will, the provisions of which may be so singular as to lead to a doubt of the party's soundness of mind. This is a question of great difficulty, in which the medical witness requires much experience of the sympathies that exist between the mental and corporeal faculties. Such has been the case during the excitement of *furor uterinus*.

415. Medical men are not unfrequently called upon to give their opinion as to prodigality constituting insanity. This is a most difficult question. By the Roman law, if a man by notorious prodigality was in danger of wasting his estate, he was looked upon as *non compos*, and committed by the prætors to the care of curators or tutors. But, in England, the return of a person as *unthrifty* does not constitute mental incapacity.† This is an error; for clearly, if the prodigality of a person is likely to involve a family in utter ruin, and that such prodigality evidently shows a disordered state of mind, the party should be de-

* Of this nature was the case of Atty v. Parnther, 3 Brown, 443, and on which Lord Thurlow gave a most luminous opinion.

† I have given a case of this nature in which a lady was placed in confinement from her prodigality, but I doubt much whether this restraint would have been sanctioned, had a writ *de lunatico inquirendo* been issued.
prived of the power of injuring others, and the axiom, "Sic utere tuo ut alienum non iedas," is applicable. In such cases a patient examination of the party will in general show that these acts of prodigality arise from delusions, which clearly prove an unsoundness of mind.*

416. In a legal point of view, the imbecile and the demented should not be considered as constituting different classes. We have only to decide upon the extent of the unsoundness of mind, and incapacity to conduct their affairs.

417. In this investigation we must carefully endeavour to ascertain if the judgment of the parties is sufficiently sound to be aware of their circumstances, the extent and nature of their property, their relative position in society, and all external perceptions and apprehensions, judging correctly on the objects of reflection submitted to them.

* In such difficult and uncertain investigations, it cannot be expected that the wisest laws can be definite, and Hoffbauer has justly observed that "all legislation ought to proceed on the ground that the objects to which it refers are well known and understood; but this knowledge failing, it is much better that the law should leave things undefined, than that it should define erroneously, and then introduce mistakes which would be perpetuated by its authority."
418. It is necessary in this investigation to distinguish the *stupid* from the *silly*. To the *silly* the most simple act of judgment is difficult, but the *stupid* may judge correctly on subjects to which his attention has been strongly applied, and as Hoffbauer justly observes, "occasionally come even more directly to a right conclusion than those who are possessed of superior intelligence." The stupid man, moreover, may be induced to change his opinion and correct his mistake, when some particular circumstances have led to its detection; whereas the silly man can scarcely rectify his error, being unable sufficiently to concentrate his attention on any particular subject; but the stupid man has not this defect, he views every subject on one side only, and is embarrassed by every complex idea.*

419. The exact limits of every stage of mental incapacity cannot be determined, and legal culpability can only be annulled when mental alienation is clearly and unequivocally demonstrable.

420. In many instances, monomania, in which

* For further distinctions on this most important subject, we must refer to Hoffbauer's works, an excellent epitome of which has been given by Dr. Pritchard in his invaluable treatise on insanity.
the patient indulges in the most absurd delusions, does not constitute insanity, as on all other points he may reason and act most correctly.* But when a monomaniac entertains a false notion of himself and others, and acts upon such delusions, fancying himself sent upon a divine mission, or possessing a monarch's power—such monomaniacs are dangerous to society, and although they may reason correctly on all other matters, are unfit subjects to remain at large, since their acts must be absolved from culpability,—for although derangement may be partial, yet the culpable act was committed under an illusion, and therefore constitutes the act of a non compos at the time.†

* The visionary Swedenborg, who was decidedly as mad as any of his followers, fulfilled the duties of his office in the most distinguished manner; and a doctor in laws who had taken it into his head that all the freemasons had entered into a league against him, yet held with high credit a chair in the university. Still on a question of religious doctrines, or on free masonry, neither of these monomaniacs' opinions could be considered valid. I know a Swedenborgian who is perfectly insane whenever any question regarding madness or religion is brought forward, yet on some points he argues correctly.

† It has been maintained by several logists, that a distinction should be established between the commission of a civil and a criminal act. This appears most unjust; for
421. During an evident and unequivocal lucid interval, an individual becomes as answerable for his conduct as if he had no deficiency of understanding; hence, the existence of a lucid interval becomes a subject of the utmost importance, both as regards the party and the public.

422. During an examination to ascertain a lucid interval, we must bear in mind that lunatics display much cunning in evading questions that might compromise them. It is, therefore, most urgent that such dissimulation be not confounded with a return of lucidity. Such an examination requires much experience on the part of medical practitioners.

423. In a legal point of view, wherever there is delusion there is insanity. Delusion exists when persons believe things to exist, which exist only in their own imagination. It is not sufficient to convince them of the non-existence of such things, to show that they are not insane; for such a conviction may be only a momentary return to reason, whence, in all probability, they will relapse when the evanescent conviction ceases.*

Surely if the civil acts of an individual are to be annulled on the plea of unsoundness of mind, he must also be absolved from criminal culpability and punishability.

* On this point I am obliged to differ from the learned
424. Delusion may exist on one or two particular subjects; yet, if we closely examine the general conduct of such persons, their usual deportment, eccentricities, inconsistencies, and irritability, it will be found that these peculiar delusions arise from a more general disturbance of the intellectual faculties and perversities, both in feeling and in action.

