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Royal Lunatic Asylum of Aberdeen.

CASE OF MISS MURCHISON.

Royal Lunatic Asylum, Aberdeen.

LETTER OF COMPLAINT

BY MR. JAMES GARDEN, ADVOCATE IN ABERDEEN, AS AGENT FOR MESSRS. MURCHISON, THE BROTHERS OF THE DECEASED MISS ELIZA MURCHISON, SOMETIME AN INMATE OF THE ASYLUM, WHO DIED THERE ON THE 30TH DAY OF NOVEMBER, 1860; WITH THE

DELIVERANCE

PRONOUNCED BY THE COMMITTEE OF MANAGEMENT OF THE INSTITUTION ON SAID COMPLAINT; AND THE EVIDENCE, PRODUCTIONS, AND MINUTES OF MEETINGS OF THE COMMITTEE.

ALSO,

A COMMUNICATION FROM HER MAJESTY'S SECRETARY OF STATE ADDRESSED TO THE PRESIDENT OF THE INSTITUTION.

ABERDEEN:
PRINTED BY G. CORNWALL AND SONS.

1861.

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Provost ANDERSON, Chairman of the Committee of Management of the Royal Lunatic Asylum.

Mr. JAMES GARDEN, Advocate in Aberdeen, Agent for the Messrs. Murchison.

Mr. ALEXANDER HENDERSON, Advocate in Aberdeen, Agent for Dr. Jamieson; and

Mr. JOHN THOMSON, Advocate in Aberdeen, Clerk to the Inquiry.

I.—LETTER OF COMPLAINT AND ANSWER THERETO, &c.

Letter—Mr. Garden, Advocate, to Provost Anderson.

ALEXANDER ANDERSON, Esquire,
Lord Provost of Aberdeen,
President of the Managers of the
ABERDEEN LUNATIC ASYLUM.

ABERDEEN, 10*th December*, 1860.

MY LORD PROVOST,

I am sorry that I have to trouble you with this communication.

I was *Curator Bonis* of Miss Eliza Murchison, who was an inmate of the Aberdeen Lunatic Asylum, and who died there on the 30th ultimo. Her relatives have requested me to submit to the Managers of that Institution the following statement regarding her last illness and death :—

About two months before her death, Miss Murchison was taken ill of erysipelas, and after recovering from that disease she was in rather a weakly state, until about a fortnight before her death, when she was taken more seriously ill of a cold and cough. About this time, Dr. Jamieson, the Resident Physician of the Asylum, expressed his opinion to Dr. Dyce that she had disease of the brain. Her illness increased, and her weakness and debility became much greater, till Sabbath the 25th November, five days before her death, when she had the first of a series of convulsive or epileptiform fits, about three or four o'clock in the afternoon. Between seven and eight o'clock that evening, Dr. Jamieson saw her, when her nurse informed him of the fit which the patient had had, and the symptoms it exhibited.

Prior to the convulsive fit above mentioned, viz., on Sabbath the 25th, Miss Murchison had become very ill, and was sleepy and complained of headache. For these, Dr. Jamieson prescribed a blister to the back of her neck, and four leeches to her temples; which were applied. She had another fit of the kind above de-

scribed, about nine o'clock the same evening, and a third about midnight, between that day and Monday the 26th. Again she had another of these fits on the morning of Wednesday the 28th, about nine o'clock, and before eleven o'clock of the same day (Wednesday), she had several fits in succession, at intervals of from a quarter of an hour to twenty minutes. On the morning of Thursday the 28th, about two o'clock, she began again to have a succession of fits, which continued till about five o'clock the same morning, when they became so severe that the Assistant Surgeon and Matron were both called up by the nurse to see the patient die. She recovered a little, and was again attacked about nine o'clock in the morning of the same day. From that time till her death, she had these fits at intervals of from ten to twenty minutes.

During the last fortnight of Miss Murchison's life, it was apparent to those around her that she was in extreme danger. From Sabbath the 25th to the day of her death, it was plain that she was dying; and from four o'clock in the morning of the day of her death, it was evident that she could not continue in life many hours, or perhaps minutes. She died of one of these fits on Friday the 30th, about noon.

She had taken nothing since Sabbath the 25th, except some beef-tea, mixed with wine, or a little brandy and water, or a few grapes—was very emaciated, and unable to articulate, except a faint "Yes" or "No," intelligible only to her nurse. For the last fortnight of her life she was confined to bed, except when her nurse carried her across her room, which she did twice, and after Sabbath the 25th, she was unable to turn herself in bed.

The only relative that Miss Murchison had in Aberdeen was Mrs. Fleming, Crown Street, who was in the habit of seeing her once a fortnight before the erysipelas occurred, and afterwards oftener, but only on the days on which the Institution is open to the friends of patients. About a week before Miss Murchison's death, Mrs. Fleming suspected from her appearance that she was dying; and as no communication was ever made to her or to me, by the Resident Physician or Matron, of Miss Murchison's extreme illness, she suspected that it was intended to conceal her illness from the relatives.

Mr. James Murray, who was an intimate friend of the family, and originally one of Miss Murchison's guardians, called at the Asylum about the 15th November, and found that Miss Murchison

was in bed, and learned for the first time that she had been ill. He considered her in rather a weak state, but was not told that there was anything serious in her case. He again called on Saturday the 24th, and thought her very low. He was surprised to find that no notice had been sent to her brothers who were in London, and expressed that surprise to the Matron. He did not then see Dr. Jamieson, but soon after met him on the street, and had a conversation with him, in the course of which he was not informed that there was any serious illness to create anxiety or alarm, and was told by Dr. Jamieson that the reason he did not make any communication to Miss Murchison's relatives of her illness, was that Mrs. Fleming had been seeing her frequently. Mr. Murray then begged him to write to Dr. Murchison, and inform him of the state of his sister.

Dr. Jamieson, for the first time on Monday the 26th, wrote to Dr. Murchison with some details of his sister's complaint, but adding that her illness occasioned him more anxiety than alarm, and omitting entirely all notice of the most dangerous symptoms, the epileptiform fits, which had occurred the day before.

On Tuesday the 27th, Mrs. Fleming sent a message to me that she suspected Miss Murchison was dying, and that it was the intention of the officials to conceal the fact, and that neither she nor I could ever discover it from them.

I did not believe this message; but, in the circumstances, I considered it my duty to request Dr. Dyce to see and examine the patient in order to endeavour to discover whether she was in a dangerous state. I called myself for Dr. Jamieson, stating that I was desirous to know her exact condition, as her brothers might wish to come down to see her if she were in a dangerous state. I mentioned that with that view I had asked Dr. Dyce to see her. I could not discover in the course of my conversation with Dr. Jamieson whether there were any dangerous symptoms or not. He merely said she was not getting better, that she had always been delicate at this season of the year, and was pleased also to inform me that he could not keep Miss Murchison, more than any other person, in life.

Dr. Dyce called at the Asylum that evening (Tuesday the 27th), and saw Miss Murchison. He gave an opinion of the case, founded entirely on Dr. Jamieson's report to him, as he could not judge himself on so short a visit, the substance of which report was that her case had caused Dr. Jamieson some anxiety on her account, but that

there was no cause for immediate alarm, and that Dr. Jamieson did not think her then in danger. Dr. Jamieson was present when Dr. Dyce saw her, but did not mention the convulsive fits which had taken place on the Sunday.

Mrs. Fleming called the next day (Wednesday the 28th), when the Matron told her that, by Dr. Jamieson's order, she could not see Miss Murchison. On Mrs. Fleming's entreaty, however, the Matron disobeyed the Doctor's orders, and Mrs. Fleming was allowed to see the patient for about three minutes.

Next day (Thursday the 29th), Mrs. Garden called at the Asylum, and was told by the Matron that she (the Matron), seeing her coming, had sent a message to Dr. Jamieson, and had got instructions, in reply, that Mrs. Garden was not to be allowed to see Miss Murchison.

Again, on Friday the 30th, a little after eleven o'clock in the morning (nearly an hour before Miss Murchison died), Mrs. Fleming called at the Asylum, and was again told that she could not see Miss Murchison. She requested then to see Dr. Jamieson, and, after waiting about three quarters of an hour, did see him. She asked to be allowed to see Miss Murchison. This was now about five minutes before her death. He answered, in a way that Mrs. Fleming considered rude and unfeeling, that she could not see her. Mrs. Fleming then stated that she was afraid Miss Murchison was dying. He answered, "What then?—you would not see her although she were." After some farther altercation (in the course of which Dr. Jamieson, among other things, told Mrs. Fleming that she came there from mere curiosity, and that her visits had hurt the patient), the Matron came into the room and entreated him to allow her to go up stairs to see Miss Murchison. He then said, "You may go then;" and on her replying that if it were contrary to the rules, or not proper, she would not go, his only answer was, "Well, stay down then." Mrs. Fleming went up stairs with the Matron, and was not more than one minute in the room when Miss Murchison expired.

It appears evident from the foregoing statement 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. His making no communication, the difficulty of obtaining any information or opinion, and his denial of all access to the patient on the 28th, 29th, and 30th November, when she was in a dying state, cannot be accounted for on any other supposition.

From the commencement of her 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, and after the death-struggle had continued for some time.

Her brother, Dr. Murchison, when he last saw Dr. Jamieson, had an understanding with him that he was to write to Dr. Murchison when any change took place on his sister; and Dr. Murchison said he would rest satisfied that there was no change so long as he did not hear. Yet Dr. Jamieson reports to the Registrar that she had been ill for two months of the disease of which she died. He neither wrote to Dr. Murchison, nor communicated to me or any of her relatives, her dangerous state at any time even till the last, and I was led to believe that there was no immediate cause of alarm nor present danger up to the time when I got intelligence of her death. He only wrote to Dr. Murchison on 26th November after being urged to do so by Mr. Murray. On 29th November, the night before her death, he again wrote to Dr. Murchison, and for the first time mentioned the epileptiform attacks, which he said had first occurred since the date of his previous letter, and even then he says she showed no signs of exhaustion. This latter communication Dr. Murchison did not receive until he had got a telegram of his sister's death, and it has only been since that event that I have been able to discover the facts now detailed.

Miss Murchison's brothers, as well as Mrs. Fleming, would have been very desirous to see Miss Murchison before her death, had they known the real state she was in; and Dr. Murchison would have come down at once had he been apprised by Dr. Jamieson in his letter of 26th of the fits which had occurred the previous day. The patient's intelligence had to some extent returned. She herself expressed her desire to see Mrs. Fleming and Mr. Murray, and it would have been a great consolation to have had an opportunity of at least seeing her. Yet after she was not only in a dangerous state, but evidently dying, and up to the very hour of her death they were denied all access to her or knowledge of her state; and for the two or three minutes that Mrs. Fleming saw her on Wednesday the 28th she was indebted to the Matron. All access was denied on 29th, and on the day of her death, it was only after the very unpleasant in-

terview above mentioned, and while the patient was expiring, that Mrs. Fleming could have the poor consolation of seeing her draw her last breath.

What the motive for all this may have been I cannot imagine, but there seems to have been a reckless disregard to the feelings of the patient's relatives; and as any suspicions in the public mind that such things go on in connection with a Lunatic Asylum is most injurious, I submit this statement to the Managers, that, after such inquiry 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 relatives, but also most injurious to the interests of such institutions.

I have the honour to be,

My Lord Provost,

Yours faithfully,

JAs. GARDEN.

Letter—Dr. Jamieson to Provost Anderson.

Alexander Anderson, Esquire.
Lord Provost of Aberdeen,
And President of Managers of
The Royal Lunatic Asylum.

My Lord Provost,

In obedience to your Lordship's request, I beg to lay before you the following statement in reference to the late Miss Eliza Murchison.

Miss Eliza Murchison, who had been a patient in various Asylums, was admitted into the Aberdeen Asylum, on 23d May, 1857. She was left under my charge by her brother, Dr. Charles Murchison, with the instruction that he did not wish her to be much seen or visited; but that I was, according to my discretion, to allow her to be occasionally visited by a Mrs. Fleming. Not long after that time, Dr. Murchison called upon his sister; and once, also, another brother of Miss M.'s, with some friends, called upon the patient; and I saw them at all these times. Dr. Murchison wrote to me once

or twice about his sister; and each time I wrote to him, giving him all the information which seemed necessary, or which he desired. From no friend of Miss M.'s have I had a letter of inquiry of any kind for two years, or probably more.

Miss Murchison was seen, from time to time, by Mr. Murray, Advocate, and by such other acquaintances or friends as were thought by me likely to be agreeable to her relatives; and, amongst others, during the three-and-a-half years of her residence, she was seen, sometimes fortnightly, sometimes weekly, or oftener, by Mrs. Fleming, in obedience to Dr. M.'s request. The communications of Miss M.'s friends with her were carried on entirely by Mrs. Fleming. Letters, papers, &c., instead of coming in the ordinary way, through myself, were transmitted through Mrs. F., and by her given to the patient. I never felt surprise at the Messrs. M. not writing to me, because I understood and believed that Mrs. F. regularly communicated with them regarding their sister; and, in order that there might be the fullest communications, Mrs. F. had, accordingly, ample opportunities of observation and intercourse allowed her; and, indeed, but that I thought it convenient and desirable that the relatives should have the fullest benefit of the form of access to their friend, which I believed, they wished and preferred, I might have chanced to think, less frequent and intimate intercourse might have been agreeable and beneficial to the patient, and have given directions accordingly. However, let it be understood that, until the day of the late Miss Murchison's death, I do not think that Mrs. F. was ever refused access, and, at no time, was information ever withheld from her, or from any other person entitled to claim it.

About two years ago, for some reason, or with some view unknown to me, the relatives or guardians, or others having an interest in the patient, had an inquiry instituted as to whether she had not better be removed to be placed as a boarder in a private house in town.* The Officials in the Asylum were not asked to report on the matter, nor did they give any opinion, and the medical part of the inquiry was conducted by Drs. Dyce and Kilgour. The result of this inquiry was that Miss M. was considered to be receiving the care and treatment which was most beneficial for her where she was, and she was accordingly left still under my care, although, I believe, Miss M.'s private means were such as might have afforded her any change in

* Mrs. Fleming's house.

board or lodging that might have been judged requisite or desirable for her improvement.

Miss Murchison was an incurable patient, whose mind was much impaired, and whose bodily health was at all times feeble. She was delicate, particularly during winter and spring months, and required unremitting care and attention. She had frequent illnesses of the imperfectly marked character to which such patients are subject, and, by the slight tendency to recover which her system indicated, occasioned all responsible for her care and treatment not a little anxiety. About two months before her death, she had, after some slight ailments, an attack of erysipelas affecting the head. Its symptoms were of the same subdued character as referred to above. Its probable connexion with the cerebral or head disease, under which she laboured, was indicated by the debility which followed, and the subsequent convulsive attacks which became dubiously and gradually manifested, until their development and continuance occasioned her death on the 30th November. During her illness, which for the most part kept her confined to bed, she was treated *secundum artem*—seen by myself repeatedly daily, by the Resident Clinical Assistant also daily, and by the Consulting Physician, at least several times weekly. 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.

After the erysipelitous affection of the head had disappeared, and a daily improvement of her enfeebled state was being anxiously sought for, understanding from Mr. Murray, Advocate, of whose interest in the patient I was, from his occasional and recent visits, aware that, to my surprise, her relations at a distance, or at all events Dr. Murchison, had not been apprised by Mrs. Fleming of the patient's illness, I 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. I did not hear from Dr. M.; but, nevertheless, wrote him again on the morning of the 29th November, in such a way as to be sufficient to indicate to him the kind

of danger in which his sister was. On the next day, it was, unfortunately, my duty to forward the telegram which announced her death.

On the evening of the day subsequent to that on which I first wrote to Dr. M.—(the Tuesday of the week in which the patient died)—Mr. Garden, Advocate, called on me, thereby, for the first time, giving me to know that he was interested in the patient, and, indeed, that he was her *Curator*.

The object of his visit, however, was not to inquire at me regarding her state, but to tell me that he, of his own individual accord, had ordered Dr. Dyce to investigate what that state was.

I told Mr. Garden that he might have every information from myself, or even, if he preferred it, from Dr. Macrobin, whom the Managers had attached to the Hospital in the capacity of consultor; but that if he really wished to take the unusual and unnecessary course of sending up Dr. Dyce without previous inquiries and agreement, I was quite willing for my own part to give the Doctor every opportunity of seeing the patient, whom, indeed, on a recent occasion of his calling at the Hospital, I had already informed of the indifferent condition of Miss M.'s health, and had invited to look in upon her in a friendly way. This I had done, because I knew that Dr. Dyce was acquainted with Miss M.'s friends, and had had a previous knowledge of her case. I had not the least objection to see Dr. Dyce—much otherwise; and I found him at the Hospital a few minutes after Mr. Garden left me.

After I had written to Dr. Murchison informing him about his sister's state, I then took it upon me, in the exercise of my official discretion as physician and temporary guardian of my patient, to direct that she should not be visited without my knowledge or permission, until she was in a state better fitted to receive visits, or her state altogether hopeless. In consequence of this, Mrs. F., who had always had most ready admission, was requested to be satisfied with bulletins of her state, but, in reality, as it appeared, was never once debarred from access to the sick-chamber. 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 accom-

panied by the Matron. It may be stated that before this interview, I did not apprehend the patient's relationship with Mrs. Fleming.

On the day of the patient's death, her remains were immediately transferred, by Mr. Garden's order, to Mrs. Fleming's house—a course by no means usual, and adopted, as I understand, because the Matron had made some objections to Mrs. F. and another lady being to be set over her, in a superintending and critical capacity, in making the ordinary preparation of the corpse for its coffin. Miss M.'s attendant was repeatedly sent for by Mr. Garden and others to his office, and was encouraged in various ways to assist in getting up some mysterious charge against the Hospital—to all which interviews every facility was expressly by myself allowed to be given.

Dr. Murchison, after his sister's death, wrote to me from London, giving me such directions as evidently showed that he considered the remains to be under my charge. On the next or subsequent day, I received a letter from him, which, I confess, surprised me by its unusual tone, and still more by an order requiring me to have an account of all the circumstances connected with Miss M.'s illness, and the treatment pursued from its commencement to its termination, drawn up for the consideration of Mr. Garden, his brother John Murchison, and himself, and to have the statement waiting for their consideration at Mr. Murray's office, 48, Schoolhill, on the 4th December. I sent a letter, in reply, remonstrating against such a thing, and stating that I should be very glad to see him, however, if he would call, and promising to give every information that was in my power. To my regret, Dr. Murchison never called, nor has any one—relative, curator, or other connection—ever sought, by any such ordinary course, any information or explanation either from Dr. Macrobin or myself; but, instead, Dr. Murchison and his brother have instructed Mr. Garden to address the formal complaint to the Chairman and Managers, which you have received.

I submit the foregoing as an answer, in a general way, to that document, which seems to contain of the following scil. :—

First.—A general charge against the Officials of the Asylum of a wish to conceal Miss Murchison's illness, so that she might die without the knowledge of her friends. I conclude that I need make no answer to this.

Secondly.—I am blamed for not entertaining or exhibiting so early, as Mrs. Fleming and "those around," a sense of Miss

Murchison's extreme danger, and for not apprising them of her condition. Now, it very often happens that onlookers differ from medical men in expression of alarm and in apprehension of danger, and medical men from them. Miss M. was not, as alleged, in a state of obvious or extreme danger until the day before death, nor in a hopeless one until the morning of her decease. I am certain that I never refused Mrs. Fleming, or other person interested, any proper information regarding the condition of the patient.

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 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 M.'s fits had not a serious aspect until the morning before her death.

