, strange to say, the Committee "are of opinion that the second charge—of a reckless disregard to the feelings of the patient's relatives—is not only vague and indefinite, but that *no evidence* has been adduced to support it!" They say that it apparently rested on an interview which took place between Mrs. Fleming and Dr. Jamieson, on the morning of the day of Miss Murchison's death, but they ought to have perceived that it was far from resting entirely on that. The Committee go on more strangely still to remark, that the history of that interview as given by me had certainly not been proven, as the parties contradict each other as to what took place, and Miss Elrick, who happened to be present a *portion* of the time, corroborates Dr. Jamieson!" Whereas the fact is, that Dr. Jamieson himself really corroborates Mrs. Fleming, while Miss Elrick also distinctly does so as to the 'portion of the time' when she was present. Mr. John Murchison also desires me to mention a circumstance which occurred when he was in Aberdeen, in the autumn of 1859,

Page 26.

and which he thinks exhibits Dr. J.'s feelings towards Mrs. F. One day he met Dr. Jamieson in the street, who alluded to the proposal then made to remove Miss M. to a private house, and said that "it was only a scheme (or some such word) of Mrs. Fleming's to get the board." The idea that Mrs. Fleming had been desirous to get Miss Murchison removed from the Asylum, seems to have been an unpleasant subject for Dr. Jamieson, for in her cross-examination by Mr. Henderson (on behalf of Dr. J.) she states, "about two years ago, I did not express any wish that she should be removed from the Asylum." The attempt of Dr. Jamieson to excuse himself by dragging in the name of Mrs. Fleming, is simply absurd, and the adoption of the same view by the Committee, is only one of the proofs of the nature of the arguments they were obliged to resort to in defence of a bad case. Page 46.

I may here allude to one or two matters introduced into this discussion by Dr. Jamieson, but which have no connection with it; and I do so merely for the sake of shewing their incorrectness.

In his letter of 24th December, he says that "*once*, also, another brother of Miss M.'s, with some friends, called on the patient," and again, "from no friend of Miss M's have I had a letter of inquiry of any kind for *two years*, or probably *more*." The Committee also state that it appears that none of Miss M's relatives, communicated with Dr. Jamieson "for at least two years before her death." It seems to be intended to be inferred that none of Miss M's friends took any interest in her, and it is asserted that the 'other brother' called on her only '*once*.' In another place, Dr. Jamieson *complains* of the correspondence which took place between her and her brothers through Mrs. Fleming, but Dr. Murchison informs me that many of his letters to his sister, passed through Dr. Jamieson and Miss Elrick, and Dr. Jamieson knows very well that Mr. John Murchison (the other brother alluded to), was in Aberdeen twice during the three and a half years his sister was under his charge, namely for a few weeks in the autumn of 1857, and again for the same period in the autumn of 1859 (only about fourteen months before Miss Page 6.  
Page 7.  
Page 24  
Page 7.

M's. death), and that on both these occasions he visited his sister *frequently*, on the latter several times with his wife and children; and that he also *saw* Dr. Jamieson more than once.

Page 7. It was also while in Aberdeen in September 1859, that Mr. John Murchison suggested that his sister should be removed to a private house, which he preferred to her being in a public Asylum, and because he thought that a change of scene, &c., might do her good. Dr. Jamieson says that "the officials in the Asylum were not asked to report on the matter, nor did they give any opinion." Mr. John Murchison informs me that on meeting Dr. Jamieson one day, he (Dr. J.) introduced the subject, and *did give* a very decided opinion against it; and if Dr. Jamieson will turn to the evidence of his own colleague, Dr. Macrobin, he will see, (what surely he must have known at the time, for I believe he then recommended Mr. John Murchison to see Dr. Macrobin), that the principal medical official *was consulted*, and "highly disapproved of it," which was certainly giving an opinion. And Dr. Macrobin further states that *his* advice was taken, and that Mr. Murchison would not consent to her remaining "without a certificate from Dr. Dyce and *me*" (Dr. Macrobin).

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These misstatements are additional evidence of the way in which it has been attempted to meet this case.