425. If there does exist a moral insanity, or, in other words, a mental disorder unaccompanied by illusion or any lesion whatever of intellect, it cannot be sufficiently brought into evidence to exonerate an offender from legal responsibility. Eccentricity of habits and character may undoubtedly border on insane conduct, but cannot constitute a condition to become matter of legislation. If such eccentricities constitute mental disease, the patient comes under the category of other persons of insane mind, and must be dealt with according to the established laws in like cases.*

426. There are cases of homicidal madness on Sir J. Nicholl, who maintained, in Dew v. Clarke and Clarke, that insanity is evident when no argument nor proof can convince the person that he is labouring under delusion.

* The report of the judgment in Dew v. Clarke and Clarke, is one of much practical importance. It was proved
record, in which, previous to the commission of the crime, no lesion of intellect had been discovered; but it will be found in these instances, that the unfortunate criminals experienced a homicidal propensity which they themselves declared was irresistible. These propensities frequently occurred at different periods and under various circumstances. To assert that no disorder of the

that the individual conducted himself and his affairs rationally, was a clever, sensible man, had amassed a considerable fortune by his profession, took good care of his property, and that several of his friends and acquaintances, some of them medical persons, never even suspected that he was deranged in mind. It was also stated that he was a man of irritable and violent temper, of great pride and conceit, very precise in all domestic arrangements, very impatient of contradiction, entertaining high notions of parental authority, rigid notions of the total and absolute depravity of human nature, of the necessity of sensible conversion, and of the expediency of confessing to other persons the most secret thoughts of the heart. But it was also found that this person having a daughter, "amiable in disposition, of superior talents, patient under affliction, dutiful and affectionate, modest and virtuous, moral and religious," was in the habit of tying her up to a bed-post, flogging her with unmerciful severity, aggravating her sufferings by the application of brine, flogging her repeatedly with a horsewhip, pulling her hair out by the roots, and compelling her to perform the meanest drudgery." Without hesitation, the judge declared him to be "non compositus mentis."
intellect prevails in these melancholy instances of insanity, appears to be preposterous. It is true that reason cannot check the impulse; but whether the propensity arises from physical or from moral causes, it clearly constitutes insanity, and the individual should be secluded from society, until a proper treatment subdues this melancholy predisposition to crime. These acts do not constitute temporary insanity, but partial insanity, and arise from a peculiar mental delusion, which must exonerate the unfortunate lunatic from legal responsibility.*

* To guide us in this most important inquiry, Esquirol has laid down the following valuable rules.

1. Acts of homicide perpetrated or attempted by insane persons have generally been preceded by other striking peculiarities of action noted in the conduct of the same individuals; often by a total change of character.

2. The same individuals have been discovered in many instances to have attempted suicide, to have expressed a wish for death; sometimes they have begged to be executed as criminals.

3. These acts are without motives; they are in opposition to the known influences of all human motives. A man murders his wife and children, known to have been tenderly attached to them; a mother destroys her infant.

4. The subsequent conduct of the unfortunate individual is generally characteristic of his state. He seeks no escape or flight; delivers himself up to justice, acknowledges the crime laid to his charge, describes the state of mind which
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427. A drunkard is no doubt responsible for the acts he commits when in a state of inebriety; yet there are cases, where an exemption from this responsibility may be urged, when drunkenness proceeds from an actual morbid condition, and constitutes an insurmountable propensity. There are even instances where an individual commits excesses at certain periods of the year; such a case may be considered a state of insanity, and the French legislators distinguish voluntary from involuntary drunkenness.*

428. We must not conclude that insane persons are enjoying a lucid interval, when they appear to regret the commission of an offence, express their repentance, and supplicate for led to its perpetration, or he remains stupified and overcome by a horrible consciousness of having been the agent in an atrocious deed.

5. The murderer has generally accomplices in vice and crime. There are assignable inducements which led to its commission,—motives of self-interest, of revenge, displaying wickedness premeditated. Premeditated are in some instances the acts of the madman; but his premeditation is peculiar and characteristic.

* According to the Article 64 of the French penal code, an accused person cannot be considered guilty of a crime, if it is proved that he was demented when the act was committed, or that he was impelled to its commission by an irresistible power.
forgiveness. Lunatics will constantly commit excesses during a paroxysm of violence, which they will afterwards deeply lament. In general, lunatics are aware of the mischief they commit, and when detected will persist in denying the charge with the utmost ingenuity and perseverance. In a legal point of view, such a consciousness of the nature of good and evil cannot be considered to constitute a sound state of mind.*

429. A homicidal propensity often prevails in the minds of persons otherwise of sound mind. This desire to shed the blood of those they hold most dear is irresistible, although they are aware of it at the time, and have been known to call for help to prevent them from committing such an unaccountable crime.†

* P. L., a young imbecile girl under my care, is constantly doing mischief, and kicking and pinching other patients. When punished by confinement, her cries are loud and piteous, and she solemnly promises not to do it any more. M. M., another imbecile young woman, can only be kept from doing mischief by constant labour; when at work she is in general quiet and good humoured; she also roars out violently when shut up, and promises never to offend again.