Again, I am charged with withholding Mrs. F. from the patient's bedside on the morning of the 30th November, or rather of keeping her waiting three-quarters of an hour before she was allowed to proceed up-stairs. I regret that Mrs. F. should have felt the time to be so long, for my own impression was that it might have been ten minutes, or possibly a quarter of an hour. I was about the house engaged in medical business—she was delayed in obedience to directions which it quite became me to give, and which were not intended for any purpose of annoyance or incivility.

Lastly.—It appears that I ought to have written earlier; and when I did write, that I ought to have expressed not my own opinion in my own way, but the opinion rather of Mrs. F. Had I known that this lady—the medium of Miss M.'s friends' communication with her—did not convey the intelligence which I understood she came to the Hospital weekly for the purpose of gathering, I should probably have written sooner. I regret that I did not know this earlier, and also that I did not sufficiently consider, that relatives or curators who never wrote to, nor inquired of me regarding the condition of their relative or ward, and acquaintances who had weekly opportunities of inquiring into matters, might be all the more ready to attempt to injure me in the estimation of the Managers, by a charge of concealment, when a long term of care and treatment was at length ended by an announcement of the patient's death.

My time is too much occupied for me to wish to court a long investigation into charges so slight, but I am most ready to undergo any kind of inquiry that your Lordship and the Managers may think it necessary to order, for your and their satisfaction, if not for the satisfaction of those concerned in a production, whose animus I do not venture to criticise, nor whose accuracy am I to be understood to admit.

I am,

My Lord Provost,

Your Lordship's most obedient Servant,

ROBERT JAMIESON.

Aberdeen, 24*th December*, 1860.

Minute of Meeting of Committee.

Infirmary, 2*d January*, 1861.

Committee.

Present—Provost Anderson, President; Mr. John Webster; Mr. N. Smith; Rev. Dr. Pirie; Baillie Urquhart; Mr. L. Smith; Mr. Wm. Yeats; Rev. Mr. Adam; Mr. A. Morison; Baillie Fraser; Baillie M'Hardy; Mr. G. Jamieson, D.G.; Mr. J. Ligertwood.

The Meeting resumed consideration of a letter dated 10th December, 1860, addressed to the Chairman by Mr. Garden, Advocate, as *Curator Bonis* of Miss Murchison, a patient who died in the Asylum on the 30th November, 1860, which letter was before last meeting, and then remitted to the Provost and Mr. N. Smith, to see Mr. Garden on the subject of it and to report, which they now did.

The letter and the reply of Dr. Jamieson, dated the 24th December, having been read and considered, the meeting, on the motion of Mr. Webster, "Resolved to transmit the letter of Mr. Garden to the Board of Commissioners of Lunacy in Edinburgh, with a request that they will take such steps as they may see fit to investigate the matter of the charge embraced in Mr. Garden's letter—it being fully understood that the Committee take this course without indicating any opinion whatever on their own part in regard to these charges, but solely from a desire that, as they involve not merely the

conduct of Dr. Jamieson, but also the character and usefulness of the establishment under their care, the inquiry will be better and more satisfactorily conducted by parties entirely independent of themselves."

That this Resolution be communicated to Mr. Garden and Dr. Jamieson.

ALEX. ANDERSON, *P.*

Letter—The Secretary of the Lunatic Asylum to Board of Lunacy Commissioners.

ROYAL INFIRMARY, *3d January*, 1861.

SIR,

In accordance with the instructions of the Committee of Management of the Royal Infirmary and Lunatic Asylum, I beg leave to transmit to you, for the information of the Board of Commissioners, a resolution adopted by the Committee yesterday, with the documents to which it refers, and respectfully to request the early attention of the Commissioners to the subject.

I am, SIR, your obedient Servant,

WM. WALKER,
Secretary & Treasurer.

To the Secretary,
Board of Lunacy Commissioners, Edinburgh.

Letter—Mr. James Garden to the Secretary of the Lunatic Asylum.

48, SCHOOLHILL,
ABERDEEN, *7th January*, 1861.

DEAR SIR,

I duly received yours of 3d current, with copy minute of Meeting of the Managers of the Lunatic Asylum, relative to my

communication to them about the late Miss Eliza Murchison. I have sent a copy of it to each of Miss Murchison's brothers.

Yours faithfully,

JAs. GARDEN.

WILLIAM WALKER, Esq.,
Clerk and Treasurer,
Royal Lunatic Asylum.

Letter—The Secretary of the General Board of Lunacy, Edinburgh, to the Lord Provost of Aberdeen.

GENERAL BOARD OF LUNACY,
EDINBURGH, 15*th January*, 1861.

MY LORD PROVOST,

Having, to-day, laid before a Meeting of the General Board of Lunacy, a Minute of the Committee of Management of the Asylum at Aberdeen, together with Letters addressed to your Lordship, by Mr. Garden and Dr. Jamieson, regarding the circumstances connected with the case of the late Miss Murchison, I am to acquaint you that the Board are of opinion that it does not form part of their duty to institute the inquiry suggested by the Committee.

The Board, however, are informed that application has been made to the Secretary of State for the Home Department to authorise them to inquire into the circumstances connected with Miss Murchison's death, and an investigation will, accordingly, be undertaken, should instructions to this effect be received.

I have the honour to be,

MY LORD PROVOST,

Your obedient Servant,

M. F. OGILVY,
For the Secretary.

The Right Honourable
ALEXANDER ANDERSON,
Lord Provost of Aberdeen.

Letter—The Secretary of State, Sir George Lewis, to the Committee of Management of the Aberdeen Asylum.

WHITEHALL, 26*th January*, 1861.

GENTLEMEN,

The attention of Secretary Sir George Lewis having been called to the case of Miss Eliza Murchison, who died in the Aberdeen Asylum on the 30th November last, I am directed to inform you, that Sir George Lewis has communicated with the General Board of Lunacy in Scotland on the subject, and concurs with the Board in opinion that the complaints made to you in reference to the above case should be investigated by the Committee of Management of the Asylum. Sir George Lewis requests that the result of the inquiry may be communicated to him.

I have the honour to be,

GENTLEMEN,

Your obedient Servant,

H. WADDINGTON.

The Committee of Management
of the Aberdeen Asylum,
Aberdeen, N.B.

Minute of Meeting of Committee.

INFIRMARY, 5*th February*, 1861.

SPECIAL COMMITTEE:

Present—Provost ANDERSON, President, &c. &c.

This meeting was specially called to consider the charge of Mr. Garden, Advocate, and the letters engrossed in minute of date 29th January last.

The Clerk was directed to write the Secretary of the Board of Lunacy, Edinburgh, requesting that the documents respecting the case of Miss Eliza Murchison be returned, in order that the Committee of Management may investigate the case.

The Clerk was also appointed to send a copy of this minute to Mr. John Thomson, Advocate, who is hereby appointed Clerk to the

Inquiry ; and, on receipt thereof, Mr. Thomson is requested immediately to communicate with Mr. Garden, with a view to the charges contained in Mr. Garden's letter of 10th December last, being put by him in the form of separate articulate statements, so as to admit of evidence being taken on each of them, and that Mr. Garden be also requested to append a list of the witnesses he proposes to examine before the Committee in support of these charges. Mr. Thomson to obtain this statement from Mr. Garden on or before Friday first, and, on receipt of it, to furnish Dr. Jamieson with a copy of it for his own use, or that of any agent he may desire to employ."

The Committee to be called for Tuesday the 12th instant at two o'clock, P.M., at the Infirmary.

ALEX. ANDERSON, *P.*

Letter—Mr. Garden, Advocate, to Mr. John Thomson, Advocate, Clerk to Inquiry into the Charges contained in Mr. Garden's letter of 10*th December*, 1860.

48, SCHOOLHILL,
ABERDEEN, 8*th February*, 1861.

DEAR SIR,

I am favoured with your letter of yesterday, with the excerpt from minutes annexed, intimating that the Committee of Management of the Royal Lunatic Asylum had appointed you Clerk to a Committee which is to hold an inquiry into the charges contained in my letter of 10th December last, and requesting me to put these charges into the form of separate articulate statements, appending thereto a list of the witnesses whom I mean to adduce in support of them.

Without admitting the regularity of the proceedings of the Committee of Managers of the Asylum in this case, and reserving any objections to the course pursued, I have, in the first place, to put in your view that I do not adopt the word "charges" as applicable to this matter. In my letter to the Provost, of 10th December, I have stated facts, and from these facts I deduce two conclusions, viz. :—

1st.—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.

2nd.—That there seems to have been a reckless disregard to the feelings of the patient's relatives.

I considered, and still consider, that the facts fully warranted these conclusions, and were such as should be inquired into by the Managers, for the good of the Institution. The facts were these :—

1st.—That, about two months before Miss Murchison's death, she had an attack of erysipelas, followed by weakness.

2nd.—That, for a fortnight before Miss Murchison's death, it was apparent to those around her that she was in extreme danger.

3rd.—That, for five days before her death, it was plain that she was dying.

4th.—That, from four o'clock of the day of her death (Friday, 30th November), it was evident she could not continue in life for many hours, or perhaps minutes.

5th.—That Dr. Jamieson never communicated her attack of erysipelas to her relatives, nor did he ever communicate her subsequent dangerous state to any one connected with her, nor her most dangerous symptoms.

6th.—That, on 28th November, the Matron told Mrs. Fleming, who called to see the patient, that, by Dr. Jamieson's order, she could not see her, and she was not informed of the patient's dangerous state.

7th.—That, on 29th November, Mrs. Garden called at the Asylum, and was informed by the Matron that, by Dr. Jamieson's order, she could not see Miss Murchison.

8th.—That, on 30th November, about five minutes before the patient's death, Mrs. Fleming, who called to see Miss Murchison, was told by Dr. Jamieson that she could not see her—that a conversation, part of which I have detailed in my letter, ensued, after which, Mrs. Fleming was allowed to see her, by being told—"You may go then ;" and, on her replying that, if it were contrary to rule, or improper, that she was told—"Well, stay down."

I would take the liberty of suggesting that, in the first place, Dr. Jamieson and Miss Elrick should be called upon to say whether those facts which relate to them, are true or not; because, if any of them are admitted, it would be useless to take up my time, and that of the Managers, and other parties, in proving what no one denies.

I would humbly suggest that Dr. Jamieson should be called upon to answer the Statements, Nos. 3, 4, and 5, and Miss Elrick the Statements, 6 and 7. It is possible their replies may narrow the inquiry considerably, and enable me to state what evidence I intend to adduce, as to the remaining three statements, and in regard to such of the statements as I may think Dr. Jamieson and Miss Elrick have given unsatisfactory replies to.

In case the Managers should not adopt my suggestion, having already stated the eight facts, which I mean to prove, I have further to state that I purpose to do so by Dr. Jamieson; Miss Elrick; the Assistant-Surgeon, Mr. Fraser; Elsie Grant, the Nurse; Mrs. Fleming; Mrs. Garden; Dr. Charles Murchison; Isobel Harper; Elizabeth Strachan; Jean Mitchell; Mary Insh, and Margaret Grant; Christian Alves; Mr. Murray; and myself.

Yours faithfully,

JAs. GARDEN.

JOHN THOMSON, Esq., Advocate.

DELIVERANCE

By the Committee of Management of the Royal Lunatic Asylum on the Complaint of Mr. James Garden, Advocate, of date 10th December, 1860.

ABERDEEN, *8th April,* 1861.

THE Committee of Management of the Royal Lunatic Asylum, Aberdeen, having considered the Letter of Complaint addressed to their President by Mr. James Garden, Advocate in Aberdeen, sometime *Curator Bonis* of the late Miss Eliza Murchison, an inmate of the Asylum, and who died there on the Thirtieth day of November last—on behalf of Messrs. Murchison, the brothers of the deceased, and dated the Tenth day of December, 1860; together with the subsequent letter, of date Eighth February, 1861, from Mr. Garden to the Clerk of the Inquiry; together also with the proof adduced in support of the charges contained in these letters—the productions made at the proof—and the whole proceedings: Find, that there are Two Charges made; "*First,* 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;" and, "*Second,* That there seems to have been a reckless disregard to the feelings of the Patient's relatives."

FIND, that the first charge stated, and the statement annexed to it, are not only not proven, but that the same are unfounded and unwarrantable.

FIND, that there has been no evidence adduced of the second charge.

THEREFORE, Acquit Dr. Jamieson *simpliciter* of both charges, and of all blame alleged against him in the Letter of Complaint.

FIND no charge stated against any of the other Officials of the Institution.

FIND it proved, that Miss Murchison received every kindness and attention during all the time that she was in the Institution, and down to her death; and that every thing was done for her that could be done, or that could be expected by friends to be done for her: and DISMISS THE COMPLAINT.

Appoint the Clerk of the Inquiry to send a certified copy of this Deliverance, and of the Note appended hereto, to Dr. Jamieson, and another copy to Mr. Garden; and also to transmit certified copies to the Secretary of State, and to the Secretary of the Board of Lunacy, along with full copies of the Evidence and Productions; and appoint a copy of this Deliverance and Note to be engrossed in the Minute-Book of the Institution.

Signed in name, by appointment, and in presence of a Meeting of the Committee, held this 8th day of April, 1861, by me,

ALEX. ANDERSON,
PROVOST OF ABERDEEN,
President of the Royal Lunatic Asylum of Aberdeen and Chairman of the Committee of Management.

[NOTE.]

NOTE

Appended to the foregoing Deliverance.

The first charge appears to be founded on the following passages in Mr. Garden's Letter of Complaint, viz. :—"About "a week before Miss Murchison's death, Mrs. Fleming suspec- "ted, from her appearance, that she was dying; and as no "communication was ever made to her or to me, by the Re- "sident Physician or Matron, of Miss Murchison's extreme "illness, she suspected that it was intended to conceal her "illness from the relatives." "On Tuesday the 27th, Mrs. "Fleming sent a message to me that she suspected Miss "Murchison was dying, and that it was the intention of the "Officials to conceal the fact; and that neither she nor I "could ever discover it from them." And, "It appears evi- "dent, from the foregoing statement, that there was a purpose "on the Resident Physician's part to conceal from the rela- "tives 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:—his making no communication—the diffi- "culty of obtaining any information or opinion—and his "denial of all access to the Patient, on the 28th, 29th, and "30th November, when she was in a dying state, cannot be "accounted for on any other supposition."

Page 2. Page 3. Page 4.

This charge then is, admittedly, suspicion on Mrs. Fleming's part, and supposition, or at least inference, on the part of Mr. Garden; for no motive has been alleged against Dr. Jamieson wherefore he should have entertained such a purpose. The Letter of Complaint says, "What the motive for all this may have been, I cannot imagine;" and none of the witnesses can state, or even conceive of such a motive.

Page 6.

The grounds of Mrs. Fleming's suspicion appear, from the evidence, to have been, because Miss Murchison's maid had told her one thing, while the Matron of the Institution had told her the reverse; but no such contradictory statements have, in the opinion of the Committee, been proven; for, although Miss Elrick and Elsie Grant were both examined as witnesses in the case, there was no question put to either of

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them regarding these alleged contradictory statements; but although these statements had been proven, they cannot justify a suspicion that there was a purpose on the part of *Dr. Jamieson* to conceal from Miss Murchison's relatives her real state; because nothing has been shown to connect Dr. Jamieson in the least with the statements said to have been made to Mrs. Fleming by the Matron and the nurse;—and therefore Mrs. Fleming's suspicion was unfounded.

Mr. Garden's supposition or inference is, by his own letter, founded on the following three statements:—*First,* Dr. Jamieson's "making no communication;" *Second,* "The difficulty of obtaining any information or opinion;" and *Third,* "His denial of all access to the patient on the 28th, 29th, and 30th November."

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1*st.*—"*His making no communication.*"

Dr. Jamieson is blamed for not, *inter alia,* having communicated to Miss Murchison's relatives an attack of erysipelas which she had about two months before her death; and the letter complains that Mr. Murray only heard of this attack of erysipelas on the 15th of November; but it appears from the evidence that Mrs. Fleming and Mrs. Garden both knew that Miss Murchison was ill of this disease at the time, and Mrs. Garden also saw her while she was labouring under it; besides Mrs. Garden communicated this information to Mr. Garden, and he sent word to Dr. Murchison on 6th October, and an excerpt from his letter has been produced; but it appears that he never told his partner, Mr. Murray; and the Committee are of opinion that it was Mr. Garden's duty, and not Dr. Jamieson's, to have, in the circumstances, mentioned this attack of erysipelas to Mr. Murray; and that there is no cause for complaint because Dr. Jamieson did not at this time also write to Dr. Murchison.

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Pages 2 and 3.
Pages 47, 50.
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The Committee are farther of opinion that it has been proven that Mrs. Fleming was the recognised channel of communication with Miss Murchison's friends—the letters and newspapers coming to her from her brothers, instead of

Pages 7, 36, 47.

coming in the ordinary way through Dr. Jamieson, were sent through Mrs. Fleming—and Mrs. Fleming admits that the Messrs. Murchison depended on her seeing their sister, while Mr. Murray says that the Messrs. Murchison trusted a good deal to him, and that he was always in the way of writing to them after seeing their sister, but not so often as Mrs. Fleming. Besides, Mrs. Fleming says that she had a hand in bringing Miss Murchison to this Asylum, because she wished her to be where she could see her occasionally. Miss Murchison was upwards of three years and a half in this Asylum, and previous to her being brought here she had been upwards of two years in the Dumfries Asylum, whither Mrs. Fleming went and visited her; and not only so, but about two years before her death there had been a proposal talked of, of removing her from the Asylum and putting her into private lodgings—viz., into Mrs. Fleming's house in Crown Street; for Dr. Macrobin, who was consulted as to this removal, distinctly states that one of his principal objections against it was because Miss Murchison was to be taken to Mrs. Fleming's house, where she could not have the benefit of that out-door exercise which he considered she required. (The Doctor had once been under the impression that Mrs. Fleming lived in the country.) Dr. Macrobin's recommendation was ultimately acted upon, though it was contrary to the strong desire of one of her brothers, and Miss Murchison was allowed to remain in the Asylum until her death.

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The Committee have received no evidence of an allegation which has been made in the Complaint, that Dr. Jamieson had undertaken to write to Dr. Murchison, when any change should take place in his sister; and, on the contrary, the evidence of the productions appears to the Committee to be rather against the existence of such an understanding as that alleged; for although Mr. Garden and Mr. Murray both informed Dr. Murchison about this attack of erysipelas—the one on 6th October, and the other on 20th November—yet Dr. Murchison does not seem to have written to Dr. Jamieson, either asking why he had not written (for, undoubtedly, a change at that time did take place in the health of Miss

Page 5.
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Murchison), or making any inquiry after his sister. In fact, it appears that neither Dr. Murchison, nor any of Miss Murchison's relatives, ever wrote to, or communicated with, Dr. Jamieson for at least two years before her death, and Mr. Garden, who was her *Curator Bonis*, never once visited his ward, nor communicated to Dr. Jamieson that he was her *Curator*, or in any way connected with her; and, under all these circumstances, the Committee are of opinion that Dr. Jamieson was justified in coming to the conclusion that Mrs. Fleming regularly kept Miss Murchison's friends apprised of her state of health. But it is proved that Dr. Jamieson wrote to Dr. Murchison, on 26th November, giving full particulars of his sister's condition at that time; and 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. This letter, along with a subsequent one, which Dr. Jamieson sent to Dr. Murchison on 29th November (the day before Miss Murchison's death), is produced; and the Committee have come to the deliberate opinion, that, from the evidence, it appears that there was no occasion for Dr. Jamieson having written any sooner than he did, far less any ground to justify such a charge as this, on the allegation that he never communicated.

