

## OCCASIONAL NOTES OF THE QUARTER.

*The Superannuation Clause of the Lunacy Acts Amendment Act, 1862.*

The recent retirement of the medical superintendents of the East Riding and Cambridge County Asylums, under grave disease, the result of over exertion of mind and body in the performance of their arduous duties, and the retirement of the medical superintendents of the Somerset and Oxford Asylums, after an honourable service in each case of twenty years, affords an opportunity of again directing attention to the provisions of this clause, and of recapitulating the steps which have been taken by this Association to direct attention to its unfair arrangements.

In the *Journal of Mental Science* for October, 1862, in an analysis which we gave of the provisions of the *Lunacy Acts Amendment Act, 1862*, the following remarks were made on this clause (sec. 12):—

*The 12th section will prove a great disappointment to the officers of Asylums, since it refers to their superannuation, and since the latter part of it contains a provision which more than neutralises the good intentions of the Clause as it originally stood. The Clause as it stood, for which the officers of asylums were indebted to Lord Shaftesbury, reduced the term of service for which a pension could be granted to them from twenty years to fifteen years, and provided that in calculating the amount of superannuation, regard may be had to the lodgings, rations, or other allowances enjoyed. In committee the following rider was attached, under which we have no hesitation in saying that no superintendent will ever enjoy a superannuation until he has a foot and a half in the grave, or unless he has the good fortune to serve in some small homogeneous county in which the visitors completely rule the courts of session, and we fear we may also add, in which he has been more studious to make friends than to do his duty. The rider runs thus:—"Provided that no annuity by way of superannuation granted by the visitors of any asylum under the provisions of this Act or of the Lunacy Act, chapter ninety-seven, shall be chargeable on, or payable out of, the rates of any county until such annuity shall have been confirmed by a resolution of the justices of such county in General or Quarter Sessions assembled."*

At the annual meeting of the Medico-Psychological Association, held in 1863, under the presidency of Dr. Skae, Dr. Kirkman brought this subject forward, and a Committee was appointed, consisting of Dr. Kirkman, Dr. Robertson, Dr. Sheppard, and Dr. Maudsley, to consider the provisions of this clause, and to submit to the Association suggestions for placing the retirement clause on a more satisfactory footing.

**SUPERANNUATION ARRANGEMENTS.**—Dr. Kirkman proposed—“That a committee be appointed from this Association, with the definite object of obtaining a reversal of the latter portion of the 12th section of the Lunatic Asylums Amendment Act, and to press for legislative sanction to satisfactory superannuation arrangements.” The section of the Act to which he referred was as follows:—“Provided that no annuity by way of superannuation, granted by the visitors of any asylum under the provisions of this Act, or of the Lunacy Act, chapter 97, shall be chargeable on or payable out of the rates of any county, until such annuity shall have been confirmed by a resolution of the justices of such county in general or quarter sessions assembled.” The concluding proviso he regarded as most cruel, negating the use of the clause altogether. Speaking personally, having been connected with public asylums for thirty years, he could not well be refused a pension, but to secure it it would be necessary that the subject should be discussed at four sessional meetings. He had no doubt that he could command the undivided interest of the whole of his house committee; but objectionable remarks and slurs might be thrown out at the sessional meetings, which would be extremely painful. Any one fitted to be an asylum officer must necessarily possess a sensitive mind, and the harsh remarks occasionally made in magisterial sessions would be likely to wound his feelings. He thought the enactment ought to be compulsory, and the objectionable clause removed. At the present time a beloved member of the Association was suffering from physical injury received in the discharge of his duty, and it would be a most unfair thing if a gentleman in his position were subjected to unpleasant remarks about his superannuation allowance.

Dr. Robertson seconded the resolution, and said that, as the section originally stood, the question of superannuation was left to the visitors; but a very active member of the House of Commons succeeded in committee in getting the objectionable rider added, which literally made the preceding portion worthless. Thus, he had no doubt that any reasonable reward for his services in Sussex would be gladly given by the committee of visitors, but he should exceedingly object to be made the subject of discussion at sessional meeting in the two divisions of the county. He had known the most trifling matters, involving the expenditure of £50, made the subject of lengthened discussion there; and if a proposal were made to allow a medical superintendent three or four hundred a year, most painful remarks to the feelings of a

gentleman would be made as to his physique, his general state of health, whether more work could not be ground out of him, and the like. He had no doubt that great benefit would be derived by the appointment of a small committee to consider the question carefully, and communicate with the Commissioners and with some members of the House of Commons on the subject.