† Mare relates the case of a lady who, having heard of the assassination of a child, felt a temptation to destroy her own infant. She was mending a pen at the time, and experienced a desire to plunge the penknife into the child’s
430. This is perhaps one of the most difficult points to resolve in medical jurisprudence. Most unquestionably, such an unnatural propensity is a proof of an unsound state of mind, and might perhaps justify the qualification of temporary insanity; but I consider it as a partial insanity, arising from a perversion of the mental faculties, since this homicidal propensity is frequently felt, and the act of homicide does not arise from any calculation or premeditation, which would constitute wilful murder, instead of an insane act: such would be the case if a parent killed a child because he could not maintain it, or even on the suspicion of its being the offspring of a criminal connexion.*

heart. She overcame the impulse, and carrying the instrument to her own throat, exclaimed? "Wretched woman, is it not better that thou thyself shouldst die?" Barbier reports the case of another mother, who was obliged to call in her neighbours to prevent her from murdering her child.

* Homicidal propensity is not unfrequently complicated with cannibalism. In such cases the unfortunate lunatic has been in general melancholy, and apparently absorbed in deep thought. There are cases on record in which a thirst for blood seemed instinctive. Gaubius relates the case of an Anthropophagic father and daughter. Procharka knew a woman in Milan, who enticed children to her home to devour them; a woman of the name of Salome Guir was tried at Strasbourg for eating her own child, which she
431. A crime committed under the influence of any passion, however violent the outbreak may be, cannot be considered as an insane act, unless the offender has evinced other signs of lunacy,* for in such cases there is no delusion. The desperate impulses of love, jealousy, hatred, and revenge, cannot be considered as morbid and irresistible propensities; they are or ought to be under the influence of our volition, and therefore become criminal.

432. The irresistible propensity to thieve, is a monomania which must exempt the offender from culpability; but it should appear evident that this predisposition is more or less constant. The same principle applies to incendiaryism, a monomaniac propensity which is not uncommon.

433. As a crime committed during a lucid interval renders the offender responsible for the act, it is therefore most important to ascertain how

stewed with cabbage, a mess of which she offered to her husband. At the trial of Pappavoine, it was stated that Don Carlos d'Espagne had similar inclinations.

* Georget relates the case of Henry Fedtmann, who entertained an incestuous love for his daughter for seven or eight years, and, being disappointed in his unnatural passion, murdered her.
far the lucidity has been sufficient to render the party perfectly sensible of the nature of his guilt, as it is a matter of considerable doubt whether an insane person ever enjoys such a restoration to a sound state of mind as to expose him to culpability. Notwithstanding the apparent temporary restoration to reason, the pathological affection still exists, although with a modified intensity, but still with a tendency to a renewed paroxysm.* Thus will any provocation

* On this most important point of medical jurisprudence, Haslam is of opinion that lunatics "may at intervals become more tranquil, and less disposed to obtrude their distempered fancies into notice. For a time their minds may be less active, and the succession of their thoughts consequently more deliberate; they may endeavour to effect some desirable purpose, and artfully conceal their real opinions, but they have not abandoned nor renounced their distempered notions. It is as unnecessary to repeat that a few coherent sentences do not constitute the sanity of the intellects, as that the sounding of one or two notes of a keyed instrument could ascertain it to be in tune."

Lord Thurlow maintained that by a perfect interval he did not mean a cooler moment, an abatement of pain or violence, or of a higher state of torture—a mind relieved from excessive pressure,—but an interval in which the mind, having thrown off the disease, had recovered its general habit. Vide Parther, 3 Brown. Chan. Cases, 234. Lord Thurlow
or irritation produce a relapse, perhaps of a momentary nature, but sufficient to impel a man

further urged, that "the evidence in support of the allegation of a lucid interval, after derangement at any period has been established, should be as strong a demonstration of such facts, as when the object of the proofs was to establish derangement."

This luminous and just view of the subject was, however, opposed by Lord Eldon, in the following reply: "I have seen you exercising the duties of Lord Chancellor with ample sufficiency of mind and understanding, and with the greatest ability. Now, if Providence should afflict you with a fever, which should have the effect of taking away that sanity of mind for a considerable time, (for it does not signify whether it is the disease insanity, or a fever, that makes you insane,) would any one say that it required such very strong evidence to show that your mind was restored to the power of performing such an act as making a will?" Now, with all respect to Lord Eldon, nothing could be more questionable than this objection. There is a manifold and wide difference between the delirium of a fever and insanity; delirium is but a casual symptom of the fever, and the treatment that cures the disease effectually, secures the patient from a return of an accident which was but symptomatic of the main disorder. It may be urged that incoherence is a symptom of insanity; but a man may appear coherent although mad,—such a delirious state may cease although the fever still prevails,—but delusion is the constant attendant on insanity, whereas delirium is only an occasional and accidental symptom. Dr. Ray has ad-
to the commission of a criminal act under a state of mental aberration, which should exonerate him from responsibility.

434. Mental aberration cannot always be considered as a sufficient ground for interdiction. It must be unequivocally proved that the lunatic is totally unfit to manage his affairs, and that his partial derangement has actually involved his notions of property.