*4th—Do the answers to the three first questions justify the conclusion, that there was some unexplained purpose in the course adopted by the officials of the Asylum? The answer to this question will be confirmed by the opinions on the whole case, of the most eminent authorities in the Kingdom.*

Pages 19,  
20.

The Committee, in their Deliverance, state that the charge that there was a purpose on the Resident Physician's part to conceal from the relatives of Miss Murchison her real state up to the very moment of her death, and that they would not, so far as Dr. Jamieson was concerned, have heard of her illness till after her death, is "not only not proven, but that the same is unfounded and unwarrantable." They also state that, "that

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there has been no evidence adduced of the second charge," namely, "that there seems to have been a reckless disregard to the feelings of the patient's relatives." They, "therefore, acquit Dr. Jamieson simpliciter of *both charges*, and of *all blame* alleged against him in the Letter of Complaint," and they "dismiss the complaint." With what eyes the Committee must have read and reflected on the evidence, to come to these conclusions, I must leave you to infer, after having read the foregoing and the following remarks. I must, however, do credit to two members of the Committee who did not agree in the Deliverance, and one of whom put in written dissents. Page 97.

The 'Note' which the Committee append to their finding, partly discloses the spirit with which they have made this investigation, and the special pleading they have had to resort to. They say that the first charge rested merely on 'suspicion,' but I have shewn that the concealment of Miss Murchison's "real state up to the very moment of her death," is founded on *facts*, and that the grounds of it are not the flimsy assumptions of the Committee, but the evidence of the medical officers themselves, supported by that of the other officials. Dr. Jamieson himself admits that it was his 'duty' to write to the relatives, when a case begins to have the appearance of ending seriously, in order to make them "aware of the probability of the illness ending in death." Page 21.

Though at one time he says that this was his reason for writing the letter of 26th November, and at another, that it was because Mr. Murray had informed him that Dr. Murchison was "desirous to hear" from him regarding his sister's "state of health," yet that letter *did not* give the facts of the case. The same were concealed from Dr. Dyce, when, as the representative of the relatives, he was sent to the Asylum to *ask* for information. And let me here remark, that Dr. Dyce has much reason to complain of the way in which he was treated by Dr. Jamieson, for his report on that occasion might now have been regarded with some surprise, had not the true circumstances been since discovered. When Dr. Dyce was first told that fits had occurred on the Sunday, he Page 8.

Page 25. would not believe that so extraordinary an omission could have been committed as to conceal them from him; and no wonder that I "did not believe at the time" the suspicions reported to me, but which subsequent disclosures have proved to be too true. The Committee most strangely state that the fits on the Sunday were only *suspected*, and they admit that "convulsive fits ultimately caused her death." They say that these fits "were not clearly manifested, or properly developed, until the Wednesday or Thursday; *for* it was Thursday before Dr. Jamieson or Dr. Fraser *saw* any of them." Yet Dr. Macrobin (the Consulting Physician to the Asylum) states that "the convulsions were fully established" on the Wednesday, though he "did not see her in any of the fits."

Page 78. There is then Dr. Jamieson's letter of the 29th, in which he says that she "does not present symptoms of exhaustion," and that "we *look for* improvement," though he since admits that on that day she was in obvious or extreme danger;" and that on "the morning of the day on which she died," "he had given up hopes of her recovery," yet he never sent word to me, though he admits he then knew I was her *Curator*, while at the very time of Miss Murchison's last moments he kept Mrs. Fleming waiting an hour and a half, without any intimation whatever of what was going on in the chamber of death! The Committee refer to one of the Rules of the Asylum, which provides that "the *friends* and relatives of patients may be permitted to visit them, with the approbation of the Consulting or Resident Physician." It is the improper withholding of that approbation, particularly on the last day of Miss Murchison's life, that is complained of—for on that day at all events, no injury could be done to her.

I will now ask you whether the charges of concealment and reckless disregard to the feelings of the relatives are not proved beyond the remotest question of doubt? Have not the Committee completely ignored the evidence, when they say, "There never appears to have been any difficulty in obtaining information; and there is no evidence of any

inquiry having ever been made, which was not fully and satisfactorily answered"!! But, I may ask, if it is not generally known in Aberdeen that there are other cases in which the relatives of patients who have died in your Asylum, complain that they have "experienced incivility and a want of courtesy on the part of the officials of the establishment," and have been kept ignorant of the state of their friends till after they died?

