Commenting upon an interview with the Governor of Illinois (who is a Democrat), the Illinois State Journal observes—"A careful reading of this remarkable interview will reveal some amazing declarations for a Governor to make. For instance, he says that he was prepared to show up the Kankakee Asylum in a bad light, but did not do so because the Democrats there were trying to get the asylum vote for the Democratic ticket, and to help them in this scheme he refrained from attacking the institution. In this connection the Governor says that the Democrats of Kankakee sometimes arranged with Dr. Dewey and the managers to get the vote of the asylum for the Democratic State officers, and yet the principal reason he gives for removing Dr. Dewey is that he ran the institution as a Republican machine, and that all the employés voted the Republican ticket."

It is stated in the same Journal that "the Governor's new trustees of the Kankakee Asylum, after thoroughly investigating the situation, came to the conclusion that the best interests of the institution required the retention of Dr. Dewey, and informed Governor Altgeld that they had decided to reappoint him, but were told very emphatically that they must appoint Dr. Clevinger, a Democrat, which they obediently proceeded to do."

It is alleged by Dr. Dewey himself, and we have no doubt with truth, that he kept the asylum free from politics, and that he deplores that it is now to be run on a political basis.*

The Inebriates Act.

The hope to which we gave expression in the last number of the "Journal of Mental Science" that the Inebriates Acts would, without further delay, be amended so as to render them really a deterrent and curative agent, is on the eve of full fruition. The Department Committee which the late Home Secretary, Mr. Henry Matthews, appointed to inquire

* Since the above was in type we have read with satisfaction the published letter of a supporter of the Democrats, and one who "took both pride and part in the elevation of Altgeld to the governorship." Dr. Riese, to whom we refer, writes—"I voice the sentiment of many Democrats when I say that had I anticipated the involvement of well-managed charitable institutions in the political upheaval, I would, perchance, have acted differently. The Governor's action in this matter is unjustifiable. The hospital at Kankakee deservedly took highest rank for its humane and conscientious management."—"The Tribune," April 22, 1893.

https://doi.org/10.1192/bjp.39.166.403 Published online by Cambridge University Press

into the best mode of dealing with habitual drunkards, and which consisted of Mr. J. L. Wharton, M.P., as Chairman, and Sir William Hunter, M.P., Mr. Leigh Pemberton Assistant Under Secretary, Home Office, Mr. C. S. Murdoch, and Dr. David Nicolson, of Broadmoor, as members, has now presented its report, which proceeds substantially on the lines we foreshadowed in April, and Mr. Asquith, on whom the official mantle of Mr. Matthews has fallen, has undertaken the task of giving to its recommendations a legislative embodiment. The efficacy of the Inebriates Acts of 1879 and 1888, as all students of this interesting and important subject are aware, was paralyzed by five cardinal imperfections. The procedure by which habitual drunkards obtained admission to the retreats, whose establishment the Acts legalized and regulated, was absurdly complicated, and it was often found that before the two justices, whose presence the statutes required, could be brought together, the applicant's zeal for sequestration had oozed away. The procedure to secure the recapture of fugitives was equally cumbrous. There was no power of compulsory committal. The maximum period of detention (twelve calendar months) was in very many cases too short for the remedial treatment which was necessary, and the proprietors of licensed retreats were practically unable to enforce upon recalcitrant inmates the exercise, regular work, and submission to discipline which were essential to their cure. With each of these defects the Departmental Committee deal.

(I.) They propose that the Home Secretary should be empowered to make rules and settle the form of affidavits regulating the admission and re-admission of voluntary applicants to retreats, in addition to or in substitution for those prescribed in the schedule to the Habitual Drunkards Act, 1879. The Secretary of State is also to be enabled (with the concurrence of the Lord Chancellor) to make "rules regulating the length of period of detention, the procedure on applications for committal," the inspection of retreats, the release in proper cases of any inmate of a retreat before the period of his detention has expired, the recapture of fugitives, and the enforcement of more rigorous discipline in the case of refractory patients. While the Committee leave the definitive settlement of these points to the Home Secretary, they do not fail to throw out or refer to several useful suggestions which deserve Mr. Asquith's consideration. (1.) That circulars—

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or perhaps we might without levity style them prospectuses —on the subject of the Inebriates Acts should be sent out to magistrates and other persons in official positions. (2.) That in place of the present cumbrous procedure, involving (*a*) appearance before two magistrates in the country, or a stipendiary, (*b*) the testimony of two witnesses, appearance before one magistrate, or a County Court Judge, should be sufficient, and that such appearance need not be in open court. (3.) That a power should be given, especially if compulsion be established, for the liberation of the patient on license before the expiration of the period of committal, if it appears that he has so profited by the discipline of the retreat that a cure could be reasonably reckoned upon; and (4) That the grounds of discharge under section 18 of the Act of 1879 should be confined to reasons *personal* to the patient.