435. When conflicting interests are involved in the disposition of property, and interdiction may be desired by some of the parties concerned, to decide upon its expediency is a question of the utmost importance, and will require the most patient and discriminating investigation, not only as regards the lunatic, but the relatives around him. We are not to form a judgment from little

mirably expressed himself on this question. "Recovery from an attack of fever is a phenomenon that any one can see, but not such is recovery from an attack of mania; because, though the insane delusions or conduct by which it was manifested may disappear, it remains to be determined in every case, whether they are not purposely concealed from observation, or proper opportunity has been offered to the patient to bring them forward. Just as the existence of mania requires stronger proof than that of the delirium of fever, so does recovery from the former require stronger proof than recovery from the latter."
peculiarities or the general deportment of the individual, but to draw our inferences from his probable future conduct. We must ascertain whether he has been guilty of any act of extravagance, and shows a reckless indifference to his interests and those of his family, by squandering his property on worthless persons or profli- gate associates, to the manifold prejudice of his welfare.*

* Much difficulty has arisen in these cases, from legal definitions, which consider an individual who can "talk and discourse rationally and sensibly, and who is fully capable of any rational act requiring thought, judgment, and reflection, as being gifted with "perfect capacity." Many such persons may be found who are utterly unfit to manage their own affairs. This incapacity, however, must not be grounded upon false and speculative notions, but upon the manifestations of evident delusions, and extravagant if not incoherent views. For instance, a man may evince much judgment and reflection in general conversation, but would talk of building a church or a palace—another individual may entertain a most correct idea of the nature of his property, and yet express an intention of bestowing it upon some unworthy favourite, or perhaps an utter stranger. Ray has justly observed, "that the general strength of mind is but an uncertain index of its ability, when exercised on particular subjects." According to the French code, nothing less than habitual insanity can warrant interdiction. We, however, frequently see persons insane on many points, and who are capable not only of conducting their affairs with prudence, but who display considerable ability in their management
436. Delusions as to the disposal of property cannot always be considered as proofs of insanity sufficient to authorise an interdiction. Speculations, apparently the most absurd, may be much more sagacious than one might imagine. A merchant was considered insane on his sending a consignment of skates to the West Indies; yet as he intended to reship them for North America, where they realised a considerable profit, he showed more judgment than those who condemned his venture.

437. It would be desirable that our laws, in regard to interdiction, made a provision similar to one in the French code, by which it is stated, that "in rejecting a demand for interdiction, the court might, if circumstances required it, debar the defendant from appearing in suits, making contracts, borrowing, receiving payment for debt or giving a discharge, alienating or pledging his property, without the aid of a council which should be appointed in the same judgment. Code Civil, Art. 499.

438. In confining the insane, we must bear three objects in view:

of property; and there are instances on record where the very persons who were seeking to confine a relative, have consulted him on the proper arrangement of his affairs.
i. The patient’s safety and restoration to health;

ii. Their comfort and well-being, whether curable or not;

iii. The security of society.

439. The violence of manner of an individual, although it may be stated as destroying the peace and comfort of his family, should be considered as a very doubtful proof of insanity. In such cases, it is no easy matter to detect the irritation to which he is exposed, by those whose interest it may be to confine him; and in our decisions we should be less influenced by the evidence of relatives, than by our own careful examination, in depriving a fellow-creature of freedom and happiness.
BOOK FOURTH.

ON PUBLIC AND PRIVATE LUNATIC ASYLUMS.

440. All Lunatic Asylums, whether public or private, should be placed under the immediate care of government.

441. They should be under the control of inspectors, metropolitan and provincial.

442. A metropolitan board should be formed of inspectors, a proportion of whom should be medical men, to be placed in communication with the provincial ones.

443. Inspectors should be named for every circuit, not less than four in number, and two of them to be medical men.

444. The metropolitan and provincial inspectors should have the power of visiting all public and private establishments as frequently as they may think proper, and carefully examin-
ing the patients, and ascertaining the mode of treatment adopted.

445. Regular reports, at stated periods, should be transmitted to the Secretary of State for the Home Department, to be laid before parliament in duplicate forms. And the commissioners should be held responsible for the proper management of all such establishments, and of the necessity of the seclusion of their inmates.

446. No patient should be sent to a public or private institution until the case had been submitted to the inspectors, with proper medical certificates, and the confinement of the lunatic sanctioned by them as indispensable.

447. The inspectors should also have the power of discharging those persons whose further confinement they might consider improper.

448. In every public and private lunatic establishment, a register and case-book should be kept, in which should be noted the name and age of each patient, with a statement of the nature of the disease; a duplicate of these registers to be in the hands of the inspectors; and all admissions, deaths, and discharges, should be reported to them every month.

449. Every public asylum should have an infirmary, to which all the sick should be removed,
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and the journal of the cases, to be regularly kept by the medical officer, who should also register the post mortem appearances.

450. A coroner's inquest should be held on all lunatics who die out of the infirmary.

451. All appointments of officers to public asylums should be made by the government, on the recommendation of the inspectors, and their removal or dismissal should only take place on a similar recommendation.