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Pages 55 and 9.
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2nd.—"*The difficulty of obtaining any information or opinion.*"

There never appears to have been any difficulty in obtaining every information; and there is no evidence of any inquiry having ever been made, which was not fully and satisfactorily answered. The Messrs. Murchison never wrote, and her *Curator*, Mr. Garden, never called, making any inquiries at the Asylum as to Miss Murchison's state of health. It appears that Mr. Garden only went to the Asylum on one occasion—namely, on the evening of the Tuesday preceding Miss Murchison's death—and that the object of his visit was

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to tell Dr. Jamieson that he had instructed Dr. Dyce to come and examine Miss Murchison, that he might have the opinion of a medical gentleman, unconnected with the establishment, as to Miss Murchison's true state; but before taking this step, Mr. Garden never made a single inquiry, either at Dr. Jamieson the Resident Physician, or at Dr. Macrobin the Consulting Physician, of the Asylum, but went immediately to Dr. Dyce, on Mrs. Fleming's suspicion having been reported to him—a suspicion, moreover, which he says, in his evidence, he did not believe at the time. Dr. Dyce went accordingly to the Asylum, and saw Miss Murchison; and, as he says to Mr. Garden, "My report must be that obtained from Dr. Jamieson, as no information can be obtained from Miss M. herself;" and as he also reports, "Dr. Jamieson tells me that he has to-day, or very recently, written to her brother, Charles, his opinion of her case, and that he will be *always* ready to answer any inquiries her brothers may make regarding her,"—the Committee cannot find that there was ever any difficulty in obtaining any information or opinion.

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3rd—"His denial of all access to the Patient, on the 28th, 29th, and 30th November."

Mrs. Fleming saw Miss Murchison both on the 28th and also on the 30th November, and there is no evidence, and no allegation, that any other person called to see the patient on either of these days. It has been proved, however, that Mrs. Garden was refused admission on the 29th, and that this was in obedience to an order issued by Dr. Jamieson, in the discharge of his duty as Resident Physician, and in accordance with the terms of the Rules and Regulations of the Asylum, which provide that—"The friends and relatives of patients "may be permitted to visit them, with the approbation of the "Consulting or Resident Physician";—and, instead of finding that the exclusion of Mrs. Garden on the 29th November justifies the charge made against Dr. Jamieson, the Committee are of opinion that the order issued was, in the circumstances, a judicious order on the part of the Resident Physician.

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In regard to the statement which is annexed to this first charge, viz., that Miss Murchison's relatives "would not, so far as Dr. Jamieson was concerned, have heard of her illness till after her death":—The Committee are of opinion, that Mrs. Fleming and Mrs. Garden cannot be said to have been known to Dr. Jamieson as relatives of Miss Murchison, and that the only relatives known to him were the Messrs. Murchison, who, as before stated, were written to (or at least Dr. Murchison was written to), by Dr. Jamieson, on the 26th and 29th November, and was thereby made aware of his sister's illness before her death.

Page 10.

Pages 77 and 78.

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. It is 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. The history of that interview, as given in the Letter of Complaint, has 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;—and the Committee are, therefore, of opinion that there is no evidence of this second charge.—The only semblance of evidence adduced in support of this charge, are some expressions used by Dr. Jamieson towards Mrs. Fleming during his interview with her on the morning of the day of Miss Murchison's death. — While the Committee do not approve of even the semblance of discourtesy, they are of opinion that the expressions referred to do not warrant the imputations founded upon them, of reckless disregard to feelings of relatives; or entitle the Committee to pass a censure upon Dr. Jamieson. The Committee regret that the relatives of Miss Murchison should have founded a charge of so grave a character upon a circumstance, in itself, so insignificant.

In regard to Miss Murchison's general condition, as bearing on the Letter of Complaint, it appears that she recovered from the attack of erysipelas, but was left in a weaker state than she had been before; and that there were suspicions entertained of Miss Murchison having had fits on the Sunday before her death, but that there was no repetition of the symptoms on the following Monday and Tuesday; and also, that the convulsive fits, which ultimately caused her death, were not clearly manifested, or properly developed, until the Wednesday or the Thursday; for it was Thursday before Dr. Jamieson or Mr. Fraser saw any of them. It also appears that Miss Murchison had had a rather severe fit early on the Thursday morning, when Mr. Fraser and the Matron were sent for; not, however, as stated in the Letter of Complaint, for the purpose of seeing Miss Murchison die, but simply because the nurses were afraid that she might die in that fit. This fear, however, did not, it would appear, continue to be entertained after the fit was over. And it has certainly not been proven, as alleged, that, during the last fortnight of Miss Murchison's life, it was apparent to those around her that she was in extreme danger; or that, from Sabbath the 25th to the day of her death, it was plain that she was dying; for, on the contrary, it would appear from the medical evidence that it did not seem to have been plain that she was dying, until the morning of the day of her death.

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Page 2.

The Committee have considered it their duty thus fully to set forth in this Note the grounds of their decision, as Mr. Garden, at the close of the proof, did not only not withdraw his charges, but made a request to be allowed to give in a written statement upon the evidence, which, under the circumstances, the Committee considered to be unnecessary, but offered him an opportunity of addressing them orally on the subject, which he refused to do. And the Committee cannot conclude without stating it, as their opinion, that the Messrs. Murchison and Mr. Garden never had any justifiable grounds for bringing forward these charges at all; for they purport to

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rest on the following two statements in Mr. Garden's letter of
Page 17. 8th February, 1861, viz. :—" That, for a fortnight before Miss Murchison's death, it was apparent to those around her that she was in extreme danger;" and " That, for five days before her death, it was plain that she was dying;"—and the Committee will only refer to Mr. Garden's evidence as to these statements. Mr. Garden having been referred to the former
Page 56. of these two statements says, " By those around her," in the letter of 8th February, 1861, (statement No. 2), I refer to " Elsie Grant, and those whom Elsie Grant named to me, but " I don't remember their names now, and also to Miss Elrick, " who told me on 30th of November that there was no doubt " it was apparent Miss Murchison had been dying for some " considerable time before that day. I don't know whether " it was apparent to the medical attendants, or not, thatMiss " Murchison was in extreme danger" :—and being referred to the latter statement before quoted, and asked to say to whom he refers as the parties to whom it was plain that Miss Murchison was dying, he answered — " Dr. Charles Mur- " chison, after hearing Elsie Grant's statement, and the state- " ments of Mrs. Fleming, and what I had told him of Miss " Elrick's statements, told me, after Miss Murchison's death, " that it must have been plain to any one during these days " that his sister was dying. Dr. Charles Murchison did not, " so far as I know, communicate with Dr. Macrobin the Con- " sulting Physician of the Asylum, or with Dr. Jamieson, " before making that assertion. I precognosced Elsie Grant " twice, once upon the 1st and again upon the 6th of De- " cember."

To which the Committee consider it unnecessary in them to annex anything more.

ALEX. ANDERSON, *P.*

Since these proceedings have been put in type, the following Letter has been received from the Secretary of State by the Clerk to the Inquiry,—in answer to his communication sending him a copy of the whole papers in terms of the foregoing Deliverance :—

WHITEHALL, *4th May*, 1861.

SIR,

I am directed by Secretary Sir George Lewis to acknowledge the receipt of your letter of the 13th ulto., transmitting a copy of the Evidence adduced before the Committee of Management of the Royal Lunatic Asylum at Aberdeen, in the Inquiry instituted regarding the case of the late Miss Eliza Murchison, sometime an inmate of that institution ; and I am to acquaint you, that the Complainant has been informed that his complaint has been investigated, but has not proved well founded.

Copy of Evidence returned.

I am,

SIR,

Your obedient Servant,

H. WADDINGTON.

JOHN THOMSON, Esq.,
Advocate,
75, Union Street,
Aberdeen,
N. B.

II.—THE EVIDENCE

Adduced in support of the foregoing Complaint.

FIRST DIET.

Evidence adduced by Mr. Garden, on Wednesday, 13th February, 1861.

At Aberdeen, and within the Royal Infirmary there, on Wednesday the Thirteenth day of February, Eighteen hundred and sixty-one years. In presence of the following Members of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, viz.:—

Provost ANDERSON; Baillie M'HARDY; Baillie FRASER; Baillie SMITH; Baillie URQUHART; Mr. JAMIESON, Dean of Guild; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; WILLIAM YEATS, Esq., Advocate; NEIL SMITH, Jun., Esq., Merchant; and ALEXANDER MORISON, Esq., Merchant.

Present also—JAMES GARDEN, Esq., Advocate, Agent for Messrs. Murchison; Dr. JAMIESON, and ALEXANDER HENDERSON, Esq., Advocate, as his Agent; and JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

Provost Anderson having read a letter of apology from Provost Webster, Mr. Garden said—that, before beginning to examine the witnesses, he had to direct attention to two errors which had inadvertently crept into the proceedings—the one, his own fault, and the other, the error of Dr. Jamieson. *First*—He proposed to delete the following passage on the seventh page of his letter of 10th December, 1860, viz.:—"On this occasion, neither Dr. Jamieson nor the Matron informed Mrs. Garden of the patient's state, the Matron merely remarking that there was no difference on her." And, *Second*—At page fourth of Dr. Jamieson's letter of 24th December, 1860, on the twenty-sixth line, "Monday" is stated instead of "Tuesday." Dr. Jamieson's Agent having consented to these alterations, they were both allowed. The Evidence was then commenced as follows:—

I, ELSIE GRANT, domestic servant, residing at No. 108, George Street, Aberdeen, aged twenty-eight years, do solemnly and sincerely declare as follows:—

I knew Miss Murchison who died in the Lunatic Asylum, Aberdeen, in the month of November last. She died on Friday, the thirtieth day of that month. I was her nurse, and had been so for nearly three years immediately preceding her death. There was nobody during that time saw her so much as I did, and I suppose I had a better opportunity than any other body of knowing her state. I generally slept in the same room with her all night. I did so for a year, or perhaps two, before her death, and I was mostly in her room all day. I was specially engaged by Miss Elrick to be her private attendant. About ten weeks before her death, Miss Murchison had an attack of erysipelas. She recovered slightly—she was able to come in to her parlour occasionally. About a fortnight before her death, she was taken seriously ill, at least this is the time so far as I can remember. At this time she complained of a pain in her ear. This was about the beginning of the fortnight before her death. This pain in the ear showed itself to me by the ear beginning to render. There was yellow matter came from her ear, which continued to flow till her death. There was a good deal of matter flowed. The ear was always rendering. I kept wadding in it, and had the wadding often to change. 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. On the Sabbath before her death, betwixt three and four o'clock in the afternoon, she had a convulsive fit. I observed her eyes 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. After that fit, Miss Murchison never spoke. She might have said "yes" or "no," faintly. One of the servants named Elizabeth Strachan saw Miss Murchison in this fit, as well as myself. I observed that Miss Murchison was very thin. I have been in the habit of seeing people in sickness. Miss Murchison was wasted, I have seen people worse wasted than Miss Murchison was, but not much worse. After this Sabbath, the 25th November, Miss Murchison was not able to turn herself in bed. Miss Murchison had another fit about nine o'clock that same evening. This second fit lasted about five minutes, so far as I can calculate—that is the same length of time as the former fit lasted. She had another

fit before twelve o'clock that same night. I saw Dr. Jamieson next, on Monday forenoon, when I told him of the other two fits Miss Murchison had had. Dr. Macrobin was with him, and I mentioned this to both these gentlemen. Dr. Macrobin had seen Miss Murchison in the forenoon of Sabbath the 25th. I did not sit up with Miss Murchison during the night between Sabbath the 25th, and Monday the 26th. I slept in a separate bed in the same room. There was a light in the room. No one but myself saw Miss Murchison during the time she had the second and third fits I have mentioned. The symptoms of these last two fits were similar to the first fit. Miss Elrick came up to ask for Miss Murchison between seven and eight o'clock on Sabbath evening, when I told her of the first fit. I cannot say whether Miss Elrick was up again that same evening or not. Elizabeth Strachan was coming frequently back and fore, and I told her of the second fit, but I do not know whether she was made aware of the third or not. Miss Murchison had no more fits until the following Wednesday morning, at nine o'clock, the 28th November. She then had another fit, and had them frequently throughout the day; they were of a more severe form than the former ones, that is to say, they were more violent fits—there was twitching of the face and mouth, and they also continued longer. I cannot say what interval elapsed between these fits on the Wednesday—perhaps about an hour. She had, at least, a dozen of them. Besides me, Miss Elrick saw her in these fits on the Wednesday. Elizabeth Strachan also saw her. I don't remember any other body who saw her. Mrs. Fleming did not see Miss Murchison on the Wednesday. She saw her, however, on the previous Tuesday. It was on Tuesdays and Fridays that Mrs. Fleming was in the habit of seeing Miss Murchison. Miss Murchison had no more fits till about twelve o'clock on the Wednesday night, when they recommenced, and continued frequently throughout the night, and I cannot say that they were ever off again till she died. There was one of these fits very severe —the one about two or three o'clock on the Thursday morning. When this fit occurred, I told Mary Reid, the night-nurse, to go for Mr. Fraser, the Assistant-Surgeon, who came. Bell Harper was also sent for Miss Elrick, who likewise came. The reason, wherefore, I sent for Mr. Fraser and Miss Elrick was because I thought Miss Murchison might die in the fit. I said this to Miss Elrick. I also mentioned the same reason to Mr. Fraser. I was sitting up that night. Mr. Fraser said nothing about danger.

There were intervals between the fits, but I could not say that she appeared to get better. That severe fit continued a long time —I could not say how long—twenty minutes, at all events. Dr. Fraser could do nothing for her. I think he sent a little brandy after he went away. Dr. Fraser said he could do nothing for her. Bell Harper saw Miss Murchison in one of these fits on the Thursday morning. Besides the parties I have named, Mary Insh, who was sitting up with me on the Thursday night, also saw Miss Murchison in these fits. During the last fortnight of Miss Murchison's illness, I thought she was dying. I did not tell Mrs. Fleming, on the Tuesday, that Miss Murchison had had fits. Miss Murchison seemed to be sleeping at the time Mrs. Fleming called. Mrs. Fleming came in with Miss Elrick, and only looked at Miss Murchison for a few minutes, and then went away.

By Mr. Henderson—

I never had had any previous experience as a sick nurse. Miss Murchison was very full and stout when I first went there. The first time I observed her getting thin and wasted was when she took the erysipelas in her face. She had previously been ill on a former occasion for about six weeks, she was then thin also, but afterwards recovered. This was about two years before her death. She never took her food well after the attack of erysipelas. I reported to Dr. Jamieson and Mr. Fraser the pain Miss Murchison had in her ear. Dr. Macrobin knew of the running in the ear, at least, I think he did. I am sure Dr. Macrobin saw Miss Murchison on the Monday previous to her death. The girl Strachan waited upon Miss Allardyce. Miss Allardyce's room was in the centre of the house, and Miss Murchison's one was in the new wing. The distance between their rooms might be about twenty or thirty yards. Miss Murchison appeared to be quite sensible during the fortnight referred to, except at the times she happened to have these fits. During that time, she never asked to see anybody in particular. I did not mention either to Dr. Jamieson or to Mr. Fraser my idea that I thought Miss Murchison was dying. During that fortnight, Miss Murchison got beef-tea, wine, grapes, brandy, and several other things. I have been a domestic servant all my lifetime. I was about fourteen years of age when I first went to service. I left the Institution about a fortnight after the Martinmas term, the 22nd of November.

By Provost ANDERSON—

So far as I saw, Miss Murchison, during the three years she was in the Institution, was at all times treated with kindness, gentleness, and consideration by Dr. Macrobin, Dr. Jamieson, Miss Elrick, Mrs. Fraser, and all the other officials in the Institution.

Mrs. Fleming was not in the way of coming to the Institution but fortnightly for a long time, but latterly she saw her on Tuesdays and Fridays. She came always once a week, and sometimes oftener, after Miss Murchison's attack of erysipelas. Mrs. Fleming sometimes brought letters to Miss Murchison, which had been inclosed to her. Miss Murchison used to write to her brothers, and these letters were posted direct, or given to the Doctor to get them posted.

Re-interrogated by Mr. GARDEN—

I was present at the last time Mrs. Fleming saw Miss Murchison, which was at her death. She was scarcely in the room when she died. Dr. Jamieson saw her that morning, I think. I cannot say how long before her death she had written to her brothers. Miss Murchison died about noon.

All which I declare to be truth.

ELSIE GRANT.

I, SUSAN ELRICK, Matron of the Lunatic Asylum, Aberdeen, do solemnly and sincerely declare as follows:—

I knew Miss Murchison, a patient in the Institution, who died there on 30th November last. I saw her frequently. I saw her more frequently than usual sometime before her death. She had an attack of erysipelas in her head sometime before her death. I cannot say the time. I thought her in delicate health for some time, and she appeared to me to be seriously ill a few days before her death—that is, from the 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 saw Miss Murchison in

a fit soon after breakfast on the Sabbath before her death. She was convulsed, the features twitching as if suffering pain. I saw her several times in these fits during the last few days of her life. Elsie Grant was chiefly present on all these occasions. There was also present, Elizabeth Strachan (Miss Allardyce's attendant) on one occasion. Elsie Grant was present on the Sabbath morning. I cannot name any other person who was then present. This was soon after nine o'clock on Sabbath morning. One morning, Miss Murchison was very ill. I think on the morning of the 28th or 29th. I was summoned to her room. My own servant, Isabella Harper, told me to come. She awoke me, and I went immediately. She informed me that Miss Murchison was so very ill. I found her suffering under a fit. 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 far 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. I thought her in a critical state on that morning.

I remember of Mrs. Fleming calling on the morning of Miss Murchison's death, between ten and eleven o'clock, perhaps about 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. I saw her in the receiving-room. Dr. Jamieson was present. I think I was sent for. Dr. Jamieson mentioned to me that Mrs. Fleming was wanting to go up stairs, and said to me to accompany her. Mrs. Fleming, I think, declined going. I was glad Mrs. Fleming was come, and I asked her to go up-stairs with me. She declined. When I went into the room I observed that Mrs. Fleming was a good deal excited. Dr. Jamieson said Mrs. Fleming was wanting to go to see Miss Murchison. These were the first words I heard. Dr. Jamieson then said—"Take Mrs. Fleming up with you." I was surprised to find Mrs. Fleming decline, saying—"No, she would not go." This was said pettishly. To which the Doctor replied—"Well, please

yourself;" or words to that effect, so far as I can remember. It was then, as I now remember, I laid my hand on the Doctor's arm, saying—"Do, let her go," or "Do, let her come." She made any difficulty about getting up that morning herself:—there was none on the Doctor's part. The Doctor had previously given orders that Miss Murchison was to be kept quiet, and no one was to see her without his knowledge. Here, I now remember, that, two afternoons before this, in the twilight, Mrs. Fleming had so importuned me to let her see Miss Murchison, though I had told her of the Doctor's orders, that I allowed her to go, contrary to my instructions. I was so annoyed now, lest the Doctor should hear of this from any of the attendants, that I told him about it myself. This was on Wednesday the 28th. On that day, I believe I made Mrs. Fleming aware that, in my opinion, Miss Murchison was very ill. On Friday, the day of her death, 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. 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. Mrs. Fleming was there on the former Tuesday forenoon, immediately before the Wednesday referred to, but I cannot say at what time she called. Miss Murchison was not conscious of Mrs. Fleming's presence on the Wednesday. She was lying with her face to the wall. The room was perfectly still, and there was no conversation took place. The unconsciousness may have arisen from sleep.