The following members were appointed:—Dr. Kirkman, Dr. Sheppard, Dr. Robertson, and Dr. Maudsley.—(Annual Meeting of the Association, 1863.)

On the 2nd Dec., 1863, this committee held an interview with the Commissioners in Lunacy, to whom they submitted the following memorandum:—

*Memorandum submitted to the Commissioners in Lunacy by the Committee of the Medico-Psychological Association, on the Question of the Retiring Allowances to Officers and Servants of County Asylums, at an interview at their Office, in Whitehall Place, on the 2nd December, 1863.*

At the annual meeting of the Association of Medical Officers of Asylums and Hospitals for the Insane, held at the Royal College of Physicians on the 9th of July last, a committee was appointed to consider the the arrangements made under the Lunacy Acts Amendment Act, 1862, for “the superannuation of officers in asylums.” This committee determined to seek the counsel and advice of the Commissioners in Lunacy on the subject, fully recognising the uniform desire and the efforts of the Commissioners to improve in every way the position and standing of the medical officers of the county asylums. The committee consequently authorised Dr. Robertson to convey their wishes to your secretary, and to solicit an interview, and they desire now to acknowledge the ready compliance with which you have met their request.

The Association feel grateful for the liberal spirit shown by the Legislature towards them in the provisions of the Act in question, by which the period of service has been reduced from twenty to fifteen years, and the important proviso made that the value of the lodgings, rations, and other allowances, may be had regard to in fixing the retirement to be granted.

The Association consider these provisions fair and liberal, and they desire to acknowledge their obligations to the Commissioners, and specially to the Earl of Shaftesbury, for the practical interest thus shown in their welfare.

The Association feel, however, that this privilege has been in a great measure neutralised by the addition of the clause requiring the sanction of the quarter sessions to the proposed new retirement allowances. They unanimously would rather have left the retirement clause of the 16 and 17 Vict., cap. 97, sec. 57, untouched, than have—

even with the more favourable terms—this appeal made to the quarter sessions.

The Association are content that the retirement should be at the discretion of the Committee of Visitors. The medical officers of the county asylums gladly trust herein the liberality of those under whose control they work, and who are competent judges of the value of their services. The case, however, assumes a very different aspect when the amount of the retirement is to be debated and fixed by the justices in quarter sessions. The frequent and unpleasant discussions on the prison and constabulary expenditure (which are directly under the control of the quarter sessions) are not encouraging.

The justices in quarter sessions are so little conversant with the detail arrangements of the county asylum that they are unable to enter into the extent of the claims of the medical officer to a liberal treatment in all pecuniary matters. Moreover the legitimate pressure for economy exerted by the ratepayers (of whose heavy burthens the Association are well aware) tends to place difficulties in the way of a satisfactory settlement of this question by the sessions.

The Association venture to think that if the approval of the Commissioners were required to any recommendation of the committee of visitors proposing a retiring allowance, and if the same could be made chargeable on the Consolidated Fund instead of on the county rate, a sufficient guarantee would be given to the public, and a relief afforded to the property rated for the county expenditure, while the claims of the Association would, they know, be fully and fairly considered by the Commissioners. It is in the remembrance of the Association that the late Chancellor of the Exchequer (the Right Hon. B. Disraeli) proposed thus to transfer the whole expenditure of the county asylums to the Consolidated Fund, as a just relief to the landed interests now bearing an unfair proportion of the cost incurred for the care and treatment of the insane poor.

The Association would refer to the recent retirement of Dr. Williams, in illustration of the unsatisfactory working of the present Act.

Instead of granting two-thirds of his salary and allowances, which would represent a sum of £450, the committee proposed to the sessions a retirement of £350 only. Yet, if ever there were a case in which the most liberal measure should have been meted out, Dr. Williams' was that case. His health was shattered by a severe accident received in the direct charge of his duties. Moreover his management of the Asylum had received the unvarying praise alike of the visiting justices and of the Commissioners during the seventeen years of his service. The Association cannot but think that such a precedent must act most unfavourably on their future prospects herein.