452. No one but medical men should be allowed to keep a private asylum, in which they will be expected to reside.* For if there does

* The reason why cures are more frequent in public than in private institutions is obvious. In the one it is the interest of the physician to discharge as many patients as he can, whereas in the other speculative establishment, it is the interest of the keeper to keep as many inmates as he possibly can. A medical man has a professional character to maintain, a madhouse keeper has only to maintain himself or herself. The end of all lunatic receptacles should be the recovery, and not the confinement, of the insane; and, according to the present system, the latter object must too frequently be considered the only one in view. We have lately seen a madhouse keeper affirm, that the exhibition of medicine in madness is useless, and that the care of the insane should not be committed to medical men. Nay, a prelate has been known to suggest the propriety of lunatic asylums being under the superintendence of the clergy! "There is nothing like leather," and we find a pharmaco-
exist a malady which requires incessant care and observation more than another, it is most unquestionably insanity; when both the moral and the therapeutic treatment must be dictated by studying the nature of the case.

453. An annual report should be made by the inspectors of lunacy, presenting to parliament a statistic view of insanity. This report to be drawn out by the metropolitan board, who will embody the several reports transmitted to them by the county commissioners. All public asylums should be placed under the superintendence of a resident physician, who will direct the moral and medical treatment, and be responsible for the medical management of the institution to the inspectors.*

polist maintaining that apothecaries are more fit to attend lunatics than physicians!! As the law now stands, any person can keep one lunatic in confinement, without being licensed. This is a glaring evil. There are many families in exiguous circumstances who derive their chief means of support from this permission, and whose dwellings are frequently unfit for the purpose. When the family go out, the unfortunate captive is left to the care of some ruffian koeper, who locks him up, (most probably in a strait waistcoat,) when he thinks proper to repair to the neighbouring potherhouse. This practice is pregnant with misery, and leads to the most atrocious speculations.

* In the choice of a medical superintendent, great dis-
454. The superintendent should have the recommendation of all his subordinate officers, and discrimination and judgment is required. It should not be indispensable that he possess a degree of Doctor of Medicine of any particular university, as a well qualified surgeon may be more fit for the situation. Dr. Brown has admirably stated what these qualifications should be.

"They must comprehend a familiarity with the true and practical philosophy of the human mind, in order that the disease may be understood and controlled; as general acquaintance as is practicable with the usages and workings of society, with the habits, the pursuits, and the opinions and prejudices of different classes, with literature and science, so far as they contribute to the instruction, happiness, or amusement of these classes—with everything, in short, which is or can be rendered influential, in what may be called adult education, in the management or modification of character, in order that as great a number of moral means of cure, of restraining, persuading, engaging, teaching the darkened and disordered mind, may be created as possible; and finally, as liberal a professional education as long preliminary study, and equally long practical observation, can accomplish, in order that the causes of alienation, the physiological condition by which its duration and intensity may be increased or diminished. To acquire and apply this amount of knowledge or discrimination, it is not only necessary that he who devotes himself to the care of the insane should see his patients, as has been recommended, once or twice a week; he must live among them; he must be their domestic associate; he ought to join in their pursuits and pastimes; he ought to engage them in converse during the day, and listen to their soliloquies in the retire-
the power of dismissing them for misconduct, on reporting his causes of complaint to the inspectors.

455. The matron, keepers, and nurses, should also be appointed by the medical superintendent.

456. The superintendent should have no financial duties or responsibilities; the economy of the institution should be confided to a steward, under whose direction will be placed the necessary subordinates. The nomination of the steward should rest with the justices of the peace of the county, as it will be their duty to watch over a proper expenditure of the established rates. But while the magistrates are careful of the public revenue, they will not possess any authority to interfere in the treatment of the patients, who are placed under the responsibility of the inspectors.

457. The magistrates will, however, be fully authorised to submit to the board of inspectors any suggestion that they may deem advisable for the welfare of the institution.*

* With the very best motives, it is not probable that a
458. The steward will be responsible to the magistracy for the financial department, and render them his accounts in a series of books, which will enable them to check the expenditure with facility.

459. The steward will receive from the medical superintendent all orders regarding diet, clothing, heating, &c.; in short, in every duty committee of visiting justices can manage a lunatic asylum. The members of these committees go out by rotation, and it cannot be expected that country gentlemen, however well they may be learned in Burn's Justice, can possess the requisite knowledge to direct the management of a number of lunatics. Even laying aside the Moloch of patronage, they will entertain individual views on the subject, most likely erroneous, since they will be purely theoretical, and will counteract the exertions, not only of their predecessors, but of their colleagues; if there is a possibility of a system of jobbing and favouritism in patronage being adopted, such an evil should be guarded against by every possible legislative provision; and common sense will justify the conclusion, that proper commissioners, qualified in every respect for the duty, will be more likely to guide such a complex establishment with regularity and judgment, than persons who have not the slightest knowledge of the matter. Discord and party spirit will more probably reign amongst the magistrates of a county than amongst inspectors, whose duties should be clearly pointed out by the legislature, and who are responsible to government, whereas the magistrates too frequently consider themselves as only being responsible to their own bench.
connected with the management of the patients: the superintendent will also point out to him the repairs which from time to time may be wanted, after the necessity for such repairs has been confirmed by the inspectors, and subsequently submitted to the magistrates, to supply the means required from the county rates.