Miss Murchison's appetite, for a considerable time before her death, was delicate. She was getting every kind of nutritious food, fruit, wine, &c., and every thing likely to please her. She had had these delicate turns before, and required great care. I cannot say, during the last five days of her life, Miss Murchison moved herself in bed, but I saw her frequently moved by her attendant. I think Dr. Jamieson had seen Miss Murchison very soon before Mrs. Fleming's arrival on the Friday, 30th November. I met the two medical gentlemen, Dr. Macrobin and Dr. Jamieson, on the stairs, as I was returning from Miss Murchison's room, and I then communicated to them the death. I was surprised myself at the death. I mean that I was not prepared for it, at the instant, in going into the room. I first saw Miss Murchison myself, that

morning, about half-past eight. I found her in the same low state. I continued with her at that time for a few minutes. I left her own attendant, and several others, with her. I cannot mention their names. They were looking on—administering to her. They were very attentive going out and in. She required nothing. It did not appear to me as parties looking for death. They are generally very kind when parties are sick. When I returned to Miss Murchison's room, at the instant of her death, I observed three women. Elsie Grant was one of them. I should think they were the same parties as I had left there in the morning.

By Mr. Henderson—

Miss Murchison, when admitted into the Institution, was stout—not healthy. She was full-bodied. She never, during the whole time, recovered so as to be called a healthy person. The medical men paid every attention to Miss Murchison all the time she was in the Institution, and down to her death. Latterly, she corresponded with her friends by letter. With her brothers and her new sister-in-law, after the marriage of her brother, Dr. Charles Murchison. This was about two years before her death. The last letter she wrote was about three months before her death. The correspondence to her, including letters and newspapers, was brought to her by Mrs. Fleming. I do not think Mrs. Fleming took letters from her to the post-office. Such was against the rules.

By Provost Anderson—

Dr. Macrobin saw Miss Murchison always when he came, at his usual visits, once or twice a week. He also went and saw her on the Sabbath before her death. He was also there again on the Monday. I am not aware whether he saw her again. Dr. Jamieson, Dr. Macrobin, Mr. Fraser, and all the other officials of the Institution, are, at all times, most kind and considerate to their patients, and courteous to the public, and they were so in the case of Miss Murchison.

All which I declare to be truth.

SUSAN ELRICK.

This ended the day's proceedings, and the further hearing of the evidence was, of consent, adjourned to Monday first, the 18th inst., at two o'clock afternoon, within the same place.

ALEX. ANDERSON, *P.*
JOHN THOMSON, *Clk.*

SECOND DIET.

Evidence adduced by Mr. Garden, on Monday, 18*th February,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Monday the eighteenth day of February, Eighteen hundred and sixty-one years:—

Present—Provost ANDERSON; Baillie M'HARDY; Baillie FRASER; Baillie URQUHART; Baillie SMITH; Mr. JAMIESON, Dean of Guild; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; WILLIAM YEATS, Esq., Advocate; JOHN LIGERTWOOD, Esq., Advocate; NEIL SMITH, Jun., Esq., Merchant; and ALEXANDER MORISON, Esq., Merchant.

Present also—Mr. GARDEN; Dr. JAMIESON, and his Agent, Mr. HENDERSON; and JOHN THOMSON, Clerk to Inquiry.

Provost ANDERSON in the Chair.

I, ELIZABETH STRACHAN, a servant in the Royal Lunatic Asylum of Aberdeen, aged thirty years, do solemnly and sincerely declare as follows:—

I have been a servant in the Asylum for nearly four years. I am there as attendant on a private patient. I remember Miss Murchison who was there, very well. She died on 30th November last. This was on a Friday. Miss Murchison's attendant was Elsie Grant. I knew her also. I had frequent opportunities of seeing Miss Murchison once or twice a day. We were next door neighbours. There might have been the length of this room (20 or 30 yards) between our doors. I did not, till about a fortnight before Miss Murchison's death, see her during the night. For about a fortnight before her death Miss Murchison was in a very weak state. I have been a good deal in the way, since I went to the Asylum, of seeing sick people. From what I saw of Miss Murchison I did not, during that fortnight, consider her dangerously ill, and not till within a few days of her death. She had convulsive fits to my knowledge before her death. I saw her in them. I first saw her in that state on the Sabbath before her death. 1 did not think her at that time particularly ill. She was then in bed. She was able, with her attendant's assistance, to rise after this. I also assisted. I mean she (Miss

Murchison) was able to assist herself a little. She got up that day with our assistance. I could not tell how long she was confined to bed before her death. I saw Miss Murchison often in fits. I so saw her on Wednesday, on Thursday, and on the day of her death. I saw Miss Murchison on the previous Monday and Tuesday. I did not then consider her dangerously ill. She was very ill on Wednesday. I could not say how many fits she had that day; she had several. She had them in succession. There was no particular fit, so far as I saw, seemed to be more severe than another. I was up part of each of the two nights before her death, but not all night—the Wednesday night and the Thursday night. The occasion of my so sitting up was that we fancied she required sitting up with. The reason we so considered was because she was so ill with these fits. On the night between Wednesday and Thursday, Mr. Fraser and Miss Elrick were sent for. Elsie Grant sent for them. I was there at the time and heard her send for those parties. I was not there when they came. I thought Miss Murchison very ill at this time. I did not think it a fit of more than usual severity. I supposed Miss Murchison was dying at the time when Mr. Fraser and Miss Elrick were sent for. I remember the morning of Miss Murchison's death —Friday the 30th November. I was in Miss Murchison's room from four o'clock that morning to six o'clock. I considered her then very low. I returned about eight o'clock, and continued then a very short time. I returned again about eleven o'clock, and remained till her death, about twelve o'clock. When I was there on that morning, Margaret Grant was there with me from four to six. No other person at that time. Elsie Grant was there at eight o'clock and no one else;—and from eleven to twelve Miss Elrick was present occasionally—Elsie Grant all the time, and no other one except myself. During the time from four o'clock to her death we gave Miss Murchison a little of anything she was able to take. I don't understand what is meant by looking upon a person for death, but we were watching for Miss Murchison's death that morning. I did not say so to Miss Elrick, but she knew it. I knew that Miss Elrick was aware of this, because it was clear to any person. From four o'clock of the morning of Miss Murchison's death it appeared to be clear to me that she was dying. I thought it was clear to any person, because it appeared clear to myself.

By Dr. PIRIE—

On the Thursday morning, my opinion that Miss Murchison was then dying arose from her being in the fit, but I did not continue to think so after the fit was over.

By Dr. HENDERSON—

On the Wednesday, I was in Miss Murchison's room about two hours at one time in the forenoon, and afterwards during that day, but only occasionally.

By Mr. GARDEN—

During the last fortnight before Miss Murchison's death, the longest time that I saw her out of bed at once was about ten minutes; and, during the last five days of her life, I have seen her about the same time.

By Provost ANDERSON—

So far as I saw, Miss Murchison was always treated with gentleness, kindness, and attention by every one round her in the Institution.

All which I declare to be truth.

ELIZABETH STRACHAN.

I, HUGH MITCHELL FRASER, Assistant-Surgeon in the Royal Lunatic Asylum of Aberdeen, do solemnly and sincerely declare as follows:—

I have been Clinical Assistant in the Institution for the last year. I knew Miss Murchison. She died on Friday the 30th of November last. I keep no particular diary of my visits to patients, they are so regular that that is not considered necessary. I attended on Miss Murchison during the last two months of her life. She had been poorly and ailing for some time before her death. She had several little ailments. She was considered to be rather delicate, but there was nothing alarming about her. I also understood that about that season of the year she was subject to having a cold, or some other ailment of that kind. This was during the whole two months, and 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 that I considered there was any occasion for alarm about her. She had convulsive fits. The first convulsive fit I saw her in was on the Thursday morning between four and six o'clock. I think about five o'clock. I was then called to see her. She was reported to me to have had fits on the previous Sunday and also on Wednesday, but I saw none of these. The Sunday fits were reported to me on that same evening. I also got two reports from Elsie Grant regarding fits on the Wednesday morning. I saw the fits on the Thursday morning. I understood from the attendant that the fits that morning were of a severer character than the previous ones. I made particular inquiry as to the previous fits. They were similar in their symptoms, only on the Thursday morning the intensity was increased. I went twice on the Wednesday after the reports were sent to me, with the view of seeing them, but they were over before I got. I had left instructions to tell me immediately when any fits came on. From such fits as I had seen before I did not necessarily conclude that the fits I saw on the Thursday morning would prove fatal, although from their intensity I was somewhat alarmed from anxiety to my patient. I considered the patient slightly in danger. Such fits of any intensity in such a patient as Miss Murchison are alarming, but do not necessarily imply that they will prove fatal. Being interrogated whether he thinks that no patient can be considered in danger unless the medical gentleman is sure that the attack or disease will have a fatal termination? *Answer*—A medical gentleman may be in anxiety regarding the condition of his patient while yet he would hesitate to pronounce that patient in a dying condition. Being asked, when he considers Miss Murchison was in that condition, that he would have had the anxiety which he now describes? *Answer*—I would have had that anxiety for the first time on the Thursday morning. I saw Miss Murchison twice on the Friday morning:—once between four and five, and again between five and six. I saw her again about nine o'clock. I saw her several minutes on each of these three occasions. She was in fits on all these three occasions more or less. My opinion on the Friday morning was quite the same as on the Thursday morning. I saw no material change in her condition. After nine o'clock I never saw her again alive.

By Dr. Galen—

Miss Murchison had had an attack of erysipelas sometime before her death, but I could not say when, as I was from home at the time. I understood she had been the subject of such attacks of erysipelas, and was always delicate after them. Miss Murchison never had had fits previous to those mentioned, so far as I know. I understood she was an incurable patient. It was from the nature of her insanity, and not from organic disease about her head, so far as I knew, that she was considered incurable.

By Mr. Garden—

It was reported to me that she had had a little discharge from her ear. The first time I reported these fits to Dr. Jamieson was on the Thursday morning.

By Mr. Henderson—

I have no recollection of Elsie Grant reporting to me, during the last fortnight of Miss Murchison's life, that Miss Murchison was dangerously ill. She might have been alarmed sooner than I was, but I have no recollection of her reporting her alarm to me. Dr. Macrobin, Dr. Jamieson, and myself, were much better able than any nurse to form an opinion as to Miss Murchison's state. It was not until nine o'clock on the Thursday morning that I considered it necessary to send for Dr. Jamieson, who was then on his way to Miss Murchison's room; and had I considered that there were any very alarming symptoms about Miss Murchison sooner, I would have sent for Dr. Jamieson at once. Miss Murchison was aged about thirty-two years when she died.

By Dr. Pirie—

From what I had seen before, and have seen since, I have known of patients having had fits more intense than those Miss Murchison had on the Thursday morning, and yet have recovered.

By Mr. Garden—

Being interrogated—Were such patients in a similar state of weakness as Miss Murchison? *Answer*—I have seen them in patients I would consider as weak as Miss Murchison.

By Provost Anderson—

Miss Murchison was in a state requiring a great deal of atten-

tion. From all I saw, and I saw a good deal, everything was done that could be done, or could be expected by friends to be done, for her.

All which I declare to be truth.

HUGH M. FRASER.

This ended the day's proceedings, and the further hearing of the evidence was, of consent, adjourned to Thursday first, the 21st instant, at ten o'clock forenoon, within the same place.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

THIRD DIET.

Evidence adduced by Mr. Garden on Thursday, 21*st February,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Thursday the twenty-first day of February, Eighteen hundred and sixty-one years :—

Present—Provost ANDERSON; Baillie M'HARDY; Baillie FRASER; Baillie URQUHART; Baillie SMITH; Mr. JAMIESON, Dean of Guild; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; and WILLIAM YEATS, Esq, Advocate.

Present also—Mr. GARDEN; Dr. JAMIESON, and his Agent, Mr. HENDERSON and JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

I, CHRISTIAN ALVES, servant in the Royal Lunatic Asylum, Aberdeen, aged nineteen years, do solemnly and sincerely declare as follows :—

I have been a servant in the Institution for nearly three years. My employment is to attend to the door, and go messages. I knew Miss Murchison who was a patient in the Institution. She died on Friday, the thirtieth day of November last. Before her death, none of the officials in the Institution told me that

she was dying. We knew that she was very ill, but we did not expect her to die so soon. I remember of Mrs. Fleming calling between eleven and twelve o'clock, on the morning of the day of Miss Murchison's death. Mrs. Fleming saw her expire. I opened the door to Mrs. Fleming on that occasion, and I was the first person she saw when she came to the house. Mrs. Fleming asked to be allowed to go up-stairs, and I asked her to go to the calling-room, and I would go and tell Dr. Jamieson. The Doctor came, and then Mrs. Fleming went up-stairs. I got no instructions to refuse Mrs. Fleming personally, but I had instructions from Dr. Jamieson not to admit anybody up-stairs to see Miss Murchison, without telling him. I got these instructions the day before. I did not communicate these instructions to Mrs. Fleming on that occasion.

By Baillie FRASER—

I have no authority to grant permission to visitors to see patients, but my instructions are to send the visitors to the calling-room.

All which I declare to be truth.

CHRISTIAN ALVES.

I, Mrs. ELIZABETH OGILVIE COPLAND, or FLEMING, widow of the late Lieutenant John Fleming, sometime in the Aberdeenshire Militia, do solemnly and sincerely declare as follows:—

I knew the late Miss Eliza Murchison, sometime an inmate in the Royal Lunatic Asylum. I am her only relative in Aberdeen. I was in the habit of seeing her about once a fortnight in the Asylum. She died about the 30th of November last. For about a fortnight before her death I saw her three or four times. I saw her twice on the week before she died—on the Tuesday and Friday, the usual visiting days—for a few minutes each time. On the week in which she died, I saw her for about two minutes on the Tuesday, and I saw her just for one moment on the day on which she died. I also saw Miss Murchison for one moment on the afternoon of the Wednesday before her death. I was just allowed to look on her for one moment, and then I was told I must go away. On Tuesday the 20th, or Friday the 23d—I rather think the Friday—Miss Elrick came into Miss Murchison's room about two minutes after I

had been there, and said to me, "Now, say good-by to Miss Murchison," which I did accordingly, and instantly left the room, and then Miss Elrick asked a servant to show me out. On Tuesday the 27th, my visit was short also. Miss Murchison was not in a state to see any one that day, and therefore my visit was so short. I had no difficulty in getting to see Miss Murchison that day. During the two minutes I saw her, I thought she was dying. She appeared to be sinking fast. She was past speaking, and scarcely able to look up. I was not told by any one on that occasion that Miss Murchison had had convulsions. Miss Elrick and the nurse were with me in the room all the time I was there on this occasion. I called next on Wednesday afternoon, and asked to see Miss Elrick; and, when I did see her, she told me that she had got instructions not to allow me to see Miss Murchison. She said she had got orders which were very strict. Miss Elrick said that she thought Miss Murchison was very ill. Neither she nor any other person then told me of the convulsions Miss Murchison had had. I rather think that Miss Elrick then said to me that she thought Miss Murchison was dying, but I cannot say that she did; at all events, she said to me that she was very ill. I did get to see Miss Murchison on that occasion. I pleaded very hard with Miss Elrick to be allowed to go and see Miss Murchison. I asked her to allow me to go and ask Dr. Jamieson myself; and Miss Elrick replied, "Oh, no; you would come much worse on than me. I'll take it upon me to break through the rules, and let you myself, but it must only be for one moment." I accordingly saw her for one moment, and she was then asleep. The next time I called was about eleven o'clock on the Friday. I first saw the door-maid, Christian Alves, and asked her how Miss Murchison was to-day; 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 showed 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 me 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 that all

the relatives who had friends there were going to see them when they thought proper? I said, I did not think that was a reason:—I wished to know the reason. He said 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 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. I went up-stairs with Miss Elrick, and found in Miss Murchison's room three or four nurses looking upon her. Elsie Grant, Elizabeth Strachan, and Isabella Harper, were three of them, but I don't know the name of the fourth. They were all in tears. Miss Murchison was just expiring. She only drew two breaths after I went into her room. I stood for one moment after she died; and Elsie Grant said to me that she had been expecting me up for the last hour, and was wondering that I had not come. I then left the room, and, on leaving, I met Drs. Macrobin and Jamieson at the door. I did not speak to them, nor they to me. Before going up-stairs, I said to the Doctor that I hoped he would have no reason to regret his unkind conduct; for certainly it had been very unkind. 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. Elsie Grant said to me once or twice, that she thought Miss Murchison was

dying, but I cannot name the occasions. Elsie Grant also told me that she had often found Miss Murchison in tears; and on asking why, she replied, that Miss Murchison had said she wished she could see some of them. There was no name mentioned. On Friday the 23d November, I saw that Miss Murchison's intelligence had returned. On the 30th, I went into Miss Elrick's room after leaving Miss Murchison's one, and she said to me she hoped I would come and see her; and I replied, "Oh no, I would not; and as I had no "intention of ever again being there, I wished to know who took "charge of dressing the body." She said, "It was Mr. Murray I "have always had to do with, and I am just waiting, with my "gown on, till all is over, to run and tell him." This was about two minutes after I had left the room. When Elsie Grant told me that she thought Miss Murchison was dying, she said the reasons she thought so were, because she had not tasted anything for four or five days, and that she was so very much wasted; she had only taken a sip of wine, and had not been able to turn herself in bed.

By Mr. Henderson—

Miss Murchison was my cousin-german. The first time I had a suspicion that Miss Murchison might be dying was about ten days before her death; but I thought it might be months before it happened. Before the 28th November, I had not mentioned these suspicions, either to Dr. Macrobin, Dr. Jamieson, or to Miss Elrick. On the Tuesday before Miss Murchison's death, I sent a message to Mr. Garden, through Mrs. Garden, that I thought Miss Murchison was dying, and that it was wished to conceal her state. My reason for this was, because I had seen her that day, and because the maid had said one thing, and Miss Elrick another. By "maid," I mean Elsie Grant. I can state no motive, and there is no reason that I can conceive of, wherefore they should so conceal her state. I did not know that it was contrary to the rules for Miss Elrick to show me Miss Murchison on the Wednesday. Miss Murchison was in the Dumfries Asylum before coming to this Asylum; and before that again, she had been with a Mrs. Allan, near London, as a private lunatic, for some time. She was about two years in Dumfries, as I suppose. I visited her in Dumfries. I was then living in Aberdeen. I had a hand in bringing her to Aberdeen. I wished her to be where I could see her occasionally. About two years ago, I did not express any wish that she should be removed from the Asylum. Miss

Murchison's brothers sometimes sent letters to her through me, which I gave to her personally, but generally to Miss Elrick. On the week before Miss Murchison's death, Miss Elrick told me that she was taking her food well, while Elsie Grant told me she was taking nothing but a little wine. These different statements were made to me on the same day, but I cannot say whether on the Tuesday or Friday. On each of these two days, Miss Murchison spoke to me. On the Tuesday, 27th, Miss Elrick told me that the patient was quite able to be up, while the nurse said, in Miss Elrick's presence, that she was not able to raise her head. Both these statements were made to me in the presence of both Miss Elrick and the nurse; and these were my reasons for saying that I thought they wished to conceal Miss Murchison's state. On the 20th and 23d, Miss Murchison was quite sensible on both occasions. I had been in the way of visiting her for the last three months before her death. I knew that she had had an attack of erysipelas. This was about six or eight weeks before her death. I did not communicate this to either of her brothers. I am quite sure I did not. I did not communicate it to Mr. Murray or to Mr. Garden. The reason why I used the words, "her last moments," on the 30th, was, because Miss Murchison was so very low on the last two occasions I had seen her, that I fancied it could not be very long till her death. Another reason for using these words, was, because Miss Elrick said to me on the Wednesday that she once thought of sending for me on that morning at nine o'clock, Miss Murchison was then so low. She did not mention anything about a fit.

By Baillie M'Hardy—

On the Tuesday afternoon, I wrote to her brothers mentioning her state. I had not written to the brothers for several months before this.

By Baillie Urquhart—

On the Wednesday after I had written her brothers, I heard she had had a fit; but I did not learn this from any one in the Asylum. Miss Elrick did not communicate to me that she had had fits.