I have hitherto rested my case on the evidence, and other documents which were before the Committee, and have been printed by them. I will now draw your attention to the following reports on the whole case, by the most eminent authorities in the kingdom.

The whole of the evidence of Elsie Grant, Miss Elrick and Drs. Fraser, Jamieson, Macrobin, Kilgour, and Dyce, was sent to each, accompanied by the following questions:—

Dr. ——— having perused the evidence, is requested to answer in writing the following questions:—

1. When in his opinion the lady was *first* in a *dangerous* state?

2. *Whether*, looking at his knowledge of the patient, the erysipelas and discharge from the ear, and that he had latterly considered she had disease of the brain—the Resident Physician had any right to *assume* that the patient had *no* convulsive fits, or symptoms of a dangerous nature, on *Sunday*, 25th November; and *whether* he ought to have mentioned these fits to the brother, in the letter of *Monday* 26th, and also to Dr. Dyce on *Tuesday* evening, when he went to the Asylum, at the special request of the *Curator*, to learn all the facts?

3. *Whether* the letter of *Thursday*, 29th November, to the brother, should not have intimated the state of the patient to be more dangerous than it did; and *whether* a similar communication ought not to have been sent to the *Curator*, and indeed at least some days sooner?

(To Drs. F. Winslow, Seymour, and Sutherland, the two following questions were also put.)

4. *Whether* the relatives, or *Curator*, or both, ought not to have been informed of the dangerous state of the patient, notwithstanding the occasional visits of a lady, to the Asylum, to see the patient?

5. Opinion generally on the evidence given by the medical officers.

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REPORTS RECEIVED IN REPLY.

OPINION of JOHN CONOLLY, *M.D., D.C.L. Oxford; Consulting Physician, Hanwell Lunatic Asylum.*

THE LAWN, HANWELL.

May 23rd, 1861.

DEAR SIR,

I have very carefully perused, as requested by you, the papers sent to me relative to the last illness and death of a lady, aged 32, who died in the Aberdeen Asylum on the 30th of November, 1860; and, in answer to certain questions respecting the character of the lady's illness, and the time at which dangerous symptoms appear to have manifested themselves, I entertain the following opinion.

As in the case in question the patient had been in a state of imbecility, or dementia, for some years, the occurrence of an attack of erysipelas about the head, followed, after some weeks, by pain in the ear and a copious purulent discharge, could scarcely fail to be looked upon as symptoms of an important character; and the supervention, a few days afterwards (Sunday, Nov. 25), of pain of head, drowsiness and convulsive fits, must have been considered indicative of danger to life.

I am of opinion that from the time of the appearance of the purulent discharge from the ear there must have been ground for anxiety; and that on the appearance of *any form* of convulsion after such a symptom, accompanied with pain of head and drowsiness, the state of the patient must have become dangerous. *On these points I can scarcely imagine a difference of opinion to exist among medical men;* and it is much to be regretted that, from any circumstances, neither the relatives of the lady residing at a distance from the Asylum, nor a relative residing at Aberdeen, and who occasionally visited the patient, nor the *Curator Bonis*, also residing at Aberdeen, should have been made acquainted with the state of the patient; and that Dr. Dyce, who at the request of Mr. Garden (the *Curator Bonis*) saw the patient on the 27th of November, two days after the occurrence of the fits, should not have been informed of them. These omissions, which have naturally been productive of pain and dissatisfaction to the relatives of the deceased lady, would appear in part to have originated in some accidental or general defect in the manner in which the medical events taking place in the Asylum are brought before the attention of the Resident Physician, and to a consequent impression, in this particular case, made on the Physician's mind that the symptoms were not of serious importance.

I remain, Dear Sir,

Yours very sincerely,

(Signed)

J. CONOLLY, M.D.,

Consulting Physician to the Middlesex  
Asylum, Hanwell.