The Association had hoped to have been represented on this occasion by their revered ex-president, Dr. Conolly, and they grieve that severe bodily indisposition forbids his presence here to-day. In a letter

received from him by Dr. Robertson on the 1st instant, the following remarks bearing on this question occur:—

“It is fortunate that some of the Commissioners know what the nature of *life in a lunatic asylum* is. If the superintendent is qualified by his *disposition* as well as his acquirements for such a life and all its duties, *ten years* will do their work upon him.”

The Association would, in conclusion, quote the following remark on the clause in question, contained in an able analysis, by a distinguished author and physician, of the Lunacy Acts Amendment Act, 1862, in “The Journal of Mental Science” for October, 1862:—

“The 12th section will prove a great disappointment to the officers of asylums, since it refers to their superannuation, and since the latter part of it contains a provision which more than neutralises the good intentions of the clause as it originally stood. The clause as it stood, for which the officers of asylums were indebted to Lord Shaftesbury, reduced the term of service for which a pension could be granted to them from twenty years to fifteen years, and provided that in calculating the amount of superannuation, regard may be had to the lodgings, rations, or other allowances enjoyed. In committee, the following rider was attached, under which we have no hesitation in saying, that no superintendent will enjoy a superannuation until he has a foot and a half in the grave, or unless he has had the good fortune to serve in some small homogeneous county in which the visitors completely rule the courts of session, and we fear we may also add, in which he has been more studious to make friends than to do his duty. The rider runs thus:— ‘Provided that no annuity by way of superannuation granted by the visitors of any asylum under the provisions of this Act or of the Lunacy Act, chapter 97, shall be chargeable on or payable out of the rates of any county until such annuity shall have been confirmed by a resolution of the justices of such county, in general or quarter sessions assembled.’ ”

In thus submitting their views on this question of the retirement allowances to officers of county asylums, the Association desire at the same time to solicit the advice of the Commissioners as to the steps by which it may be practicable to place the matter on a footing more satisfactory to those whose pecuniary interests are so involved therewith.

London, December 2, 1863.

At the annual meeting of the Association, 1864, held under the presidency of Dr. Monro, the following report of the *Committee on the Superannuation Clause* was made:—

DR. ROBERTSON.—I may state that we had, in December, a meeting by appointment with the Commissioners, but they only gave us forty-eight hours' notice, so that we were driven somewhat irregularly to

draw up a report which all the members, especially the chairman, had not seen. The Commissioners received us extremely well, and expressed their sympathy with us; they assured us that on the first occasion when any amended bill, or any consolidation of the lunacy laws, should be brought before the House, they would give careful consideration to our wishes, and endeavour to put the Superannuation Clause on a better footing. They then asked what suggestions we had to make, and, not having had the opportunity to discuss the subject before, I ventured on a suggestion of my own, which, however, did not meet with the approval of Dr. Kirkman. Our proposal now is, that you re-appoint us for another year, in order further to consider the question, and, should any legislation arise next year, to take steps in the matter.

DR. KIRKMAN.—The object of my seeking the appointment of the Committee was to render the Superannuation Clause a compulsory exactment, as I think anything short of that would not be satisfactory to the superintendents of the County Asylums. Under the circumstances, I should be glad of more time; and I think there should be an addition to the Members of the Committee, and that they should be more closely located, so that they might have more frequent opportunities of meeting.

DR. MAUDSLEY proposed the re-appointment of the Committee.

At the Annual Meeting in 1865, under the presidency of Dr. Wood, the Committee presented the following report:—

Report of the Committee on the Superannuation Clause (12th section of the Lunatic Asylum Amendment Act, 1862).

1. That after careful consideration of the whole question and communications with several superintendents of the County Asylums this Committee are of opinion that no settlement of the Superannuation Clause will be found satisfactory which does not—as throughout the military and civil services of the Crown—confer the retiring pension as a matter of right. With the other provisions of the 12th section of the Lunatic Amendment Act, 1862, this Committee are quite satisfied, and they regard as just and liberal that arrangement by which the period of service has been reduced from twenty years to fifteen years, and the proviso made that the value of the lodgings, rations, and other allowances, are to be had regard to in fixing the retirement. All that is farther necessary is, that the claim for two-thirds of the salary and allowances after fifteen years' service, and fifty years of age, be granted as a right, to be charged on the county rate, at the expiration of the period of service.

2. That as in the last report of the Commissioners in Lunacy an indication of early farther legislation in lunacy is given, they should be authorised to confer farther with the Commissioners thereon.