By Provost Anderson—

During my visits to Miss Murchison, I never heard her com-

plain of any unkind treatment, and I have no reason to doubt but that she was kindly used. I understood that Dr. Jamieson communicated with the Messrs. Murchison—that there was an understanding between them as to this. Miss Elrick told me, about a fortnight or three weeks before Miss Murchison's death, that Dr. Jamieson was in communication with her brothers. Miss Elrick said to me, "You have not heard from Dr. Murchison for some time;" and I said, "No;" and Miss Elrick said, "I knew that." This was the reason that induced me to think that Dr. Jamieson was in communication with Messrs. Murchison. Miss Elrick did not say in as many words that they were in communication; I simply inferred it from what I have said.

By Baillie M'Hardy—

Miss Murchison's brothers depended on me seeing her, but not in writing to them, I understood they depended on Dr. Jamieson for that. There had never been any obstacles to my seeing Miss Murchison previous to the time I have referred to.

All which I declare to be truth.

ELIZABETH O. FLEMING.

I, Mrs. MARGARET MAITLAND or GARDEN, wife of Mr. James Garden, Advocate in Aberdeen, do solemnly and sincerely declare as follows:—

I knew Miss Eliza Murchison an inmate of the Royal Lunatic Asylum. I was not present when she died. I was in the way of seeing her occasionally. The last two occasions I was there, were the Saturday before her death, and the day before her death, the 24th and 29th November. I was in her room on the 24th, but did not see her. It was getting dark, and Miss Murchison was lying in her bed with her face to the wall. I saw Miss Elrick on this occasion. She went into the room with me. Miss Elrick said to me Miss Murchison was asleep, and that I would disturb her if I went in over to speak to her; and I did not go to speak to her. Before I went up-stairs, Miss Elrick said to me that Miss Murchison had been getting better for two or three days. I put some questions then about her food, and

she said that, on the whole, she was taking her food pretty well. 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. I said I did not know if they would come to Aberdeen; but I knew they were in circumstances that they could afford to come, and that likely they would come. I just told her I was vexed about it. Miss Elrick asked if I would come as often as I could, and specified the next day. I said I could not come next day, but Mrs Fleming would be next day, and that I hoped she would not keep her out if she came, as it would only make the matter worse. Miss Elrick was always very kind and civil to me on the occasion of my visits to Miss Murchison.

By Provost Anderson—

I am not aware of any want of kindness to Miss Murchison in the Institution.

By Mr. Garden—

On the Tuesday previous to Miss Murchison's death, I went to Mr. Garden's office for the purpose of communicating to him a message from Mrs. Fleming, to the effect that she (Mrs. Fleming) had been to the Asylum, and that Miss Murchison was much worse. I asked if she had seen the Doctor, and she said, "No." I said I would go to Dr. Macrobin myself, and went, but found I could not see him till six o'clock, and so I went to Mr. Garden. I told him that Mrs. Fleming was afraid Miss Murchison was dying, and I wished Mr. Garden to see into it, what was true of it and what not. This was between four and five o'clock in the afternoon.

Dr. Macrobin was then engaged delivering his lecture, as his servant told me Mrs. Fleming said to me that she feared they were concealing her state, and I told this to Mr. Garden.

By Mr. HENDERSON—

It was four or five weeks before the 24th that I had previously seen Miss Murchison, after she had partially recovered from an attack of erysipelas. I saw her while she was under that complaint. I told Mr. Garden that she had laboured under erysipelas. I know of my own knowledge the circumstances of the Messrs. Murchison.

All which I declare to be truth.

MARGARET GARDEN.

I, JAMES MURRAY, Advocate in Aberdeen, do solemnly and sincerely declare as follows—

I was one of the Trustees under Miss Murchison's father's deed of settlement, and at one time one of her Guardians. I remember of her being in the Lunatic Asylum here, and was frequently in the way of seeing her. I generally saw Miss Elrick. I never saw Dr. Jamieson on these occasions. From two months before her death up to her death I had not been in the way of seeing her, till about the middle of November. I don't remember the day. I saw Miss Murchison on that occasion. I did not see Miss Elrick or Dr. Jamieson, but I saw some of the servants, who, knowing my intimacy, at once admitted me, and I was then for the first time told by them that, about five or six weeks before this, Miss Murchison had had an attack of erysipelas, and that she was still very poorly, and unable to come to see me, being in bed. I then went up and saw her. On that occasion she appeared poorly in bodily health, but was more rational and conversed better than she used to do. I asked about her food, and the servants told me she was weak and seldom out of bed, and took very little nourishment. I conversed chiefly with her own attendant, Elsie Grant, but there were others in the room with her. They were all very ready to communicate. I inquired for the Doctor, but did not see him. After this I wrote and communicated the illness to her brother, and the illness of the six weeks before. I told him I had

not seen the Doctor. I next went to the Asylum on the 24th of November, the Saturday before she died. On the 24th, and I rather think before going to the Asylum, I met Dr. Jamieson, and had a pretty long conversation with him on the street about Miss Murchison. He described her to me as being of a very delicate constitution, and required to be a good deal in bed, especially in the winter time. He did not lead me to believe, however, that she was in any immediate danger. He explained to me that the reason he had not communicated with her brothers was that Mrs. Fleming had been in the way of calling. I asked him to write to Dr. Murchison as I could not describe her case, at least I think I did so. That was the only time I had seen Dr. Jamieson. I went and saw Miss Murchison myself that day. I saw Miss Elrick when I went. By this time I had got an answer from Dr. Murchison to my first communication. I told Miss Elrick that I was very much surprised and disappointed that I had never heard of Miss Murchison's illness. I also told her that Dr. Murchison was disappointed that he had not heard from Dr. Jamieson or from her. I pressed the thing strongly. I learned from the attendants, and I think from Miss Elrick herself, that Miss Murchison was disappointed that I had not been out to see her, and was wondering what had become of me. The reason Miss Elrick gave for not having communicated was that she did not like to interfere with the Doctor in these matters. I went up on this occasion, along with Miss Elrick, to see Miss Murchison. I found her worse than upon the previous occasion, and apparently very weak and low. She did not seem able to speak to me, and did not speak to me. In consequence of the letter I had received from the Messrs. Murchison I wrote a note to Dr. Jamieson, which I posted on Sunday, asking him again to write Dr. Murchison.

By Mr. Henderson—

I have known Miss Murchison for about fifteen or twenty years. She was first in an Institution in Essex with a Mrs. Allan. She was there for upwards of a year. She afterwards was removed to Dumfries, where she remained upwards of two years. The reason we removed her from Essex was that we wanted her down to Scotland. The reason we removed her from Dumfries was that we wished her down to this establishment here. I never knew or heard, so far as I remember, of the attack of erysipelas till I went to the Asylum. Mr. Garden never told me as far as I recollect. On the

Saturday I heard nothing about fits. I was certainly under the impression that Miss Murchison was considered one that would never likely get better. This impression was made from inquiry at medical gentlemen. There never was a *Curator Bonis* till Mr. Garden was appointed. On the first occasion I may have seen Miss Murchison for ten minutes or a quarter of an hour, and the second time about five minutes. I will produce a copy of the letter I wrote to Dr. Murchison.

By Dr. PIRIE—

I have no particular reason to believe that Miss Murchison's wish to see me had been communicated to Dr. Jamieson. There was a proposal once made by Mr. John Murchison to remove her from the Asylum altogether, and put her into a private lodging. Afterwards Mrs. Fleming's house was talked of. Advice was taken, and she was allowed to remain. I had an impression that Mrs. Fleming would take her. My impression was made from conversation. I never spoke to Mrs. Fleming on the subject. I was not aware that she ever expressed any anxiety to have her. There was never any other proposal talked of for her removal. Dr. Murchison was against her removal. The proposal to remove her was quite independent of the talk to take her to Mrs. Fleming's.

By Provost ANDERSON—

I can conceive of no motive for the Officials concealing the fact of Miss Murchison's state, and I do not know of any. I am not aware of any deficiency in the bearing and conduct of the Officials in the Institution either towards patients or the public. Miss Elrick was always very kind and willing to communicate; and I saw nothing but kindness and attention on the part of the officials to Miss Murchison. What I complained of was the want of communication to her friends.

By Baillie FRASER—

I think it was Miss Elrick's duty to have written to Miss Murchison's friends; and, at all events, I thought she ought to have sent a servant to let me know.

By Mr. HENDERSON—

Mr. Garden was appointed *Curator Bonis* about five years ago or so.

By Provost ANDERSON—

Miss Murchison's only relative in Aberdeen was Mrs. Fleming, a natural daughter of an uncle of Miss Murchison's, and she had general instructions from the friends to look after her, and Mrs. Fleming communicated with one of the brothers. The Messrs. Murchison trusted a good deal to me. I was always in the way of writing them after seeing their sister, but not so often as Mrs. Fleming. On the occasion of the proposal to remove Miss Murchison from the Asylum, Drs. Dyce and Kilgour were consulted.

All which I declare to be truth.

JAs. MURRAY.

I, MARY INSH, servant in the Royal Lunatic Asylum, aged thirty-six years, do solemnly and sincerely declare, as follows :—

I am employed as an attendant on female patients. I have been there about five years. I knew Miss Murchison who was there lately. She died in November last. I did not see her a great deal, as she was not in my part of the house. I often asked the attendant about her, but I did not see her often. During the last fortnight of her life I might have seen her three times or so. I asked at the door, and merely looked in. I sat up with her attendant the last night that Miss Murchison was alive—from about nine or ten at night till about four in the morning; and after four o'clock, I was once in three or four minutes before she died. She was very often in fits during the time I was sitting up. There were intervals between the fits—sometimes they were more frequent than at others—varying from half an hour in length, and sometimes longer. She did not speak nor sit up. She moved of herself, by her own power, with her head and body. I could not say whether she moved by her own power, or was moved by the convulsions, but I thought it was by herself. Elsie Grant said to me that night that she thought Miss Murchison was dying.

All which I declare to be truth.

MARY INSH.

I, JAMES GARDEN, Advocate in Aberdeen, do solemnly and sincerely declare, as follows:—

I was *Curator Bonis* to the late Miss Eliza Murchison from about five years before, and up to the time of, her death in November last. She was placed in the Lunatic Asylum here, about two and a half or three years ago. About a month before her death, she had recovered, or was recovering, from an attack of erysipelas. On Tuesday the 27th of November, I was informed by Mrs. Garden that Mrs. Fleming had been at the Asylum and seen Miss Murchison, and that she, Mrs. Fleming, suspected that Miss Murchison was dying, and that no notice would be sent to me, so that I could not discover until she was dead that she had been dangerously ill. I said to Mrs. Garden that I did not believe that was the case, and that I could not conceive any motive that the Officials in the Asylum could have for acting in such a manner; but that, in order to satisfy all parties, and to clear myself of any responsibility, I should take medical advice apart from any of the medical officers of the establishment. I accordingly applied to Dr. Dyce, and asked whether he would object to go to see Miss Murchison, I undertaking to see Dr. Jamieson in the meantime, and to intimate to him my desire to ascertain as much as I could of the patient's state, and my intention that Dr. Dyce should visit her. This occurred about four o'clock, P.M. On the evening of the same day, about seven o'clock, I called for Dr. Jamieson and told him that I was very desirous to ascertain Miss Murchison's true state, because, although I did not know, I had reason to believe that one or other or both of her brothers might wish to come to see her, if she were really in a critical or dangerous state. That, with the view of ascertaining this, I had asked Dr. Dyce, who was formerly Miss Murchison's medical attendant, to visit her, that I might have the opinion of a medical gentleman unconnected with the establishment, besides any opinion that Dr. Jamieson might indicate. He told me that he had written to Dr. Murchison—that he could say little on the subject—that Miss Murchison had been often delicate—that she was at that time in a state of delicacy requiring care, and that he could not keep her alive more than any other person. That same evening, Dr. Dyce, at my request, called and saw Miss Murchison, and sent me a written Report, which I now produce. From that Report, which is founded upon Dr. Jamieson's Report,

that the patient was not in danger, I rested satisfied that there was no danger, so far as could be seen, and did nothing more in the matter—and I was surprised to get a call on Friday, from Mrs. Fleming, to tell me that Miss Murchison was dead. I immediately intimated the death to Dr. Dyce, and that same evening had a reply from him.

By Mr. Henderson—

I don't remember where Miss Murchison was at the time of my appointment, but I think she was in Dumfries. I don't remember how long she was in Essex. I think she was about two years in Dumfries; but I am not sure about that either. The reason for bringing her from Dumfries to the Aberdeen Asylum was because there was some dissatisfaction, but I do not remember by whom expressed, about that Asylum, either on account of its distance from Aberdeen, or the want of knowledge how it was conducted; and I recommended that, to put an end to that, she should be brought to Aberdeen, giving it, as my opinion, that she would be well treated here. I don't think I ever corresponded with Dr. Brown, or the Institution, about Miss Murchison, further than paying quarterly board, and getting receipts. I don't remember when she was put into the Institution here. I never intimated to Dr. Jamieson that I was *Curator Bonis* to Miss Murchison, but I rather think I intimated it to Miss Elrick. She was several times in the office about her, getting money, and signed receipts to me as *Curator Bonis*, but these receipts were drawn out by me. I think I saw Dr. Dyce first about five o'clock, and at that time I made an arrangement what time he was to go. The hour arranged for Dr. Dyce was seven o'clock, or twenty minutes past seven. I don't know what interval elapsed between the time I saw Dr. Jamieson and the time Dr. Dyce went. I did not see Dr. Dyce at the Institution. I drew up the letters of 10th December and 8th February last, as Agent for the Messrs. Murchison, and they both revised the draft of the 10th December one, and are charged for the expenses in the Books of Messrs. Murray and Garden, Advocates, of which I am a partner—Mr. James Murray, the preceding witness, being the other partner; and I have conducted these proceedings hitherto in that capacity. Of some of the statements in my letter of 10th December I took special notes, and of others I took none, at the time they occurred. On the day of Miss Murchison's

death, I took notes from Mrs. Fleming, in presence of Miss Elrick, and I took a few notes also from Miss Elrick. Mrs. Fleming, or rather Mr. Murray along with her, first communicated the death to me. I never called at the Asylum to see Miss Murchison. Mrs. Garden communicated to me the attack of erysipelas which Miss Murchison had had; but I do not remember the exact time that she did so. I think in the end of October or beginning of November, but I am not at all sure. I remember, however, that, at the time I was told of it, I was also informed that she was recovering. I communicated with her brothers when I got this information. I cannot say, just now, when, but will furnish date. I never asked Dr. Jamieson, so far as I remember, to communicate with me regarding Miss Murchison's state, and the reason of this was, that I understood from Dr. Murchison that he had arranged with Dr. Jamieson that Dr. Jamieson was to write to him as soon as any change should take place on his sister; and had arranged about those parties whom he (Dr. Murchison) would like to see his sister, and that they were—Mrs. Fleming, Mrs. Garden, and Mrs. Glennie of Maybank, and any other person that I might wish to see her. I don't remember of ever having heard of the six weeks' illness (about twelve or eighteen months ago) which Miss Murchison had. I did not communicate the information as to the attack of erysipelas to Mr. Murray, my partner, as I understood Miss Murchison was better by the time he came home—he was from home at the time I had been told.

By Dr. Pirie—

By "those around her," in the letter of 8th February, 1861, (Statement No. 2), I refer to Elsie Grant and those whom Elsie Grant named to me, but I don't remember their names now; and also to Miss Elrick, who told me on 30th November that there was no doubt it was apparent Miss Murchison had been dying for some considerable time before that day. I don't know whether it was apparent to the medical attendants or not that Miss Murchison was in extreme danger. Being referred to Article 3 of his letter of 8th February, and asked to say to whom he refers as the parties to whom it was plain that Miss Murchison was dying. *Answer* —Dr. Charles Murchison, after hearing Elsie Grant's statement, and the statements of Mrs. Fleming, and what I had told him of Miss Elrick's statements, told me after Miss Murchison's death

that it must have been plain to any one during these days that she was dying. Dr. Charles Murchison did not, so far as I know, communicate with Dr. Macrobin, the Consulting Physician of the Asylum, or with Dr. Jamieson, before making that assertion. I precognosced Elsie Grant twice, once upon the 1st, and again on the 6th December. I do not know, nor can I conceive, any motive that the officials of the Asylum could have had in concealing this matter.

All which I declare to be truth.

JAs. GARDEN.

This ended the day's proceedings; and the further hearing of the evidence was, of consent, adjourned to Wednesday first, the 27th instant, at ten o'clock forenoon, within the same place.

ALEX. ANDERSON, *P.*
JOHN THOMSON, *Clk.*

Aberdeen, 27th February, 1861.—Of consent, adjourns the diet for further examination, till to-morrow, at ten o'clock, A.M.

ALEX. ANDERSON, *P.*
JOHN THOMSON, *Clk.*

FOURTH DIET.

Evidence adduced by Mr. Garden on Tuesday, 5th March, 1861.

At Aberdeen, and within the Royal Infirmary there, on Tuesday the fifth day of March, Eighteen hundred and sixty-one years.

Present—Provost ANDERSON; Baillie FRASER; Mr. JAMIESON, Dean of Guild; Dr. GALEN; Dr. HENDERSON; WILLIAM YEATS, Esq., Advocate; NEIL SMITH, Junior, Esq.; and ALEXANDER MORISON, Esq.

Present also—Mr. GARDEN; Dr. JAMIESON, and his Agent, Mr. HENDERSON; and JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

I, ROBERT JAMIESON, M.D., Resident Physician of the Royal Lunatic Asylum, Aberdeen, do solemnly and sincerely declare as follows :—

I have been Resident Physician and Medical Superintendent in the Asylum since the month of March, 1853. I had been previously five years in the Institution, from 1840 to 1845, in the same capacity. I have seen Dr. Murchison twice:—Once before his sister was put into the Asylum, and once since. We had a good deal of conversation about her case, and the rate of board she was to be put at. There was a general direction that she was to be seen by a few. I don't recollect their names, unless Mr. Murray and Mrs. Fleming, I think. I dont remember any more particulars as to who were to be allowed to see her. I understood the matter was left pretty much to my own discretion. I don't recollect of anything taking place on either of these occasions as to my writing to Dr. Murchison. I heard the evidence of Elsie Grant. I consider that the facts stated by her are generally exaggerated. They are not the facts as I remember them. I think she exaggerates her debility and emaciation, and the little that she ate. I had the opportunity of inquiring two or three times a-day, which I did at the nurse and also at the matron, who were generally both together, as to what Miss Murchison ate. Being asked from what he knew and saw of Miss Murchison, has he reason to believe that Elsie Grant's account of her state during the last fortnight of her life is substantially correct, so far as the statement of facts is concerned, and apart from any opinions expressed by Elsie Grant?—(Elsie Grant's evidence was here read over to Dr. Jamieson, and he was asked to make his remarks applicable to the question as the evidence was being read.) I think Elsie Grant exaggerates as to the ear. I have no recollection of Elsie Grant giving me, on the Sunday evening, such minute details as those she mentions about the fit on the Sabbath afternoon, and I am pretty sure she did not do so. The evidence being all read, the Doctor answered, that it was generally correct as to Miss Murchison's state with the above qualifications. Being asked, whether the account given by Mrs. Fleming, of her interview with him, on the morning of Miss Murchison's death is correct? *Answer* —It was new to me. And being read over to him, he stated, I am sure it is generally incorrect. 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 the 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 upstairs"? *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." Being asked, whether he gave permission to any one unconnected with the Institution to see Miss Murchison after Mr. Garden saw him on 27th November, except Dr. Dyce that evening? *Answer*—No. Being asked, did he give instructions that no one was to see her? *Answer*—They had instructions that no one was to see her without me. I do not remember of giving any special instructions on the 29th that Mrs. Garden was not to see Miss Murchison. Being asked, Did you tell any one connected with Miss Murchison at any time that she was dangerously ill? *Answer*—Except Mrs. Fleming, I saw no other person connected with Miss Murchison after she became dangerously ill; and the complexion of our conversation was made by Mrs. Fleming rather than me—I was engaged answering her questions. I might have told her *that*, had she allowed me to speak. Being asked, did you ever write or send any message to any one connected with Miss Murchison, except your two notes on 26th and 29th November to Dr. Murchison, which I now produce? *Answer*—No. Being referred to his letter to the Provost of 24th December, and asked the grounds of the statement therein contained at page 6. "Miss Murchison's attendant was repeatedly

" sent for by Mr. Garden and others to his office, and was encouraged " in various ways to assist in getting up some mysterious charge " against the Hospital—to all which interviews every facility was " expressly by myself allowed to be given "? *Answer*—That was my opinion. I understood that when Mr. Garden was sending for Elsie Grant, he was doing so for the purpose of asking her questions to get up some charge against the Hospital. Being asked, from what he understood this? *Answer*—Mr. Garden was precognoscing Mrs. Fleming when Miss Elrick went to tell him of Miss Murchison's death, and he also took notes from Miss Elrick herself; and when he sent for Elsie Grant, I naturally concluded that he was not asking questions without some object in view, and I could not conceive what charge he was endeavouring to get up. Being asked what encouragement he referred to in his letter as being given to Elsie Grant? *Answer*—I fancied that Elsie Grant having been Miss Murchison's attendant, would naturally be saying to them things that it would be agreeable for them to hear, expecting to get some gratuity from them, as, of course, she would get none from the Hospital. Being asked, what grounds he has, or had, to assert in said letter that Miss Murchison's attendant " was encouraged " in various ways to assist in getting up some mysterious charge " against the Hospital"? *Answer*—She was sent for by Mr. Garden, and Mrs. Fleming, Mrs. Garden, and the Brothers, to be examined, and that I considered was making too much of a servant in such a case, especially when I knew that no inquiries had been made at the Institution. Being asked how he knew that Mrs. Fleming and Mrs. Garden sent for Elsie Grant? *Answer*—Miss Elrick told me, and I granted leave for Elsie Grant to go. I knew it was to Mrs. Fleming's she was going—at least, Miss Elrick led me to believe this.