J. H. MURCHISON, ESQ.

The same papers were laid before Dr. FORBES WINSLOW, who, although he consented to his reply being shewn at the Home Office, has objected to its being used in Aberdeen; Dr. Winslow, however, introduced Mr. Murchison to Dr. Seymour, whose opinion is as follows:—

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OPINION of EDWARD JAMES SEYMOUR, *M.A. Cantab., M.D. Cantab., F.R.S.*; late Senior Physician to St. George's Hospital, and formerly (for eight years) Metropolitan Commissioner in Lunacy.

The Answers to the Questions proposed to me are based on the *truth* of the Affidavits submitted to me.

1. When in your opinion was the lady in a dangerous state?

ANSWER,

I should have considered any lunatic patient, deemed incurable, to be in a dangerous state, from the period when a purulent discharge, preceded by pain in the ear, succeeded to an attack of erysipelas.

The following answer may be given to the 2nd, 3rd and 4th Questions.

ANSWER,

Taking all the circumstances here mentioned into the account, I think it was an error in the conduct of the Resident Physician, that he did not make more inquiry into the state of the patient, after her own nurse had informed him that a fit had occurred on Sunday the 25th of November; and I undoubtedly think he ought to have mentioned these fits, or at

least the fact that such fit or fits had been reported to him, to the patient's friends, Mrs. Fleming, and her brothers. I also think that it was a very unfortunate omission, that a similar report was not made to Dr. Dyce. I think also, undervaluing the danger of the case in the letter of Nov. 29th, to the patient's brothers, was a great mistake.

It is very painful to comment on medical evidence, dependent as it is on a great number of circumstances occurring at the moment, but speaking from the report of the medical officers, I think the attention of the Resident Physician should have been aroused, when a patient, whom he admits he believed to have organic disease of the brain, had recently suffered from erysipelas, followed by a purulent discharge from the ear.

The occurrence of fits coming on frequently, between Sunday the 25th and the day of the patient's death, the patient never having spoken after the attack on the 25th, and, according to Elsie Grant, never having been able to turn herself in bed, were *undoubtedly proofs of urgent danger*.\* FITS OFTEN OCCUR IN LUNATIC CASES, AND THE PATIENTS DO NOT DIE, BUT WHEN PRECEDED BY ERYSIPELAS AND DISCHARGE THEY OCCUR FOR THE FIRST TIME, IT IS VERY DIFFERENT—THEY BECOME SYMPTOMS OF ACTIVE ORGANIC DISEASE.

There is no doubt the patient was kindly treated in the Asylum, but I agree with that part of the evidence which suggests a larger number of medical officers to so many patients.

I look on the Resident Physician preventing Mrs. Fleming from seeing the patient, to have arisen from

\* These words are underlined by Dr. Seymour.

a little heat of temper, about the power to admit or exclude visitors.

It has always been the object of the Commissioners in Lunacy in England to *invite visits* from the friends of patients, unless it were injurious to them in the opinion of the Physician, and likely to irritate them.

(Signed) EDWARD J. SEYMOUR,  
M.D., F.R.S.,

(late) Senior Physician to St. George's Hospital.

LONDON, *May 30, 1861.*

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OPINION of DR. A. J. SUTHERLAND, M.D., F.R.S.; *Consulting Physician to St. Luke's Hospital for Lunatics.*

RE MISS MURCHISON.

I am requested to answer five questions relative to the above case.

*Question 1.* When was the above lady first in a dangerous state?

*Answer.* Assuming the evidence of Elsie Grant to be true, the symptoms in Miss Murchison's case became very formidable upon the Sabbath prior to her death. EPILEPTIFORM ATTACKS ARE NOT IN THEMSELVES NECESSARILY DANGEROUS TO LIFE, BUT THEY BECOME SO WHEN THEY ARE COMBINED WITH THE OTHER SYMPTOMS, WHICH ARE ALLOWED TO HAVE BEEN PRESENT IN THE CASE.

I will answer the other questions conjointly. Every medical man, who has any experience in the treatment of cases of insanity, is aware that a patient may continue for many years affected with epilepsy, without such disease proving of immediate danger to life; BUT WHEN THE EPILEPSY IS COMBINED WITH COPIOUS PURULENT DISCHARGE FROM THE EAR, PRECEDED BY

ERYSIPELAS OF THE HEAD AND FACE, AND BY THE SYMPTOMS OF DEMENTIA ATTENDED WITH DROWSINESS, THE CHARACTER OF THE DISEASE ASSUMES A VERY DANGEROUS TYPE. There is no doubt that Dr. Dyce ought to have been informed of the symptoms described *in so graphic a manner* by Elsie Grant; AND I THINK THAT THE FRIENDS HAVE JUST REASON TO COMPLAIN THAT THEY WERE KEPT IN IGNORANCE OF THE FORMIDABLE NATURE OF THE CASE.