460. The matron of a lunatic asylum should be under the immediate orders of the medical superintendent, and be merely considered as at the head of the nurses and the female branch of the establishment. It is her duty to see that the nurses perform theirs; to superintend the workwomen, and the labouring female patients—the proper distribution of their meals and tasks—their personal cleanliness and comfort.*

461. The rules and regulations for the manage-

* Nothing can be more preposterous than the attempt to place a lady in this capacity. A matron should not conceive herself above any work or duty connected with the well-being of the patients, and it is scarcely possible to expect that any female gently born or bred could accept a situation in which her ears are constantly assailed by obscene language, or her eyes disgusted by the unblushing acts of many of these unfortunates, who have lost sight of all conventional decency. A good matron might be more easily found amongst experienced nurses, than in pauper would-be ladies.
ment of all lunatic asylums should be drawn out by the inspectors.

462. Whenever a public lunatic asylum is to be constructed, the plans should be submitted to a committee jointly formed of justices and inspectors, who will decide upon the most eligible proposal, both as regards site and building; the approved plan of the premises to be submitted to the metropolitan board of commissioners for any suggestions they might think desirable. It is impossible to be too circumspect in such expenditures, as erroneous and vicious constructions are generally discovered when the building is completed, and the public monies have been lavishly expended.

463. The metropolitan inspectors should also visit all the public and private institutions in the kingdom, and make out a quarterly report of their inspection.*

* The importance of such inspections for the protection of lunatics is so urgent, that I feel confident the public would never object to the expenses which would be incurred by such appointments. We have inspectors of prisons, whose active inquiries have already been attended with the most beneficial results: why should not unfortunate creatures, who cannot complain, and whose complaints are rarely attended to, be entitled to a similar protection? Let those who might murmur at the expense, recollect that Providence may afflict them with a similar
464. The duties of these inspectors would be:

i. To ascertain that every individual confined is a fit subject for seclusion.

ii. That their moral and medical treatment is properly conducted.

iii. That the diet and clothing are properly regulated, and that they are provided both with summer and winter raiment.

iv. That the officers and subordinates of the establishment perform their duties with diligence and humanity. *

v. That the registers and case-books are regularly kept.

vi. By attending carefully to the complaints of the patients, however frivolous they may appear, to ascertain whether their complaints may not be founded upon real grievances.

vi. By attending carefully to the complaints of the patients, however frivolous they may appear, to ascertain whether their complaints may not be founded upon real grievances.

visitation, and reflect on all the crimes that have been perpetrated in madhouses! and which (although checked by legislative interference) still exhibit scenes of abuse of power and capricious tyranny, but too frequently abetting sinister projects, of which a poor demented, unprotected object is the victim!! The good that would result from such a system of inspection, and its consequent responsibility, is incalculable.

* Dr. Conolly, in his very interesting work on insanity, is of opinion that not only every lunatic asylum should be the property of the government, but that all the officers and keepers should be appointed by the Secretary of State.
465. Due notice of the visits of the inspectors
should be given to the public, that the relatives
and friends of lunatics who are confined may
have an opportunity of seeing them, and conferr-
ing with them on the state of the patient, and
their ability to provide for them out of an
asylum.

466. The present law, which allows the rela-
tions of a pauper lunatic to take him out of an
asylum, on his satisfying the parish officers that
they are able to keep him with comfort and
safety, occasions much mischief. The family
of a lunatic who is constantly soliciting for his
discharge, and complaining of his miserable con-
dition, will naturally wish to bring him home;
while, on the other hand, the parish officers will
naturally wish to diminish the burthen the parish
has to bear: the consequence is obvious,—the
family of the lunatic endeavour to deceive the
guardians and overseers, and these officers do
not exert themselves to ascertain their actual
means of supporting a lunatic, who, not being
in safe custody, may injure himself and others.*

* I dismissed a patient at the request of his friends,
people in comfortable business, the parish officers hav-
ing expressed themselves satisfied as to their means of
providing for him. He twice ran away from home, and at-
ttempted to drown himself, and at last chopped off his penis
467. It is evident that the well-being of lunatics confined in a public asylum must in a great measure depend upon the conduct of keepers and nurses. It is essential, not only that the utmost discrimination may be used in the selection of such servants, but that their salary and comforts be such as to render their situation desirable. Keepers should therefore be distributed into three classes, in which they will progressively rise according to their behaviour, and it would be desirable that after a certain period they might retire upon some provision for their latter days.

468. The keepers would not only be promoted to the superior classes and rates of salary in the establishment to which they belong, but removed to other institutions, where their services might be required, while they might occasionally be placed in private asylums. By the adoption of this system, a school for their instruction would be established:*

with a hatchet; and was brought back in a most wretched state.

* The great difficulty in procuring proper keepers arises from many and obvious circumstances; men, and women more particularly, are prone to abuses of any power vested in their hands, when they cease to be under the immediate eye of their superiors; when they will
469. In many asylums the keepers take their meals with the patients;—this should not be; they should sit down to their meals with every possible comfort; one half of them remaining in the wards, while the others are absent, to relieve them when the meal is over.

indulge in vindictive acts of oppression, forgetting that the unfortunate beings by whom they have been insulted, and probably maltreated, are deprived of their reason; it is difficult to persuade persons thus exposed to constant aggravation, even in higher grades of society, that the lunatic is not a cunning mischievous creature, who ought to be punished to teach him “better manners.”
BOOK V.