By Mr. Henderson—

I produce three letters I received:—one from Mr. Garden and two from Dr. Murchison.

Being referred to the Regulations of the Asylum—page 16—latter part of Rule X. I act under these Regulations. Miss Murchison's case was that of an incurable patient. My impression is that it is nearly two years since either Dr. Murchison or his brother wrote me, making any inquiries about their sister, prior to 24th November. I was not alarmed about the fits on the Monday,

because I was not then satisfied that they actually had existed. I had not seen them, and I may say that for three days I had no reason to be alarmed about them. When I did see them (on the Thursday morning) it did not strike me that they were dangerous fits ; that is, that they were unusually dangerous. It frequently happens that patients get recovered after such fits as I saw. My object in directing that Miss Murchison should be kept quiet was, that I did not like symptoms occurring that could be mistaken for fits; and during the interval between these fits, I saw no good that could be got from parties seeing the patient, and I wished her kept as quiet as possible till we should have some better knowledge of her condition; and also I was at that time in communication with her brother, and I did not recognise the necessity of so much direct communication with her as before. It is not the duty of the Resident Physician, unless under very special circumstances, to send notice to the relatives of the state of a patient without them asking.

In the case of Miss Murchison, there was no difference in my conduct in writing to her relatives than in any other case. Had she been a party who had relatives nearer, I might, perhaps, have written a day or so earlier than I did. I produce a list from the Register, of the visits by Mrs. Fleming, Mrs. Garden, and Mr. Murray.

I remember of Mr. Garden calling on me about half-past six o'clock, on the evening of Tuesday, 27th November, to tell me that Dr. Dyce was coming to see Miss Murchison. Dr. Dyce called in an interval of about ten or fifteen minutes. Dr. Dyce remained in the patient's room three or four minutes — not a quarter of an hour. Miss Murchison was naturally inclined to lie in bed, she was not much fond of being up; but I do not recollect of speaking to Dr. Macrobin about keeping her in bed. Miss Murchison spoke very little. I have known her to be weeks without speaking, so far as I observed. This is her general character, and refers to, at least, the period of a year before her death. I never heard her conversing further than replying to a question. She was not much inclined for exercise of any kind, and what she got arose from our regimen, not from her wishes. She never was a great eater— was very whimsical, and she had to be coaxed a good deal to get her to take her meals. I have no doubt she had organic disease in the brain. The substance of my conversation with Mrs. Fleming, on 30th November, was to convince her of my having a right to

prevent her from seeing Miss Murchison. She seemed surprised at not being allowed to see her She prevented herself from seeing Miss Murchison sooner on that occasion; for when I came to her, my object was to let her see Miss Murchison, when she commenced this discussion upon the principle of the thing. Subsequent to Miss Murchison's death, neither Dr. Murchison nor any of Miss Murchison's relatives called at the Institution to make inquiries as to her death or condition. There was nothing dangerous or suspicious about the running of the ear. I would not have looked upon it as any serious symptom of the case. Miss Murchison was a patient that we looked upon as very far under the mark in intelligence and reason, but I am not aware that there was any special change upon her about the 24th of November.

By Baillie FRASER—

Her intelligence never returned. The patient was always depressed. There was no change in her intelligence. There might have been a change in her consciousness, but there was no other change.

By Mr. HENDERSON—

My letter to the Provost of 24th December, apart from the opinions in it, embraces a correct statement of the case.

By Provost ANDERSON—

I was not aware, in any way, that Mr. Garden was Miss Murchison's legal *Curator*.

I was not aware until towards the end of my last interview with Mrs. Fleming that she was any relative of Miss Murchison's.

All of which I declare to be truth.

ROBERT JAMIESON.

ABERDEEN, *5th March*, 1861.

Reserving the examination of Drs. Kilgour and Dyce, Mr. Garden here declared his evidence closed.

JAs. GARDEN.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

Evidence adduced by Mr. Henderson.

I, JOHN MACROBIN, M.D., Consulting Physician to the Royal Lunatic Asylum, do solemnly and sincerely declare as follows :—

I have been Consulting Physician about seven years, and previous to that had been connected with the Institution for upwards of twenty years. I knew the late Miss Murchison. She was in the Institution upwards of three years. When she came into the Institution, her mental condition was similar to what it was when she died—a sort of semi-fatuous—what we called dementia, technically. She was an obstinate patient; very often unwilling to take food unless pressed upon her, and exhibited the waywardness of a child. She was also unwilling to give any satisfaction in making examinations—such as, feeling her pulse, showing her tongue, or letting her arm be felt. She was sometimes, however, better than at others in this respect.

She was of a scrofulous habit of body, of weak vital powers, languid circulation, and subject to discharges occasionally — biles and sores, and discharges from the ear and nostrils, and subject also to swelling of the lips.

She was not at all willing to take exercise. She did so by fits and starts. She was made take exercise, but was not at all willing to do so. She had frequently to be coaxed to take her food, especially if she was unwell, which she frequently was. When she once got into bed, she was very unwilling to get out of it—she was very much inclined to lie in bed.

About September, 1859, Mr. John Murchison consulted me as to his sister's removal from the Asylum. I highly disapproved of it, and gave him my reasons at the time. The chief reason was that she required exercise, in order to keep up her strength and appetite—walking exercise, I mean. Carriage exercise may be a substitute for this, but it is a poor one

Miss Murchison was to be removed to Mrs. Fleming's in Crown Street, and this was one of my reasons for objecting to her removal, as I saw the impossibility of her being taken out to the street there in her obstinate state. I once thought Mrs. Fleming's house was in the country.

My advice was ultimately acted upon, and she was not removed; but this was after a very long debate with Mr. John Murchison, who was very fond of the removal, and would not consent to her remaining without a certificate from Dr. Dyce and me, and which was granted afterwards by us, on the requisition of Mr. Garden, to the effect that we thought it would be prejudicial to her health on account of the want of exercise and otherwise. I recollect of her having had an attack of erysipelas about two-and-a-half months before her death. She never fully recovered her strength, but she recovered entirely from the erysipelas. I knew of the running at the ear. That did not appear to me to be anything serious. In fact it was nothing at all, but one of the marks of her scrofulous constitution. I recollect that she died on a Friday. I am sure I saw her on the Sunday before her death. I had occasion to call for another patient on that day, and I looked in for Miss Murchison. She was then very much in the same state as she had been for some days previously. She was lying in bed. She had been lying on a couch since the erysipelas, and Dr. Jamieson and I thought it might be better to try her in bed. I saw her again on the Monday—my usual visiting day. I saw her next on Wednesday, then on Thursday. Up to the Wednesday, when the convulsions were fully established, I would say that there were no indications of approaching death, other than she showed before—there was no indication of exhaustion of vital power. I did not see her in any of the fits. It is quite common for patients subject to these fits to recover. They may go on for years.

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. On the Wednesday and Thursday there was no very great difference. She presented generally a similar aspect. I could not say, as a medical man, that on these occasions I had given up all hopes of her recovery certainly. And my opinion is that, had she been gotten to take more food than she did, she might have recovered.

I did not see Dr. Murchison after the death; but I saw Mr. John Murchison accidentally in Messrs. Murray and Garden's office, on the day he was leaving town after the funeral. I heard of the

complaint, and went in there, as a friend, to give explanations. I heard a complaint of incivility, and I thought that might easily be explained. Mr. Garden, I think, showed me a paper containing the charges, or rather read it. This was in Mr. John Murchison's presence. The different points in the charge I made remarks upon, more to Mr. Garden than Mr. Murchison, but he was present. And the point which more directly concerned myself, I took the liberty of commenting more freely upon. This was a charge of concealment of the real state of the case, on the part of all the Officials;—to which I replied, in the first place, there could be no motive, and I could not remember of being ever asked or waited upon by any one for my opinion, from first to last; and, under these circumstances, I thought it quite an irrelevant charge. Another point that struck me as being no good charge was, that Dr. Jamieson had said in his first letter that he was very anxious about Miss Murchison, and I remarked that the expression "very anxious" implied danger. Mr. Garden then stated that had Dr. Jamieson in that letter mentioned about the convulsions, we would have been satisfied, as the friends would have in that case come down. To which I replied that, on the Monday, we were not satisfied that there had been convulsions, and, therefore, that Dr. Jamieson would not have been justified in stating so; but that having used the words that he was "very anxious," I thought that was sufficient to induce any of the friends who were themselves very anxious on the subject to come down.

I concluded all, by what I considered a good advice for all parties, by saying that such charges (however slight they may be) when they went abroad, damaged an Institution; and were also calculated to excite unnecessary anxiety on the part of friends who had relations in the Asylum as to the treatment which these patients might be receiving; and that, under these circumstances, I thought that, as to me the charge appeared to be limited to incivility or want of urbanity towards a lady, the case had better be put before the Weekly Committee, who would, no doubt, inquire into it, and see that satisfaction was given to any party that was aggrieved, without the necessity of laying it before an open Court, which Mr. Murchison proposed to do. By open Court, I mean the whole Managers, when there are Reporters present. Mr. Murchison was quite opposed to this course, and said that not only should it be before an open Court, but the letter should be printed, and a copy sent

to each of the Managers, which, I told him, was pretty much the same as putting it into the newspapers. Mr. Garden seemed to think more with my view, and said he would give the matter his consideration, but Mr. Murchison was very violent on the matter.

I consider that the Resident Physician and Clinical Assistant know very much better than any nurse the state of their patient. I consider also that the Doctor is the best judge when friends should be admitted to see patients. There is, in such an Institution as this, a great deal of discretion required here. During the time Miss Murchison was in the Institution, everything was done for her, and every kindness and attention shown her, both medically and by nurses, that could be done.

By Mr. GARDEN—

Being asked whether, during the last fortnight of Miss Murchison's life, he would say that she was not in a dangerous state? *Answer*—Her danger became much more manifest after the convulsions were established. Previous to that she manifested no greater danger than she had done for two months before. If she had had a proper epileptic fit on the Sunday, I would say she was in danger after that—in danger from their recurrence.

By Mr. NEIL SMITH—

Inquiry was made at the nurse, at the time, as to the nature of the fit, but the girl could not give us any definite or satisfactory information.

By Dr. GALEN—

I cannot say that there was any more evidence of organic disease in the head than formerly. Fits are very common in such diseases. And I think she had organic disease originally. In fact, all cases of dementia have organic *disease*, more or less.

By Provost ANDERSON—

Miss Murchison, during the time she was in the Institution, required very kind and tender treatment, and she received it.

All which I declare to be truth.

J. MACROBIN.

ABERDEEN, *5th March*, 1861.

Mr. Henderson here stated, that he did not intend to adduce any additional evidence.

ALEX. HENDERSON.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

This ended the day's proceedings, and Mr. Garden expressed a desire that, after concluding the evidence, he should be allowed an opportunity of giving in a written statement upon it. The meeting adjourned to consider this proposal, and to hear the evidence of Drs. Kilgour and Dyce, till to-morrow, at Eleven o'clock forenoon, within the same place.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

FIFTH DIET.

Evidence adduced by Mr. Garden on 6th March, 1861.

At Aberdeen, and within the Royal Infirmary there, on Wednesday the sixth day of March, Eighteen hundred and sixty-one years.

Present—Provost ANDERSON; Baillie FRASER; Mr. JAMIESON, Dean of Guild; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; ALEXANDER JOPP, Esq., Advocate; NEIL SMITH, Junior, Esq.; and ALEXANDER MORISON, Esq.

Present also—Mr. GARDEN; Dr. JAMIESON, and his Agent, Mr. HENDERSON; and JOHN THOMSON, Clerk of Inquiry.

Provost ANDERSON in the Chair.

I, ALEXANDER KILGOUR, Physician in Aberdeen, do solemnly and sincerely declare as follows :—

I visited the late Miss Murchison in the Asylum, once professionally, at the request of Mr. Garden, with the view of ascertaining whether she was in a state fit to be removed from the

Asylum. This was rather more than a twelvemonth ago; and, except on that one occasion, I have never seen Miss Murchison.

I have read the whole evidence in this case, and the letter by Dr. Jamieson to Provost Anderson of 24th December last. Being asked, what is his opinion, from that evidence, of Miss Murchison's state? *Answer*—In consequence of the letter I received along with the evidence, I have put my opinion in writing, and I produce and read that report. Being asked, when, in his opinion, Miss Murchison should have been considered in a dangerous state? *Answer*—I cannot answer that question decidedly, as much would have depended upon the character and nature of the convulsions, and the influence these attacks might have upon her pulse.

By Mr. Henderson—

When I saw Miss Murchison, my decided opinion was that she should not be removed.

All which I declare to be truth.

AL. KILGOUR.

Report by Dr. Kilgour to the Committee of Management of the Royal Lunatic Asylum, referred to in his Evidence.

Aberdeen, 6*th March*, 1861.

As it appears by an excerpt from the minutes of a Committee of Management of the Lunatic Asylum, sent me by Mr. Thomson, Clerk to the said Committee, that my opinion is desired as to whether the evidence, as to the state of the late Miss Murchison, supports the allegations in Mr. Garden's letter, viz.:—

"1*st*.—That, for a fortnight before Miss Murchison's death, it was evident to those around her that she was in extreme danger.

"2*nd*.—That, for five days before her death, it was plain she was dying.

"3*rd*.—That, from four o'clock of the day of her death (Friday, 30th November), it was evident that she would not continue in life for many hours, or perhaps minutes."

I beg to state that, after carefully perusing the evidence led by Mr. Garden, as well as the evidence of Drs. Jamieson and Macrobin, and the letter of the former to Provost Anderson, I come to the following conclusions on the subject:—

1*st.*—That in regard to Miss Murchison being in "extreme danger" for a *fortnight* before her death, I consider that expression as much too strong. Miss Murchison had recovered from an attack of erysipelas of the head, which no doubt would leave her in a debilitated state; but, so far as I see in the evidence, there were, until the coming on of the convulsive attacks, no symptoms to cause much more than the usual anxiety about her. She 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.

2*nd.*—If Miss Murchison had been subject to epileptic attacks, as is the case with some insane persons, the attacks on this occasion would not necessarily have indicated more danger than former ones. And, on the other hand, if these attacks came on now for the first time, they no doubt would have led to the suspicion of a farther stage of the disease in the brain, and required much watching and attention in regard to what might be their result; but no one experienced in such cases would have said they must necessarily lead to an immediate fatal termination, as such symptoms do occur in advanced cases of brain disease, and especially in the insane, without being the precursors of approaching dissolution. 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 show that she had been subject to these purulent discharges; and I have myself often seen these follow, and sometimes precede, erysipelas of the head, being dependent upon what we call cezema of the ear, inside as well as out.

3*rd.* –There can be no doubt, so far as the evidence of Matron and Nurses goes, that Miss Murchison was in a dying state from four o'clock of the morning of her death.

I have no hesitation in saying that rather too much has been made of this case, and that the opinion of parties not at all qualified to judge of the condition of a patient has received too much weight. But I cannot, and will not, close this report without saying that the blame, if any blame there is, rests much more with the Managers of the Aberdeen Lunatic Asylum than with the Officials. I do not take into account what may be the duties imposed on Dr. Jamieson, as to communicating with the relatives of patients in the Asylum. I confine myself entirely to his duties as Medical Officer and Super-

intendent of the Asylum, and I state, without any fear of contradiction by persons qualified to judge, that a labour is laid upon him which no single man is able to perform satisfactorily. To look after the health, and to visit daily above 300 patients is more than enough to exhaust the energies of any man, and cannot leave him in the best condition to listen to the too often unreasonable remarks and requests of querulous, but at the same time affectionate, relatives. With such a full staff of qualified assistants as this Institution ought to have, and as all other Institutions of the like magnitude which are properly conducted really do have, I venture to say Matron and Nurses would have been kept in their proper position, and Mr. Garden would have received an amount of evidence, from properly qualified persons who had closely watched the case, which would have satisfied him that no concealment of the state of the patient was intended, and that every step that was taken was for the benefit of the unfortunate sufferer.

AL. KILGOUR.

I, ROBERT DYCE, Physician in Aberdeen, do solemnly and sincerely declare as follows :—

I knew the late Miss Eliza Murchison, and have been in the way of seeing her professionally, occasionally, for the last eight or ten years; but I have not been visiting her professionally since she went to the Asylum, although I have known her for eight or ten years. I last saw her, on the Tuesday before her death, in the Asylum. 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.

I have read the evidence in this case, along with Dr. Jamieson's letter to Provost Anderson, of 24th December. Being asked, what is his opinion upon a perusal of the whole evidence and of that letter, and from his knowledge of the patient, of the question when Miss Murchison should have been considered in a state of dangerous illness? *Answer*—At the time I last saw her, and in ignorance of her having had convulsions, I should not then have considered her in immediate danger. She had evidently overcome a danger—viz., the erysipelas—and I certainly would been very anxious of the result had I known of the convulsions, and knowing

of her diseased brain, especially if the convulsions were of frequent occurrence. I desire to qualify this answer, by stating that it is possible that a maniacal patient may have convulsions, and the patient may live for a long time, or, in short, may partially recover. I have not made mental affections or diseases a special study. Being asked the time when, from the evidence, he considered Miss Murchison was in absolute danger? *Answer*—From the time the convulsions became clearly manifested.

By Provost ANDERSON—

I think I gather from the evidence that it was on the Sunday previous to my seeing Miss Murchison that the convulsions were mentioned as having occurred, by one of the nurses.