The rule at St. Luke's Hospital is that the relations have the power of visiting the patients once a fortnight. In the event of dangerous illness this rule is always broken through. The Resident Medical Officer writes a letter to the relations stating the nature of the illness, and they have it in their power at once to visit the patient as often as they please, as long as danger to life exists.

I think that the strict rule with regard to the visits of the relations under such circumstances should be disregarded. The minor rule should always give way to the major rule; and indeed it would be a harsh rule which would debar the relation the melancholy duty of watching the dying bed of a patient.

A. J. SUTHERLAND, M.D., F.R.S.,

Consulting Physician to St. Luke's Hospital.

6, Richmond Terrace, Whitehall, *June 6th*, 1861.

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I will simply ask the Managers to read carefully these opinions, founded on the evidence adduced during the late investigation, and to say whether the charges made “are unfounded and unwarrantable,” and whether the Committee are correct in their opinion, “that the Messrs. Murchison and Garden never had any justifiable grounds for bringing forward these charges at all?”

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If these opinions, given by the most experienced and eminent professional men in the kingdom, be correct, the Medical Officers of the Aberdeen Asylum are placed in this dilemma ;— Either, they held the same views of the symptoms of the case, and not only concealed them and the facts from the relatives and friends, but also expressed themselves very differently in their examination before the Committee, and consequently must have had some purpose in systematically taking so extraordinary a course ;—Or, they must adopt the only alternative, and form exceptions to the remark of Dr. Conolly who says, “ On these points I can scarcely imagine a difference of opinion to exist among medical men.”

As to what may have been the cause of all this, the whole matter is so mysterious, I must leave it to the Medical Officers themselves to explain ; perhaps they may yet do so more satisfactorily than they have hitherto done. Dr. Seymour offers a suggestion, when he says, that he looked “ on the Resident Physician preventing Mrs. Fleming from seeing the Patient, to have arisen from a little heat of temper, about the power to admit or exclude patients.”\* But it is for the managers to take such steps as they may think proper, and to perform the trust committed to them, by impartially dealing with the facts as they may find that the interests of the Institution, and the just expectations of the public, require, and thus to render further proceedings unnecessary. The Messrs. Murchison have performed their duty in fully substantiating the statements originally made in my letter of the 10th December last, and they now leave it in the hands of the Managers, in the confident hope that the course they have pursued will turn out to the advantage of the Institution, and the good of the Patients.

I have the honor to be,

Gentlemen,

Yours faithfully,

JAMES GARDEN.

\* It must be remembered that Dr. Seymour formed this opinion from Dr. Jamieson's evidence only, as he has not seen that of Mrs. Fleming.

## APPENDIX.

*Affidavit by Elsie Grant relative to discharge from Ear.*

At Aberdeen, the ninth day of May, one thousand eight hundred and sixty-one, in presence of John Humphrey, Esquire, one of Her Majesty's Justices of the Peace for the County of Aberdeen.

Appeared ELSIE GRANT, residing in George-street, Aberdeen, who being solemnly sworn and examined, depones as follows :—

I was a nurse or attendant in the Royal Lunatic Asylum, Aberdeen, for nearly three years preceding the month of December last. I was especially engaged to be private attendant to the late Miss Eliza Murchison, a patient in the establishment, who died there on 30th November last, and acted as her private attendant for nearly three years immediately preceding her death. I had the best opportunity of knowing her state of health, being almost constantly with her. About a fortnight before her death, Miss Murchison complained of a pain in her ear, and at that time yellow matter began to flow from some internal part of the head through her ear, and continued to do so pretty copiously till her death. I am sure she never had any such discharge from the ear on any former occasion during my attendance on her. All which is truth as I shall answer to God.

ELSIE GRANT.

JO. HUMPHREY, J.P.