ON THE CONSTRUCTION AND DISTRIBUTION OF PUBLIC ASYLUMS.

470. The plans on which the present asylums are built are, in general, on a most erroneous principle, and more calculated to impede than to accelerate the cure of lunatics. Both in their external appearance and internal distribution and arrangement, they mostly resemble jails or barracks, and it would appear that the architects who built them, and the parties that adopted their plans, were totally ignorant of the nature of lunacy and its management.

471. With long galleries corresponding with each other, it is impossible that a proper classification can be attempted. Each class of lunatics should be separated in detached buildings, and, for the convenience of the service, they should only communicate by passages in the basements, through which the heating pipes could be also carried.
Hot water should be invariably preferred to hot air, both as being more economical and more salubrious, and at the same time the heating apparatus is less liable to get out of repair.

472. To each of these buildings should be attached a garden, laid out in as picturesque a manner as possible, and their walls of separation masked with trees and shrubs, with seats in the shade.

473. To each ward should be attached a day room giving on the garden.

474. The window frames of all asylums should be constructed of iron work in the cottage form; prison rails and bars should be invariably condemned. For the safety of the glazing, a wire guard should protect every window at a sufficient distance to prevent the patients from breaking it, in such wards where any lunatics likely to commit mischief are placed.

475. Each ward should have a self-acting privy, and a comfortable keeper’s room, and each building, a bath.

476. The cells in the incurable and refractory wards should be of sufficient capacity, well ventilated, and at the same time kept at the same temperature as the gallery running between them.*

* In most asylums the cells are miserably cold when com-
The doors of the cells should be made to open outside, as otherwise the patients may barriquade themselves in with their bedsteads. A small opening, closing with a slide, should be practised in every cell door, that the patient's conduct may be watched and observed.

477. The bedstead should be made of cast-iron, with a slope for the free course of water when they are washed, and one or two openings in the bottom for the dripping of urine. The bedsteads of the refractory should be of a massive description, to prevent them being easily moved about by the patients, and on each side of the bed should be slides for passing straps and buckles to keep down the bedding and enforce

pared with the galleries and day room, a grievous inconvenience. I feel much pleasure in quoting Dr. Brown's remark on this important subject. "If it be desirable that the lunatic should enjoy a quiet and refreshing sleep, it is indispensable that his breathing be not disturbed by foul confined air, or by the effluvia which is concentrated, as it were, in small ill-ventilated cells; and putting out of view the classification which ought to obtain in the daily pursuits and pleasures of the inmates, there exists urgent reasons for building a retreat for the insane in such a manner as to allow an extensive system of night classification to be put in operation." The insane should always sleep single. It is scarcely credible that at Hanwell a considerable number of female lunatics sleep in double beds!!!
quiet. To the bedsteads of epileptic patients should be fixed a strap and buckle, to secure one of their hands during the night—a precaution highly necessary, as these unfortunates will not unfrequently turn upon their faces, and be smothered.*

478. The floor of the wards destined for the refractory and dirty may be flagged, but the other wards should be boarded. The flags should be cemented with mastic, to prevent the absorption of water when they are washed. The planked floor should be rarely washed, but kept clean by a heavy scrubbing brush and clamp.

479. Although whitewashing the walls of the cells may be found inconvenient from the dust it creates, yet it will be found the only effectual means of keeping them sweet in the wards containing dirty patients, and which will often require the use of the chlorate of lime.†

* Epileptic patients are themselves so well aware of the necessity of this precautionary measure, that they will often request the keeper to confine one of their hands at bedtime. Epileptics, as I have already observed, should always be lodged on the ground floor, and should also wear a padded cap or turban, which will protect the head in their sudden falls.

† The French have given the very appropriate name to “giteux,” or “spoilers.”
480. Every asylum should have wards for the reception of recent cases, where they will be kept until the nature of their mental disease is sufficiently ascertained to classify them.

481. Every lunatic asylum should have extensive grounds for gardens, arable land and pasture, on which such patients who are not acquainted with any trade may follow agricultural and horticultural occupations. Sufficient vegetables should be cultivated for the consumption of the establishment, more especially potatoes, and mangel wurzel for the cattle.

482. The kitchen should be constructed in the rear of the centre of the institution, from whence the patients' food should be carried to each division, to be cut up and distributed in a room appropriated to this important service.

483. The bakehouse, brewhouse, gashouse, and storehouses, should be in the rear of the establishment. The washhouse, laundry, and airing-houses, in the rear of the male and female wings.

484. The male and female infirmaries should be near the house of the medical superintendent and house-surgeon, but totally detached from the other buildings.

485. Every asylum should have, in addition to
a well-ventilated dead-house, a dissecting-room, with a space for a small museum for anatomical preparations, casts, &c. &c.

486. An icchouse is indispensable in every asylum, as affording one of the most valuable means of relieving brainular excitement.