In connection with this part of the case the Committee refer to an instance brought before them where a husband (a publican) succeeded by an application under section 18 of the Inebriates Act, 1879, in getting his wife removed for the purpose of assisting him in his business before the period of her detention had expired, with the result that she relapsed into drunkenness.

(II.) The positive recommendations of the Committee may be summarized as follows:—

(*a*.) The maximum period of detention should be raised to two years. This is a suggestion of whose value and utility no person acquainted with the working of the Acts of 1879 and 1888 needs to be convinced.

(*b*.) Power should be given for the compulsory committal to a retreat of persons coming within the definition of an habitual drunkard, as laid down in the Act of 1879, on the application of their relations or friends, or other persons interested in their welfare. Such application to be made to any Judge of the High Court, County Court Judge, Stipendiary Magistrate, or Justices sitting in Quarter or Petty Session, who shall decide on its propriety.

The property of the person committed should be liable for his maintenance, and that the order for committal should provide, when necessary, for the appointment of a trustee of the patient's estate during the period of committal, with power to apply the same towards the support of his wife or family.

Any order made for the compulsory committal of an

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habitual drunkard should be subject to appeal to a Divisional Court.

The absolute necessity for the introduction of compulsory sequestration was clearly demonstrated by the Select Committee of 1872, of whose labours the Acts of 1879 and 1888 were the direct, though tardy and imperfect, result, and practically the only question which Mr. Matthews' Committee had to consider was how to reconcile compulsion with individual liberty. We are of opinion that the suggested procedure contains a satisfactory answer to this question. It should, however, be remembered by those on whose initiative the compulsory clauses in the new Inebriates Act will be put in motion that compulsion is intended to *supplement* and not to *replace* the present voluntary system. While we are dealing with this subject, it may also not be out of place to suggest that persons *bonâ fide* putting the new legislation in force should have, *mutatis mutandis*, the same protection that medical men now enjoy under the Lunacy Act, 1890. Mr. Matthews' Committee, however, properly went further afield than the mere text of the Inebriates Acts, and investigated the case of "habitual drunkards who come within the action of the criminal law, and are apprehended for and charged with drunkenness, whether accompanied with violence or not." With regard to this branch of their inquiry they recommend:—

(1.) That authority, as in section 25 of the Intoxicating Liquors (Ireland) Act, 1874 (37 and 38 Vict., c. 69), should be given to the police to apprehend, without warrant, persons drunk and incapable in public highways, places, and buildings, and to detain such persons when their names and residences shall be unknown to the police and cannot be ascertained, until they can be brought before a magistrate, and thereby to carry out the provisions of section 12 of the Licensing Act, 1872 (35 and 36 Vict., c. 94), the first clause of which is reported to have become largely inoperative.

(2.) That additional powers should be given to magistrates to bind in sureties and recognizances for a considerable period habitual drunkards coming before them.

(3.) That reformatory institutions should be provided, aided by contributions from Imperial and local funds towards the cost of their building and maintenance (as in the case of existing reformatories and industrial institutions for juvenile offenders), for the reception and detention of criminal habitual drunkards who might be subjected to less

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rigorous discipline than in existing prisons, and to the performance of such labour as may be prescribed.

(4.) That failing or pending the establishment of separate buildings for this class of criminals the existing accommodation in prisons, lunatic asylums, or poor-houses might be utilized for this purpose.

(5.) That magistrates should have the power to commit to such reformatory institutions for lengthened periods, with or without previous punishment of imprisonment, habitual drunkards (*a*) who come within the action of the criminal law; (*b*) who fail to find required sureties and recognizances; (*c*) who have been brought up for breach of such recognizances; (*d*) who are proved guilty of ill-treatment or neglect of their wives and families; (*e*) who have been convicted of drunkenness three or more times within the previous twelve months.

We welcome this Report, not only as an addition of permanent value to the literature of inebriety, but as an approximate solution of the very practical and instant problems to which inebriety gives rise. When the principle of compulsory seclusion has been permanently admitted, and the period of detention has been prolonged, we shall be many degrees nearer the legislative consideration of the doctrine of "release on cure"—the analogue of the doctrine of "indefinite punishments" which has so long been preached in Italy, and successfully reduced to practice at Elmira.

Townsend and the Test of Criminal Responsibility.

The trial of Townsend for threatening to shoot Mr. Gladstone throws a curious and not uninstructive light on the English law as to the criminal responsibility of the insane. Judged by "the rules in MacNaghten's case," Townsend ought certainly to have been sent to penal servitude. He knew that the weapon which he had in his hand was a pistol, and that when loaded with powder and ball it was capable of taking human life. He was well aware that the act which he contemplated was wrong, and that he would probably have to expiate his crime (if completed) upon the scaffold. He was thus (according to the strict letter of the law, delivered by the judges to the House of Lords, and by the House of Lords back again to the judges and to the country) perfectly acquainted with "the nature and quality" of his

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