By Mr. HENDERSON—

I unquestionably consider that Dr. Macrobin, Dr. Jamieson, and the Clinical Assistant, were much better judges than the nurse of Miss Murchison's state. Being asked, if in reference to the convulsions having occurred on Sunday, he adverted to the evidence of Drs. Macrobin and Jamieson, as to the period when they were satisfied that Miss Murchison had had convulsions. *Answer*—These medical men 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. It may have been imperfectly developed, but any nurse of common shrewdness and observation ought to be able to say whether her patient had had a convulsion or not. The patient is still in danger, although the fits may have disappeared on the Monday and Tuesday. Being asked, if he would consider her then in *immediate* danger? *Answer*—She could not be considered in immediate danger, as she had recovered from the fit, and it depended on the recurrence of the fit; but a fit may have come on at any time, and taken her off. I am aware that Drs. Macrobin and Jamieson have devoted particular attention to the subject of mental disease, and that for a great many years—Dr. Macrobin for about thirty years, and Dr. Jamieson, I should say, for about the period of his medical life.

By Mr. GARDEN—

Mr. Garden here proposed to put into Dr. Dyce's hands a letter, dated "Friday evening," from Dr. Dyce to him, and to ask the

Doctor whether that Note was written by him; and Mr. Garden also offered to give a copy of his Note to Dr. Dyce, to which this letter was a reply, if there be a copy of it in his (Mr. Garden's) possession.

Mr. Henderson stated that he had no objection to this letter being produced, if accompanied by the Note to which it refers.

Mr. Garden, having thereafter sent and searched for a copy, stated that he had been unable to find one, and now requested that Dr. Dyce's said letter be received without the copy of the Note; and, Mr. Henderson having objected to this course, in respect it was incompetent to receive, in evidence, a reply to a letter without production, at the same time, of the letter to which it was a reply—the Committee considered this objection to be a good one; and it having been admitted that said letter was written by Dr. Dyce, the Clerk was instructed to receive and mark the letter now tendered as a production, should Mr. Garden present the same to him along with the Note to which it bore to be a reply, or even a copy of it.*

By Mr. Adam—

Being asked, if he had been consulting with another medical man with regard to the health of a patient in circumstances like those in which Miss Murchison then was, would he have considered the suspicion of her having had convulsive fits a circumstance of such importance that he would have felt bound to mention it? *Answer*—I would.

By Mr. Henderson—

I was not asked by Dr. Jamieson to have a consultation with him upon Miss Murchison's case on this occasion.

I was sent by Mr. Garden to the Asylum to see Miss Murchison on the Tuesday. I went between seven and eight o'clock in the evening, as I think. Being shown Report marked No. 15 of proceedings: That is the Report I gave to Mr. Garden.

By Mr. Garden—

The object for which I was sent to the Asylum on the Tuesday, was to give a report on Miss Murchison's then state.

All which I declare to be truth.

RO. DYCE.

* See page 81.

Report by Dr. Dyce to Mr. James Garden, Advocate, produced by Mr. Garden, and referred to in Dr. Dyce's evidence as No. 15 of proceedings.

16, Union Terrace,
Aberdeen, 27*th Nov*, 1860.

My Dear Sir,

I have, at your request, visited Miss Eliza Murchison this evening. My report must be that obtained from Dr. Jamieson, as no information can be obtained from Miss M. herself. The history, however, quite to my mind accounts for her present weakly state.

It appears that, nearly three weeks ago, she had erysipelas on her head—which, after being subdued, relapsed, and left her weak. She then had a cough, which still exists, though now is very slight. Since the subsidence of the erysipelas, there has been evidence of internal disease of her head, attended with increasing weakness, loss of appetite, and occasional fever. The treatment has, in some measure, removed these ailments; but there are still sufficient evidences of existing disease in her head to cause, as Dr. Jamieson says, some anxiety on her account, but that he sees no cause for immediate alarm, nor does he think her at present in danger. I may mention that Miss M. looked tolerably well—had a contented, cheerful look—gave her hand without reluctance—and, though she did not speak, she smiled at some of my questions. She is always taciturn—and, of late, has become more so—that I am told, many days will pass without her uttering a word. You may judge, therefore, of the difficulty in giving an opinion upon her complaints.

Dr. Jamieson tells me that he has, to-day, or very recently, written to her brother, Charles, his opinion of her case; and, that he will be always ready to answer any inquiries her brothers may make regarding her.

I remain, My Dear Sir,

Very faithfully,

RO. DYCE.

J. Garden, Esq., Advocate,
&c. &c. &c.
Schoolhill.

P.S.—She has a careful, constant female attendant waiting upon her, and every attention and care is bestowed upon her.

III.—THE PRODUCTIONS.

Given in during the course of the Evidence.

1.—*Extract from Letter—Mr. Garden to Dr. Murchison.*

6th October, 1860.

I am sorry to hear, since I wrote you, that Eliza has been ill of a kind of erysipelas. She is, however, very much better. Mrs. Garden went and saw her the other day.

2.—*Extract from Mr. Murray's Letter to Dr. Murchison, of 20th November*, 1860.

I went and saw Eliza the other day. Being from home, I had not seen her for a considerable time before. I found her very poorly, and in bed. I found she had been ill, some time ago, with boils (or biles), which ended in erysipelas—and she had really been very unwell—but I did not see the Doctor to get full information. However, Eliza was better. Still, she had caught some cold, and was in bed, and is still very weak, and unable to be out of bed.

Poor Eliza. She seemed to be quite in a different mood from what she used to be. Instead of being dumpish, she was glad to see me, and had been speaking frequently of me. I told her I had been from home, or I would have been to see her sooner. She seemed pleased, and told me "she would not like me to forget her." She also inquired after you, and said you promised to return and see her. She is now quite contented in every way, and expresses no desire to get away.

I was exceedingly pleased with the nurse or maid who was waiting on Eliza. A young, cheerful, good-tempered creature; and, positively, seemed fond of Eliza, and much interested about her. I am sure you, and all the relatives, will sanction and approve of some little gratuity being given to this young woman, for she is most kind and attentive. Now that Eliza is so pleased to see me, I shall go

to-morrow, or next day, and endeavour to see the Doctor. Miss Elrick was not in the house when I called. I shall write to you again when I have seen the Doctor and Miss Elrick, and Eliza herself.

I am, &c.

3.—*Extract from Dr. Murchison's letter to Mr. Murray, dated 22d November*, 1860.

I am extremely sorry to hear such a bad account of poor Eliza, and shall be anxious to have your farther report. It is very kind of you to see her so often.

I do think Dr. Jamieson or Miss Elrick ought to write me—occasionally at all events—when Eliza is ill. I have never heard a single word from either of them.

4.—*Extract from Mr. Murray's Letter to Dr. Murchison, of 26th November*, 1860.

I was at the Asylum on Saturday, and again saw poor Eliza; she was in bed, and was low, and would not converse with me at all; and the nurse told me she was a little out of sorts all the day. I will continue to go frequently, for I really feel interested about her. I saw both Miss Elrick and Dr. Jamieson; they both agree that Eliza is of a very delicate constitution. I have asked Dr. Jamieson to write to you himself. He told me, as an explanation for not writing you, that Mrs. Fleming had been constantly visiting Eliza, and must have been communicating with the relatives. This is no good excuse, and, as far as you are concerned, is not correct. Mrs. Fleming has not been writing to you, but I see she has been corresponding with John.

I am, &c.

5.—*Extract from Dr. Murchison's Letter to Mr. Murray, of 29th November*, 1860.

Yesterday I received your letter, and also one from Dr. Jamieson; and, to-day, I have heard for the first time from Mrs. Fleming

The accounts of Eliza have certainly made me very uneasy. Mrs. Fleming writes that "she believes her to be dying," and although her account may be exaggerated, Dr. Jamieson's own letter is far from satisfactory. Mrs. Fleming says, Mr. Garden had requested Dr. Dyce to go and see Eliza. I should be obliged if you would ask Dr. Dyce to write to me and give me his opinion about her.

If she is really so very ill, that there is danger of her not rallying, I should consider it my duty to go down and see her, although the journey is a very heavy one, and I have many reasons for not leaving London at present. If I left this on a Friday night, I should manage to be back here on Monday morning. In the meantime, would you kindly see that she has every thing she wants. I think she ought to have two or three glasses of good port wine in the day. Mrs. Fleming says not a word about her having been in communication with John.

6.—*Letter—Dr. Jamieson to Dr. Murchison.*

ABERDEEN, 26*th November*, 1860.

DEAR SIR,

Mr. Murray informs me that you are desirous to hear from me regarding Miss Murchison's present state of health.

She has, during the winter months, occasioned usually more anxiety, by a less robust state of health, than during the summer; but this winter her physical state has been more than usually depressed. About two months ago, she first complained of an erysipelitous attack, affecting the head. The disease progressed slowly, and about the time that its disappearance might have been expected, a fresh attack was set up, from which she, in the same way, seemed but slowly to rally. Indeed, her strength has never been satisfactory since then, and she has been much in bed. The indications of disorder being, slight cough for a time, headache, loss of appetite, but chiefly debility. Although I believe that the gradual development of some morbid condition in the cerebrum, associated with her state, has much to do with the matter, I cannot say that I perceive any symptoms of disease so prominent as a deficiency of vital force, making her liable to linger for a longer time than ordinary in the state of debility following the febrile condition accompanying the erysipelas. Her illness occasions me

more anxiety than alarm, and I trust may soon change for the better.

I am, My Dear Sir,

Yours very truly,

ROBERT JAMIESON.

Dr. C. Murchison,
&c. &c. &c.
London.

7.—*Letter—Dr. Jamieson to Dr. Murchison.*

Royal Lunatic Asylum,
Aberdeen, 29*th November*, 1860.

Dear Dr.

Since I wrote to you, the state of our patient has changed into that of a succession of epileptiform attacks, which confirms quite the opinion expressed as to the seat of disorder being in the cerebrum. During the last twenty-four hours she has, I regret to say, had about a dozen of these attacks. She is not comatose in the intervals; and, although weak, does not present symptoms of exhaustion. All appropriate remedies are being administered, and we look for improvement.

Yours faithfully,

ROBERT JAMIESON.

Dr. Murchison,
London.

8.—*Letter—Dr. Murchison to Dr. Jamieson.*

79, Wrinpole Street,
London, (*W.*) *December* 3, 1860.

My Dear Sir,

I have to request that you will furnish Mr. Garden, my brother, and myself, with an account of the late Miss Murchison's illness, and of the treatment pursued, from its commencement to its fatal termination. I am *yet* without any particulars as to what transpired during the last twenty-four hours of her life; and, as far as I can learn, all Miss. M.'s relatives and friends have been kept in equal ignorance.

I am,

Yours very truly,

CHARLES MURCHISON.

P.S.—I hope to be in Aberdeen to-morrow, and have to beg that a reply to this letter be sent to the care of Mr. Murray, 48, Schoolhill.

C. M.

To Dr. Jamieson, Medical Superintendent,
Royal Lunatic Asylum, Aberdeen, *N.B.*

9.—*Letter—Mr. Garden to Dr. Jamieson.*

48, Schoolhill,
Aberdeen, *4th Dec.*, 1860.

Dear Sir,

Dr. Murchison has arrived, and I have seen him and his brother. It appears that he had written that he expected you would be present at the funeral. I think it is better, however, to let you know that this is not now expected, and therefore no card has been sent. The funeral is very private. I attended to Dr. Murchison's request in his note to you.

Yours faithfully,

JAs. GARDEN.

Dr. Jamieson, Lunatic Asylum.

10.—*Letter—Dr. Murchison to Dr. Jamieson.*

Aberdeen, *Dec.* 6, 1860.

Dear Sir,

I have to acknowledge the receipt of your note of yesterday. My brother and I deem it expedient to instruct Mr. Garden to lay the particulars of Miss Murchison's case, and of the manner in which her relatives and friends have been treated, before the President of the Board of Managers of the Asylum, in order that the circumstances may receive the investigation which we think they require.

I am, Sir,

Yours faithfully,

CHARLES MURCHISON.

Dr. Jamieson,
&c. &c. &c.

11.—*Extract from the printed Regulations of the Lunatic Asylum of Aberdeen, Chapter V., Article X., page* 16.

"Visitors may be admitted to inspect the grounds and general "arrangements of the Asylum, on procuring an order from one of "the Managers, or the Consulting or Resident Physician, and shall "enter their names in a book kept for the purpose; but they shall "not be allowed to enter the apartments occupied by the Patients. "The friends and relatives of Patients may be permitted to visit "them, with the approbation of the Consulting or Resident Phy-"sician; and professional men, or strangers desirous of obtaining "information relative to the internal economy of the establishment, "may be admitted, on application to either of these Gentlemen, at "such times as they may judge most proper for the purpose."

12.—*List from the Register of the Visits of Mrs. Fleming, Mrs. Garden, and Mr. Murray.*

Mrs. Fleming.

17th July, 1860—called.		16th October, 1860—called.	
3rd August	...	30th October	...
14th August	...	6th November	...
24th August	...	16th November	...
31st August	...	20th November	...
11th September	...	23rd November	...
21st September	...	27th November	...
25th September	...	28th November	...
2nd October	...	30th November	...
9th October	...	19	

Mrs. Garden.

19th October, 1860—called.	29th November, 1860—refused.
1	

Mr. Murray.

8th November, 1860—called.	24th November, 1860—called.
	2

13.—*Letter—Mr. Garden to Clerk of Inquiry.**

48, SCHOOLHILL,
ABERDEEN, 18*th March*, 1861.

DEAR SIR,

I have a note from Dr. Dyce saying that he has lost or mislaid my note to him, announcing Miss Murchison's death.

Yours faithfully,

JAs. GARDEN.

JOHN THOMSON, Esq.,
Advocate.

* *See page 72.*

IV.—MINUTES OF MEETINGS OF THE COMMITTEE HELD DURING THE COURSE OF THIS INQUIRY.

1.—*Minutes of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on the 12th February*, 1861.

" [Copy.]

"EXTRACT MINUTE.

" Infirmary, *5th February*, 1861.

" Special Committee:

" Present—Provost ANDERSON, President, &c. &c.

" This meeting was specially called to consider the charge of " Mr. Garden, Advocate, and the letters engrossed in minute of " date 29th January last.

" The Clerk was directed to write the Secretary of the Board " of Lunacy, Edinburgh, requesting that the documents respecting " the case of Miss Eliza Murchison be returned, in order that the " Committee of Management may investigate the case.

" The Clerk was also appointed to send a copy of this minute " to Mr. Thomson, Advocate, who is hereby appointed Clerk to the " Inquiry; and, on receipt thereof, Mr. Thomson is requested im- " mediately to communicate with Mr. Garden, with a view to the " charges contained in Mr. Garden's letter of 10th December last, " being put by him in the form of separate articulate statements, so " as to admit of evidence being taken on each of them, and that " Mr. Garden be also requested to append a list of the witnesses " he proposes to examine before the Committee in support of these " charges. Mr. Thomson to obtain this statement from Mr. Garden " on or before Friday first, and, on receipt of it, to furnish Dr. " Jamieson with a copy of it for his own use, or that of any Agent " he may desire to employ.

" The Committee to be called for Tuesday the 12th instant at " two o'clock, P.M., at the Infirmary.

" Certified by

(Signed) " W. WALKER, *Clerk*."

At Aberdeen, and within the Royal Infirmary there, on Tuesday the Twelfth day of February, Eighteen hundred and sixty-one years, at Two o'clock in the afternoon, in terms of the foregoing minute, assembled the following members of the Committee of Management of the Royal Lunatic Asylum, viz. :—

Provost ANDERSON; Baillie FRASER; Baillie SMITH; Baillie URQUHART; Mr. JAMIESON, Dean of Guild; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; WILLIAM YEATS, Esq., Advocate; NEIL SMITH, Junior, Esq., Merchant; and ALEXANDER MORISON, Esq., Merchant.

Present also—JOHN THOMSON, Advocate, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

Mr. Thomson stated that, on receiving a copy of the foregoing minute, he forthwith communicated with Mr. Garden, as instructed, and on Saturday last received from him the following letter :—

"48, SCHOOLHILL,
"ABERDEEN, *8th February*, 1861.

"DEAR SIR,

"I am favoured with your letter of yesterday, with the excerpt from minute annexed, intimating that the Committee of Management of the Royal Lunatic Asylum had appointed you Clerk to a Committee which is to hold an inquiry into the charges contained in my letter of 10th December last, and requesting me to put these charges into the form of separate articulate statements, appending thereto a list of the witnesses whom I mean to adduce in support of them.

"Without admitting the regularity of the proceedings of the Committee of Managers of the Asylum in this case, and reserving any objections to the course pursued, I have in the first place to put in your view that I do not adopt the word 'charges' as applicable to this matter. In my letter to the Provost of 10th December, I have stated facts, and from these facts I deduce two conclusions, viz. :—

"1*st*.—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.

"2*nd*.—That there seems to have been a reckless disregard to the feelings of the patient's relatives.

"I considered, and still consider, that the facts fully warranted these conclusions, and were such as should be inquired into by the Managers for the good of the Institution. The facts were these:

"1*st.*—That, about two months before Miss Murchison's death, she had an attack of erysipelas followed by weakness.

"2*nd.*—That, for a fortnight before Miss Murchison's death, it was apparent to those around her that she was in extreme danger.

"3*rd.*—That, for five days before her death, it was plain that she was dying.

"4*th.*—That, from four o'clock of the day of her death (Friday, 30th November), it was evident that she could not continue in life for many hours or perhaps minutes.

"5*th.*—That Dr. Jamieson never communicated her attack of erysipelas to her relatives, nor did he ever communicate her subsequent dangerous state to any one connected with her, nor her most dangerous symptoms.

"6*th.*—That, on 28th November, the Matron told Mrs. Fleming, who called to see the patient, that, by Dr. Jamieson's order, she could not see her, and she was not informed of the patient's dangerous state.

"7*th.*—That, on 29th November, Mrs. Garden called at the Asylum, and was informed by the Matron that, by Dr. Jamieson's order, she could not see Miss Murchison.

"8*th.*—That, on 30th November, about five minutes before the patient's death, Mrs. Fleming, who called to see Miss Murchison, was told by Dr. Jamieson that she could not see her; that a conversation, part of which I have detailed in my letter, ensued, after which Mrs. Fleming was allowed to see her by being told, 'You may go then;' and on her replying that if it were contrary to rule or improper, that she was told, 'Well, stay down.'

"I would take the liberty of suggesting that, in the first place, Dr. Jamieson and Miss Elrick should be called upon to say whether those facts which relate to them are true or not; because, if any of them are admitted, it would be useless to take up my time, and that of the Managers and other parties, in proving what no one denies.

"I would humbly suggest that Dr. Jamieson should be called upon to answer the statements Nos. 3, 4, and 5, and Miss Elrick the statements Nos. 6 and 7. It is possible their replies may narrow the inquiry considerably, and enable me to state what evidence I intend to adduce as to the remaining three statements, and in regard

to such of the statements as I may think Dr. Jamieson and Miss Elrick have given unsatisfactory replies to.

"In case the Managers should not adopt my suggestion, having already stated the eight facts, which I mean to prove, I have farther to state that I purpose to do so by Dr. Jamieson, Miss Elrick, the Assistant Surgeon Mr. Fraser, Elsie Grant (the nurse), Mrs. Fleming, Mrs. Garden, Dr. Charles Murchison, Isobel Harper, Elizabeth Strachan, Jean Mitchell, Mary Insh, and Margaret Grant; Christian Alves, Mr. Murray, and myself.—Yours faithfully, (signed) JAS. GARDEN. (Addressed to) JOHN THOMSON, Esq., Advocate."

Mr. Thomson also stated that, on receipt of this letter, he forthwith, as directed by said minute, sent a copy of it to Dr. Jamieson; at the same time calling Dr. Jamieson's attention to the portion of that letter which asks him to admit or deny certain statements therein made, in order, if possible, to narrow the inquiry; and that he had received no reply thereto from Dr. Jamieson.