487. The dairy should be near the cowhouse.

488. Workshops should be established for the several trades, in which not only operatives belonging to them are to be engaged, but various trades taught to many patients who were not brought up to any mechanical profession.* These workshops should be safely enclosed, that other patients may not enter them to possess themselves of tools or implements which might be dangerous in their hands.

489. The grounds of an asylum should be surrounded with walls sufficiently high to prevent escape. The possibility of effecting an escape

* It is the occupation of the patients, more than any pecuniary advantage that may be reaped from their labour, which should be the subject of consideration. The labour of lunatics should be looked upon as a remedial agent, and not as a speculative employment of their time, although I feel fully convinced that if their occupations are properly directed, a considerable saving in the expenditure of an asylum will accrue, when the greater part of the in-door and out-door work of the institution would be performed by its inmates.
is a constant source of excitement to the patients who are contemplating the means of getting out.*

490. Every asylum should have a male and female reception-room, in which the dress of the establishment shall be put on, after the patient has been properly washed, and, if necessary, the hair cut. †

491. Asylums should have a servants’ hall, in which the keepers and nurses should take their meals.

492. All the duties of an asylum should be announced by different calls of the bell, a system...

* In the County of Middlesex Lunatic Asylum at Hanwell, any old woman could climb over the enclosing palisading. In consequence of this shameful act of neglect, escapes are frequent, and are not only attended with considerable expense in bringing back the runaways, but draw the keepers from their other duties, while the facility of getting away keeps up a constant excitement amongst those patients who plan an escape.

† The hair of young female patients should not be cut off, unless their abrasion be absolutely necessary; it is to many of them a source of pride, which should be respected. Matrons and old nurses always seem most anxious to deprive these poor creatures of any attractions that they themselves may not possess. The hair of a patient should never be cut off except by the order of the superintendent physician.
which will be productive of much regularity and discipline.

493. During the night the clock should not strike. The striking of the hours aggravates the sufferings of the melancholy, who count them with miserable solicitude until break of day.

494. Every asylum should be provided with a small library, from which the medical officers can distribute such books as they may deem fit for the particular patients to whom they are given for perusal. An indiscriminate circulation of religious tracts and newspapers is frequently attended with much mischief, and tends to keep up a constant excitement.

495. The staircases leading to the wards should be so constructed as not to need cages for the protection and safety of the patients. Spiral or winding stairs should in no instance be built.

496. The male and female visiting rooms should be spacious and airy, and constructed on a plan that would allow the medical superintendent to hear the conversation that passes between the patients and their visiters, should he conceive it necessary. Much valuable information regarding the causes of insanity may be obtained by this measure, which of course should only be resorted to on particular occasions.

* It is with a similar view that the letters of the pa...
497. The visitors of patients should receive tickets of admission from the medical superintendent, as in many instances the relations and friends of the insane should not be allowed to see them.

498. A bazaar may be established in every asylum for the sale of various articles worked by the female inmates; but it is not advisable that every patient able to work should be constantly exposed to the annoyance of troublesome and inquisitive visitors, who may aggravate their mental derangement by idle questions.

499. In the day-room of the convalescents, various means of amusing them should be collected, and a regular dinner served, at which it would be desirable, that the medical superintendent frequently presided, and in the evening music and dancing might be often introduced.

500. In the selection of a site for lunatic asylums, care must be taken that it is at a convenient distance from cities and towns, and in as picturesque a situation as can be procured. The mind of the insane should rest, if possible, upon patients are submitted to the inspection of the medical attendant before they are forwarded. The greater part of these letters are of such an incoherent nature, that it would be more than absurd to expose the relatives of these unfortunates to the charge of postage.
the calm beauties of the creation, and not be recalled to its deformities by the constant din of the busy haunts of man.*

501. When criminal lunatics are confined in lunatic asylums by order of the state, they should be placed in a separate building, where their security can be enforced, without presenting a painful scene to the other inmates of the institution.†

502. It cannot be too forcibly impressed on the mind of those persons who are charged with the establishment of public lunatic asylums, that the greatest economy will be ulterior.

* The excitement produced amongst the inmates of the Hanwell County Asylum when the Great Western Railroad was first opened, and they beheld the constant trains passing by, and heard the monitory whistle, which resembles the howling of a wild beast, is incredible. The effect produced by a knowledge of passing events will also frequently occasion much irritation. On the coronation of her present Majesty, I allowed an issue of roast beef and plum pudding, and the excitement was such, that I was unable to leave the establishment for three days. Several of my poor patients fancied themselves in love with the Queen. Nothing can be more absurd than building lunatic establishments in the centre or the busy suburbs of a town. Such a situation, moreover, will increase the number of visitors.

† It is obvious that a murderer kept in irons must be an unwelcome companion in the exercise grounds of other patients. Yet such a scene I have often witnessed.
nately attained in the prompt recovery of the insane.

503. By the adoption of the preceding suggestions, a uniform system of management would be established in every public and private lunatic asylum in the kingdom, and the manifold evils which now exist, be brought to light and corrected. The strictest penal enactments should oblige the medical superintendents and keepers of these establishments to assist the inspectors in the execution of their arduous duties; and any false return of the patients, or attempt to conceal them on the inspectorial visits, be considered a criminal offence; while any endeavour to withhold from their knowledge the means of restraint made use of, should be also severely punished.

THE END.