

not advisable to continue to supply exciting beverages to them, which I felt sure had a tendency to prolong their malady, and by keeping up a taste for intoxicants in those inclined to over indulgence in them, directly conduce to a speedy relapse after they were discharged." In the Report for 1882, Dr. Davies says that not a single patient has objected to work in consequence of the change, and that the general health has not suffered. Milk is not substituted. Writing May 16, 1883, Dr. Davies says, "I cannot express my satisfaction at the result of the change in language too strong."

Dr. Cassidy, in his Report of the Lancaster Asylum for 1881, states that he has abolished the use of beer as an article of diet, and adds that he never took any step which he afterwards saw less reason to regret. At the Monmouth Asylum Dr. McCullough has discontinued beer entirely as an article of diet. The dietary of the working patients has been improved, and the attendants and servants receive a money allowance. He reports favourably as to the effect of the change. We observe that Dr. Wade, the lately appointed Superintendent at the Somerset Asylum, says in his annual Report, "The experiment initiated by my predecessor of abolishing beer as an article of ordinary diet has continued and worked well. I should not recommend any return to the alcoholic beverage, nor should I propose any more nutritious substitute for the beer than that already given, as I consider the nutritive qualities of the ordinary asylum beer to be almost *nil*, while your ordinary dietary is at present most liberal, and amply sufficient for all ordinary requirements of the patients."

We shall watch with interest the movement which has thus made so considerable a progress, and whatever may be the final verdict, we consider that those who are making the experiment ought to be encouraged to give it a fair trial. If on the other hand there are any who have tried the experiment and found it in any way injurious, we should be glad to be in possession of their views.

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*The Monasterio Case.*

Although it is certainly no part of our duty to discuss the charges brought against lunacy doctors abroad, while, indeed, we think that as a general rule it is in much better taste to mind our own business, there is the legitimate

motive which the discussion of such charges permits, of endeavouring to learn the lesson taught by the failure, if such it be, of laws enacted for the custody of the insane, and thereby seeking to ascertain whether there is any corresponding defect or source of danger in the legislative enactments of our own country. It also behoves the critic of foreign institutions, or of the scandals alleged to occur in other countries, to remember that he may easily fall into the error of forming an erroneous opinion or a harsh judgment from an insufficient acquaintance with all the circumstances of the case.

John Bull is disposed to be not a little Quixotic, and to engage in attacks upon the doings and misfortunes of his neighbours when he would be much better employed in setting his own house in order. But a Journal like ours can hardly pass over in silence an event which has caused so much excitement at home and abroad, and been discussed in all the newspapers.

The facts of the Monasterio affair are as follows :—

Much cannot, it seems, be said that is favourable to the general character of the Monasterio family and its belongings. There is also, we believe, a large leaven of madness among its members.

The allegation made is that a lady, Madame de Monasterio, the widow of a Chilian merchant, and her natural son, Carlos Lafit, wrongfully placed the daughter Fidelia in Dr. Gonjon's *Maison de Santé* in Paris—the object being to prevent her marriage and participate in her property. Seven years ago she was a patient in the asylum at Charenton, having become insane, so it is said, through harsh treatment. She recovered, was again placed in the same institution, and again recovered. On returning home, she was so unkindly treated, it is asserted, that she escaped to the house of Madame Chalenton, a former maid in the family. It was sought to place her once again in confinement, and a doctor was induced to sign a certificate of her insanity, which was endorsed by another physician, upon which she was conveyed to the above-named private asylum. In consequence of the representations of Madame Chalenton, the case was taken in hand by the police, and Fidelia was removed by Carlos Lafit within ten days, and was brought to England. Madame de Monasterio and those who conspired with her to deprive Fidelia of her liberty were summoned before the Correctional Court; but on the ground

that it had no jurisdiction, they were discharged, and the Court of Assize was stated to be the proper quarter in which the case should be tried.

It should be added that when Dr. Ollivier, the physician of the Prefecture of Police, visited Dr. Gonjon's asylum within three days of Fidelia's admission, as the law directs, he examined her, and did not see any reason for ordering her discharge.