The meeting then proceeded to consider whether this inquiry should be conducted by an Open Committee, or whether by certain of their number accustomed to hear evidence, and who could regularly attend the meetings, leaving it optional in the other members of Committee to attend and take part as they choose; and, after some discussion, it was agreed that this inquiry should be conducted by the whole Committee.

The Chairman then directed the attention of the meeting to the suggestion contained in Mr. Garden's letter, that Dr. Jamieson and Miss Elrick should, in the first place, be called upon to say whether the statements, Nos. 3, 4, 5, 6, and 7, contained in said letter were correct or not, with the view, if possible, to narrow the inquiry. The Chairman also directed the attention of the meeting to Dr. Jamieson's letter to him of 24th December last, and read to them the following passage therefrom, viz., page 3:—"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." And (page 5) "After I had written to Dr. Murchison, informing him about his sister's state, I then took it upon me, in the exercise of my official discretion as physician and temporary guardian of my patient, to direct that she should not be visited without my knowledge or permission until she was in a state better fitted to receive visits, or her state altogether

hopeless. In consequence of this, Mrs. Fleming, who had always had most ready admission, was requested to be satisfied with bulletins of her state, but, in reality, as it appears, was never once debarred from access to the sick chamber."

The meeting considered that the tenor of that letter, and specially the passages above quoted therefrom, were, virtually, sufficient answers to the statements referred to by Mr. Garden, and therefore were of opinion that Dr. Jamieson should not be called on to give any more specific answer to these statements, and that if Mr Garden was dissatisfied therewith, he should be allowed the opportunity of substantiating his averments.

It was thereafter agreed that Mr. Garden, who had received notice of this meeting, and was in waiting in an adjoining room, should be called in, and receive intimation of this resolution; and it was suggested by one of the members, that before making this communication to Mr. Garden, he should be called upon to give an explanation of his meaning in the following passage of his letter of the 8th February :—" Without admitting the regularity of the proceedings of the Committee of Managers of the Asylum in this case, and reserving any objections to the course pursued," &c.

Mr. Garden having been called in, his attention was directed by the Chairman to said paragraph, when, in explanation, Mr. Garden produced, and read to the meeting, the following "Statement, submitted for Messrs. Murchison, to the Lunatic Asylum Managers, before proceeding to carry on the investigation of the circumstances connected with Miss Murchison's death :—

"1*st.*—That the letter of complaint has never yet been submitted to the Managers, but only to a Committee.

"2*nd.*—That while Mr. Garden's letter was sent to Dr. Jamieson to be replied to, the reply has never been communicated by the Managers to Mr. Garden.

"3*rd.*—That it was irregular in the Committee of Managers to attempt, in the first instance, to devolve the investigation of this matter upon the Lunacy Commissioners—the Managers themselves, who are the proper guardians of the establishment, were the only parties who ought to have instituted and carried through the investigation, and pronounced an opinion upon the case, leaving any of the parties, if they were dissatisfied, to apply to the Board of Lunacy, or any other quarter.

"4*th.*—Mr. Garden has, in obedience to the request of the

Clerk to the Committee, put, what the Committee calls, his charges into the form of separate articulate statements; but he wishes it to be understood that his doing so, or proceeding to adduce evidence in support of them, does not imply an acquiescence in the mode of conducting the proceedings. He submits, on the contrary, that by the proposed mode of conducting the investigation, both the Committee themselves and the Messrs. Murchison are placed in false positions. The Messrs. Murchison, and not the Committee, are made the parties to vindicate the character of the Institution. They have, by their Agent, represented to the Managers facts which they think materially affect the character and interests of the Institution; and the Managers, who have power to examine all the Officials and Servants of the establishment, ought themselves, for the sake of the Institution and the satisfaction of the public, to institute and carry on such inquiry as may be necessary to find out and check any impropriety of conduct in the Officials, if such exists. The Messrs. Murchison have now no farther interest in the Institution than any of the public. Its Officials cannot hurt them more; but for the sake of the Institution, they are ready to go on as proposed by the Managers, or to aid the Committee in making an investigation themselves, which latter is the proper course."

The Chairman thereafter explained to Mr. Garden that his letter, of 10th December last, had received from the Committee their most anxious consideration, and that they had unanimously come to the conclusion that the grave charges contained in that letter would be best dealt with by an inquiry instituted by the Board of Lunacy, which would commend itself to the public as an impartial tribunal; but that matter being remitted back to this Committee, they were now prepared to go on with the inquiry, and that they considered it the proper course, under the circumstances, to allow Mr. Garden, as he had made certain charges, an opportunity of establishing them, leaving it open to the Committee, after this was done, to judge what farther steps, if any, should be taken by them. And, farther, that as regards Mr. Garden's first objection, now given in by him in writing, this Committee had previously resolved to take upon themselves the responsibility of conducting this inquiry, without submitting the matter, in the first instance, to the whole body of Managers, and that for two reasons—*First*, because they preferred seeing the evidence of his charges, and the answers to them, before giving publicity to these charges; and, *Second*, because they

would have been in no better condition had they reported to the whole Managers, as they would have remitted back to this Committee to make the necessary investigation.

Mr. Garden replied that he was in the hands of the Committee —that he had been instructed to make the representation which he had now done—and that although he would have preferred acting as an assistant to the Committee in the investigation rather than the conductor of these proceedings, he was nevertheless quite prepared to go on with the evidence. Mr. Garden also stated that, actuated by similar feelings as those to which the Chairman had just alluded, he had hitherto desisted from printing and publishing his said letter of 10th December last, although in so doing he had acted contrary to the repeated instructions of his clients. Mr. Garden also mentioned, with reference to his second objection, that a copy of Dr. Jamieson's letter, of 24th December, had been sent to him by the Board of Lunacy.

It was thereafter resolved on, that Mr. Garden should proceed with his evidence to-morrow afternoon, at two o'clock; and the meeting then adjourned to meet accordingly.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

2.—*Minutes of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on 28th February,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Thursday the twenty-eighth day of February, Eighteen hundred and sixty-one years, at ten o'clock forenoon, in presence of the following Members of the Committee of Management of the Royal Lunatic Asylum, viz. :—

Provost ANDERSON; Mr. JAMIESON, Dean of Guild; The Reverend JOHN ADAM; Dr. HENDERSON; WILLIAM YEATS, Esq., Advocate; NEIL SMITH, Junior, Esq., Merchant; and ALEXANDER MORISON, Esq., Merchant.

Present also—Mr. JAMES GARDEN, Advocate; Mr. ALEXANDER HENDERSON, Advocate; and JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

Mr. Garden stated to the Meeting that he had duly intimated this Diet of Examination to Dr. Murchison, his Client, and had received notice from him that it was out of his power to attend this Meeting to-day, but that he was now prepared to go on with his examination of Dr. Jamieson; but, as he understood from Mr. Henderson that Dr. Jamieson had gone to Edinburgh, he craved an adjournment to a future Diet, when he would be prepared to close his evidence.

The Diet for further evidence was accordingly, of consent, adjourned to Wednesday first, the sixth day of March ensuing, at ten o'clock forenoon, when Mr. Garden undertook to go on with and close his case.

The Chairman then directed the attention of the Meeting to the following paragraph in a letter from Mr. Garden to the Clerk, of date the twenty-fifth current, viz. :—"Are Drs. Kilgour and Dyce to be allowed to peruse the evidence before I call them"? Mr. Henderson having stated that he did not object to this request, the Meeting directed Mr. Thomson to send a full copy of the evidence led, both to Dr. Kilgour and also to Dr. Dyce, in order that these gentlemen may have the opportunity of perusing the same, previous to giving their opinion, from the facts stated by the witnesses, as to the state of Miss Murchison's health during the last fortnight of her life; and, specially during the last five days of it, as bearing upon the allegations, numbers two, three, and four, in Mr. Garden's letter to Mr. Thomson, of date the eighth current, viz. :—

"*2nd.*—That, for a fortnight before Miss Murchison's death, it was apparent to those around her that she was in extreme danger."

"*3rd.*—That, for five days before her death, it was plain that she was dying." And,

"*4th.*—That, from four o'clock of the day of her death (Friday, 30th November), it was evident that she could not continue in life for many hours, or perhaps minutes."

Mr. Thomson was also requested to intimate to Drs. Kilgour and Dyce the aforesaid adjournment of this examination till Wednesday next, and to request them to attend the Meeting of Committee, to be held within the Royal Infirmary, at ten o'clock that morning, for the purpose of stating their opinions, in terms of this Minute.

Mr. Henderson having stated that he expected Dr. Jamieson to return on Monday or Tuesday, the Meeting adjourned to meet on Wednesday next, at ten o'clock.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

3.—*Minutes of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on the 6th March,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Wednesday the sixth day of March, Eighteen hundred and sixty-one years—

Present—Provost ANDERSON; Baillie FRASER; Mr. JAMIESON, Dean of Guild; The Reverend JOHN ADAM; Dr. GALEN; Dr. HENDERSON; ALEXANDER JOPP, Esq., Advocate; NEIL SMITH, Junior, Esq.; and ALEXANDER MORISON, Esq.

Present also—Mr. GARDEN; Dr. JAMIESON, and his Agent, Mr. HENDERSON; and JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

The Meeting, having heard the evidence of Dr. Kilgour and Dr. Dyce, as given from page 95 to 102* inclusive, next proceeded to take into consideration the desire expressed by Mr. Garden at the meeting yesterday, that after concluding the evidence he should be allowed an opportunity of giving in a written statement upon it.

The Meeting, having considered this proposal, resolved not to agree to any written statements being given in upon the evidence, but offered to the Agents an opportunity of addressing the Committee on the import of the evidence led, either now or at an adjourned meeting; when Mr. Garden stated that, being refused a written statement, he had no wish to address the Committee orally, and declined doing so; and Mr. Henderson stated that, as Mr. Garden had declined, it was not his intention to trouble the Meeting with any remarks: Whereupon, the Meeting unanimously agreed to adjourn, and that they should meet again and have the whole evidence read over to them; and that the cards calling that meeting should specify the object of it;—and Mr. Thomson was in the meantime instructed to circulate the two copies of the evidence, which had been made for the Doctors, among the Members of Committee preparatory to the intended meeting, that each member might have an opportunity of perusing the same previous to coming to a decision on the subject. It being understood, that the evidence in its circulation among the members would be kept quite private, and that

* Pages 67, 68, 69, 70, 71, and 72.

each member would endeavour to return the copy sent him within two days. The next meeting to be called on an early day after Provost Anderson's return from London.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

4.—*Minutes of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on 25th March,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Monday the twenty-fifth day of March, Eighteen hundred and sixty-one years, at ten o'clock forenoon.

Present—Provost ANDERSON; Baillie M'HARDY; Baillie FRASER; Baillie URQUHART; Mr. JAMIESON, Dean of Guild; The Rev. Dr. PIRIE; The Rev. JOHN ADAM; Dr. GALEN; Dr. HENDERSON; WILLIAM YEATS, Esq. Advocate; JOHN LIGERTWOOD, Esq. Advocate; ALEXANDER JOPP, Esq. Advocate; NEIL SMITH, Jun. Esq.; LEWIS SMITH, Esq.; and ALEXANDER MORISON, Esq.

Present also—JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

The Clerk having read the minutes of last Meeting, along with a letter he had received from Mr. Garden on 18th current, the Chairman proposed that, in respect of the circulation of the evidence among all the members since last meeting, the same be now held as read. This proposal having been unanimously agreed to, the Chairman commented, at considerable length, on the evidence as bearing on the charges contained in Mr. Garden's letters, and finished by submitting a series of Findings on these charges for the consideration of the Meeting.

After some discussion, it was unanimously agreed to, that Provost Anderson, Mr. Jopp, Mr. Yeats, and Mr. Ligertwood, along with the Rev. Dr. Pirie, and the Rev. John Adam, be, and they are hereby appointed, a Committee to revise and adjust these Findings, to be afterwards submitted for the approval of the whole Committee.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

5.—*Minute of Meeting of Sub-Committee held on 28th March,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Thursday the twenty-eighth day of March, Eighteen hundred and sixty-one years, at ten o'clock forenoon—

Present—Provost ANDERSON; The Reverend Dr. PIRIE; ALEXANDER JOPP, Esq.; and JOHN LIGERTWOOD, Esq. (Four of the Sub-Committee named at last Meeting of the Managers.)

Present also—JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

The Chairman submitted to the Meeting two drafts of what he proposed should be the deliverance of the Committee on the case of Miss Eliza Murchison:—the one being the series of Findings he had read at the previous meeting, and the other being in the form of an Interlocutor and Note, and which he had caused to be drawn out, with the view, if possible, of accommodating the views expressed by some of the Members at last Meeting.

The Sub-Committee, having considered both Drafts, unanimously agreed to recommend the one second above mentioned, with certain alterations then made by them, to the Managers, as the one that should be adopted by them as the Deliverance on this case.

The next meeting to be called for Monday first, at ten o'clock forenoon.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

6.—*Minutes of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on* 1*st April,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Monday the first day of April, Eighteen hundred and sixty-one years, at ten o'clock forenoon :—

Present—Provost ANDERSON ; Baillie FRASER ; Baillie URQUHART ; GEORGE JAMIESON, Esq., Dean of Guild ; The Reverend Dr. PIRIE ; The Reverend JOHN ADAM ; ALEXANDER JOPP, Esq. ; WILLIAM YEATS, Esq. ; JOHN LIGERTWOOD, Esq. ; JOHN WEBSTER, Esq. ; Dr. HENDERSON ; LEWIS SMITH, Esq. ; NEIL SMITH, Junior, Esq. ; and ALEXANDER MORISON, Esq.

Present also—JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

The Minutes of last Meeting, and also of the Sub-Committee, having been read, along with the Deliverance recommended by the Sub-Committee to be pronounced on Mr. Garden's Complaint, a considerable discussion ensued upon the terms of the Deliverance ; whereupon, it was unanimously resolved to remit again to the same Sub-Committee to revise their Deliverance, and re-consider the same, with the view, if possible, of meeting the views expressed by the Members at this Meeting.

Mr. Webster's letter to the Clerk, of 29th March, was also read to the Meeting ; and he desired it, in addition thereto, to appear on the Minutes that he declined to vote, or to take part in the discussion at this stage, as he had been unable to be present during the investigation. That he had read the evidence carefully, and had formed an opinion, which is expressed in said letter; but he did not desire that opinion to be taken into account by the Committee.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

Letter from Mr. Webster referred to in the foregoing Minute.

JOHN THOMSON, Esq., Advocate.

42, KING STREET,
ABERDEEN, 29*th March*, 1861.

DEAR SIR,

MISS MURCHISON'S INQUIRY.

I had promised to your Clerk to send in the Sub-Committee's Deliverance and Report to Mr. Yeats after I read them, but I have been so often interrupted that I could not overtake the perusal till now, when I conclude Dr. Pirie will be waiting at your office for the paper. I return it to you, therefore, and you will, of course, send it when convenient to Mr. Yeats.

I do not give judgment on the Deliverance, for the same reason that I have, most unwillingly, refrained from attending the later Meetings for taking evidence. That reason simply is, that, having been unable to be present at the first part of the investigation, I felt that for me to hear part of the evidence only, and decide on it, might appear unfair, and even damage the value of the decision come to by those Members who were present throughout. But I read most carefully the evidence you sent me, and I hold distinctly that it completely failed to substantiate the charges made against Dr. Jamieson.

Yours faithfully,

JOHN WEBSTER.

7.—*Minute of Meeting of Sub-Committee held on 5th April*, 1861.

At Aberdeen, and within the Royal Infirmary there, on Friday the fifth day of April, Eighteen hundred and sixty-one years, at two o'clock afternoon—

Present—Provost ANDERSON; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; ALEXANDER JOPP, Esq.; and WILLIAM YEATS, Esq. (Being five of the Sub-Committee named at a previous Meeting.)

Present also—JOHN THOMSON, Clerk to the Inquiry.

Provost ANDERSON in the Chair.

The Clerk read to the Meeting a note which he had received from Mr. Ligertwood, stating that, as he had to go from home, he would be unable to attend this meeting.

There was then submitted to the Meeting a letter and accompanying memorandum, which the Clerk had received from Mr. Lewis Smith since last meeting, and in which he writes as follows:—"I beg you will submit the enclosed note for the consideration of the Sub-Committee on the findings in Miss Murchison's case. If it, or one of a similar import, be inserted in the notes appended to the findings, I shall be satisfied, and believe so will all who hesitated at the last meeting."

The Sub-Committee, having read and considered the Memorandum referred to, at once agreed, for the sake of unanimity, to adopt Mr. Smith's proposed alteration, and the Clerk was authorised to make the same accordingly.

ALEX. ANDERSON, *P.*

JOHN THOMSON, *Clk.*

Note referred to in the foregoing Minute.

"The only semblance of evidence adduced in support of this "charge are some expressions used, or said to have been used, by "Dr. Jamieson towards Mrs. Fleming during his interview with her "on the morning of the day of Miss Murchison's death (Mrs. "Fleming being then unknown to Dr. Jamieson as a relative of "Miss Murchison's); and while the Committee do not approve of "even the semblance of discourtesy (and these expressions can bear "no stronger interpretation, if they even bear that), they are of "opinion that the expressions referred to do not in any degree "warrant the imputation founded upon them, or even entitle the "Committee to pass a censure upon Dr. Jamieson, who appears on "that occasion to have been exposed to provocation sufficient to "ruffle the temper of any man conscious that he was faithfully dis-"charging his duty alike to his Constituents and to his Ward. The "Committee regret that the relatives of Miss Murchison should "have founded a charge of so grave a character upon a circum-"stance in itself so insignificant."

8.—*Minute of Meeting of the Committee of Management of the Royal Lunatic Asylum, Aberdeen, held on 8th April,* 1861.

At Aberdeen, and within the Royal Infirmary there, on Monday the eighth day of April, Eighteen hundred and sixty-one years, at one o'clock afternoon :—

Present—Provost ANDERSON; Baillie M'HARDY; Baillie URQUHART; GEORGE JAMIESON, Esq., Dean of Guild; The Reverend Dr. PIRIE; The Reverend JOHN ADAM; ALEXANDER JOPP, Esq.; WILLIAM YEATS, Esq.; JOHN LIGERTWOOD, Esq.; Dr. HENDERSON; Dr. GALEN; LEWIS SMITH, Esq.; NEIL SMITH, Junior, Esq.; and ALEXANDER MORISON, Esq.

Provost ANDERSON in the Chair.

The Minutes of last Meeting, and also of the subsequent Meeting of the Sub-Committee, having been read, the alteration suggested by Mr. Lewis Smith on the proposed Note was adjusted, and made by the Chairman, at the sight of the Meeting; whereupon the Meeting approved of and adopted the Deliverance and Note as so adjusted; and the Provost, as Chairman of the Committee, was appointed to subscribe, and did subscribe, the Deliverance, and each page of the Note appended thereto, in name and in presence of the Meeting.

Dr. Henderson stated, that he did not agree with the Committee in the said Deliverance; and the Reverend Mr. Adam dissented in the following terms—" I dissent from the two Findings of the Com-" mittee. From the First Finding, because, while holding with the " Committee that the first part of the complaint has not been proven, " I am of opinion that earlier and fuller information should have " been furnished to Miss Murchison's relatives regarding her state, " and that this should have been found and stated by the Committee. " I dissent from the Second Finding, because evidence has been " presented in support of this part of the complaint; and that " the evidence was sufficient to prove the charge—at least, to the " extent that there was a want of due consideration and courtesy " shown to one of the relatives on the morning of Miss Murchison's " death."

ALEX. ANDERSON, *P.*