3. That, in order to watch such possible legislation, this Committee be re-appointed and authorised to employ, if necessary, legal aid to procure the revision of the 12th section of the Act of 1862, in the manner here indicated.

(Signed)

JOHN KIRKMAN.  
C. L. ROBERTSON.  
EDGAR SHEPPARD.  
HENRY MAUDSLEY.

ROYAL COLLEGE OF PHYSICIANS,  
July 13th, 1865.

The unequal operations of this Superannuation Clause are well marked in the cases we have referred to. Mr. Hill retired from the superintendence of the East Riding Asylum, after a service of 18 years, shattered in mind and body. The visitors placed the most liberal construction on their powers, and granted Mr. Hill an annuity of £575, being two-thirds of his salary, and the value of his allowances estimated by himself. The Sessions gave their approval. It is almost superfluous for us to observe how entirely Mr. Hill had merited this liberal measure.

Dr. Lawrence retired from the superintendence of the Cambridge Asylum in September last, after seven years' service, incapacitated for the further performance of his duties.

The Cambridge *Independent Press* of the 28th September thus reports the proceedings at the monthly meeting of the visitors:—

The Clerk read a letter from the Commissioners in Lunacy (a printed copy of which had been sent to each visitor previous to the meeting), referring to the unhappy mental state of Dr. Lawrence, medical superintendent of the Asylum, of whose permanent incapacity for the further performance of his duties, by reason of cerebral disease, the Commissioners were satisfied, and stating that, from reports and personal interviews with Dr. Lawrence, the Commissioners were of opinion that he exhibited unequivocal symptoms of incipient general paralysis; and expressing a hope that the visitors would consider the case as one for Dr. Lawrence's retirement upon a superannuity. After much discussion, the Board unanimously resolved to remove Dr. Lawrence from his office of Medical Superintendent; but, subject to the approval of the Quarter Sessions of the County and Isle, and of the Council of the Borough, they agreed to grant him an annuity of £50 for twelve years, if he so long lived, by way of superannuation, in consideration of his efficient services since September, 1860, whilst he was mentally capable.

The Cambridge Magistracy can hardly claim much credit for a liberal interpretation of the Superannuation Clause: to say this, is to say little on this shabby transaction. The Middlesex Sessions granted at Michaelmas an annuity of £50 to the Rev. William Bullock (late Chaplain of the Colney Hatch Asylum), who had retired, after a service of seven years, in ill health, at the age of 48 years. Here we have a very liberal interpretation of the act.

In contrast stands the recent decision of the visitors of the Oxford County Asylum, who simply refused to recommend to the Sessions for any pension whatever their late chaplain, the Rev. Mr. Pullings, who retired after a service of 21 years.

The Somerset Sessions have granted, on the recommendation of the visitors, a pension of £450 to Dr. Boyd, being little more than two-thirds of his salary, exclusive of his allowances. Mr. Ley, on his retirement from Littlemore, has just received £250 a year, or about one-half of his salary, exclusive of the allowances.

When Dr. Huxley retired, in 1862, from the superintendence of the Kent Asylum, after 15 years' service, the Sessions granted him £450, being about two-thirds of his salary, exclusive of the value of the allowances.

Dr. Williams, on his retirement from the Gloucester Asylum, received an annuity of £350, being little more than half his salary, not including the value of the allowances.

These illustrations of the unequal and capricious application of the present Superannuation Clause may suffice to support the claim which the Medico-Psychological Association has systematically urged for its revision.

It appears a hopeful and simple step towards placing the Superannuation Clause on a more satisfactory basis, to alter the clause, so as to remove from it the rider giving the Sessions a control in the question. In reverting to the provisions of the previous Superannuation Clause, which left the decision solely with the Committee of Visitors, a great step towards the desired end would be gained.

While the officers of Asylums demand, with much reason, that their superannuation should be made a matter of certainty, on the other hand the Visiting Justices claim a right to control the expenditure of the county. These contending interests can only be adjusted in each individual case by precedent, and by the strong influence which the honest performance of important and arduous duties rarely fails to com-

mand with those under whose supervision these duties are performed. Without impugning the opinion of the Committee of the Medico-Psychological Association that it would be the most satisfactory arrangement for officers of Asylums were their views adopted by the legislature, and the pension clause made obligatory, we yet venture to think that a not unsatisfactory conclusion will be arrived at, if in the present Session the objectionable clause, requiring for the grant of a pension the consent of the several Quarter Sessions of a county, be expunged, and the pension clause, with its liberal provisions of two-thirds of the salary and allowances after a service of fifteen years, be left to the uncontrolled discretion of the Committees of Visitors.

In all their other relations, as regards appointment, salary, allowances, leave of absence, &c., the position of the officers of the County Asylums is entirely at the discretion of the Committees of Visitors, and it is a bare act of justice here to record with what consideration and liberality the visitors of the English County Asylums have discharged their duties. It is hardly fair to suppose that in their final parting act the visitors will show to their Medical Superintendent less liberality than has invariably marked the intimate relations of past years; and we feel confident that were the superannuation left solely at the discretion of the visitors, without further reference to the Sessions, little or no cause of complaint would arise. In addition to the existing friendly guarantees of liberal treatment on the part of the visitors, the manifest intention of the legislature in reducing the period of service from twenty to fifteen years could not fail to be considered in any discussion of these claims by the visitors. The Select Parliamentary Committee on Lunatics in their report (27th July, 1860) make the following important statement:—"It would further seem desirable to your committee to reduce the time at which Committees of Visitors may grant superannuation allowances to their medical officers. Their duties are so peculiar, and such painful consequences are known to result from incessant intercourse with the various forms of this distressing disease, when prolonged for many years, that your Committee believe it would tend to greater efficiency of service, if the period, which stands at present at 20 years, were reduced to 15."

Should, therefore, in any possible amendment of the existing Lunacy Clause, the Superannuation Clause be amended so as to restore the entire control to the Committees of Visitors,

the writer of this "note" would feel satisfied of a reasonable, just, and liberal consideration of his own claims for a pension, should years or illness make the same desirable.

*German Psychiatrie.*

Like every other department of medicine, *Psychiatrie* is studied and followed out in Germany with a zeal and spirit of self-denial of which in England we have no examples.

The year 1867 has seen the appearance of two new quarterly journals of psychiatry, published at the two rival seats of German power.

We have to acknowledge the courtesy of their respective editors in forwarding to us copies of the parts published, and we gladly add them to our list of exchanges.

I. The first new quarterly journal is edited by Professor Dr. Max Leidesdorf and Dr. Theodor Meynert, of Vienna,\* and includes on its staff of writers the following teachers and others connected with the great Vienna school, viz:—

Dr. Benedikt, Docent der Elektrotherapie in Wien; Dr. Beer, Professor der gerichtl. Medicin und Kriminalpsychologie in Wien; Dr. Chrastina, Primar-ärztl. des Versorgungshauses in Wien; Dr. Droste, Sanitätsarzt in Osnabrück; Dr. Duchek, Professor der medicinischen Klinik in Wien; Hofrath Dr. Franqué, Docent in München; Dr. Glatter, Docent der Medicinal-Statistik in Wien. Dr. Hubrich, zweiter Arzt an der Kreis-Irren-Anstalt bei München; Dr. Joffe, Primar-Arzt an der Landes-Irren-Anstalt in Wien; Professor Dr. Köstel, Director der Drager-Irren-Anstalt; Dr. Lion, sen., königl. Kreiswund-Arzt in Berlin; Dr. Mach, Professor der Physik in Prag; Dr. Marasch und Dr. Mildner, Primar-Aerzte an der Landes-Irren-Anstalt in Wien; Dr. Maschka, Professor der gerichtl. Medicin in Prag; Dr. Meschede, zweiter Arzt an der Irren-Anstalt Schwetz; Hofrath Dr. Oppolzer, Professor der medicin. Klinik in Wien; Dr. Reich, Docent in Gotha; Dr. Rosenthal, Docent für Nervenkrankheiten in Wien; Dr. Schumacher, k. k. o. ö. Professor in Salzburg; Dr. Stern, Docent für klinische Propädeutik in Wien; Dr. Smoler, Docent in Prag; Dr. Tigges, zweiter Arzt der Irren-Anstalt Marsberg; Dr. Witlacil, Bezirksarzt in Wien; Dr. Wundt, Professor der Physiologie in Heidelberg.

II. The second new journal is published at Berlin, and is called the *Archiv für Psychiatrie und Nervenkrankheiten*, under the editorship of Professor Griesinger, of Berlin, in

\* Under the title of—*Die Vierteljahrsschrift für Psychiatrie, in ihren Beziehungen zur Morphologie und Pathologie des Centralnervensystems.*