It appears clear that whether the action taken by the several members of the family in reference to Fidelia was actually criminal or not, it was unscrupulous. On the other hand, it would appear to be indisputable that Fidelia had had several attacks of insanity, and that she was weak-minded when last placed in an asylum—so weak-minded, in fact, that her best friends, if she had any, might justly have preferred her being in a well-conducted asylum to living in the wretched *menage* of Madame de Monasterio. It cannot, however, be denied that there is too much evidence of unworthy motives on the part of the mother and the son, in depriving Fidelia of her liberty and, practically, of her property. We are justified also in crediting the statement that the medical man who signed the certificate was not a man of any position in the profession—to speak mildly. He, unfortunately, bore the honoured name of Pinel, but we are glad to record that he did not belong to his family. He appears to have made a very superficial examination of Fidelia, and to have hastily decided upon her mental condition. At the same time the certificate itself was in accordance with the Statute, and neither better nor worse than many others which are never called in question. One certificate meets the requirements of the French law, and the endorsement of the other doctor was even more than the Act required. Again, the proprietor of the asylum, M. Gonjon, had no alternative but to receive Fidelia, the order and certificate being perfectly *en règle*; nor was he likely to have any suspicion as to her family's motive in placing the patient under his care when he knew she had already been confined several times at Charenton. He has been blamed for sending his attendants for her. If, as stated in the papers, they were men, his mode of proceeding was certainly contrary to our notions of propriety; indeed, the event has shown that he acted unwisely, though certainly not illegally. Formerly in France it was usual for the police to agree to send, in difficult cases, one or two of their number, who, we have reason to believe,

rendered the necessary assistance in a considerate and not merely official manner. Recently, however, in consequence of the attacks made by the newspapers upon the sequestration of the insane, they have been forbidden to interfere in all cases in which private asylums are concerned; but nothing, as we have said, renders it illegal for the superintendent to send his attendants for a patient.

We confess we do not understand why Dr. Gonjon is to be blamed for having discharged Fidelia when he did, that is to say when Madame de Monasterio, who ordered her admission, demanded her discharge. At any rate, it is in accordance with Art. 14 of the lunacy law of 1838, which confers this right, whether the patient is cured or not, upon parents or those who have signed the order. No other course, therefore, was open to M. Gonjon; in fact, he would have laid himself open to severe animadversion had he refused.

We know only too well how ready the Press in England is to seize upon an asylum scandal, whether real or imaginary, and exaggerate the circumstances in every possible way; and we see indications of the same tendency in France. Certain it is that in spite of the violent attacks made upon the proprietor of the *Maison de Santé*, he cannot be prosecuted. The fault, if there be one, lies therefore at the door of the law itself; and this remains true, however disreputable the characters of those brought before the police-court in Paris in this affair may be, and evidently are. The letter of the law has not, it appears, been violated, and consequently no condemnation is possible or justifiable.

That the law admits of revision on certain points is indicated by the *projet de loi* prepared by the Minister of the Interior, M. A. Faillières. It has been asserted in the medical journals that this has been done in consequence of the Monasterio affair. This is a mistake. The changes in the law of lunacy referred to were prepared and presented to the Senate in November, 1882, and have, therefore, nothing to do with this scandal; although it is very likely that necessary reforms will be facilitated by its occurrence.

This proposed change in the law is characterised in the preamble as a complete revision of the French lunacy law, calculated to satisfy the demands, long expressed, of public opinion, and to correct the imperfections and the "lacunes graves et nombreuses" of the very remarkable and creditable law of 1838. It is the result of a Commission appointed in

March, 1881, consisting of a large number of eminent men, including MM. Laségue, Lunier, Foville, Motet, Ball, Baillarger, Bourneville, Loiseau.

Among the modifications of the existing law proposed, is the proposal, "borrowed from English legislation," to require two medical certificates instead of one. The information supplied by the physician is also to be more detailed, the date of the last examination of the patient being stated, the symptoms and phases of the disorder, and the reason why it is deemed necessary to confine the patient in an asylum. The Superintendent must forward copies of this certificate and the order to the Prefect of the department, the procureur of the Republic of the arrondissement in which the patient resides, and lastly to the procureur of the arrondissement where the asylum is situated. Further, the intervention of judicial authority is required for the continued retention of a lunatic in an asylum after his provisional admission. "C'est, en effet, un principe de notre droit que les questions d'État, de capacité et de liberté individuelle, ne peuvent être tranchées que par l'autorité judiciaire."

This principle, it is maintained, was violated by the law of 1838, by which a person could be confined in an asylum on a medical certificate, or even in cases of urgency on the production of a demand made by anyone whatever. The object was, of course, to facilitate the early treatment of the insane; but this intention, it is thought, will not be frustrated by requiring judicial authority subsequent to provisional admission. This authority is to be based on the examination of the patient by the procureur of the Republic, accompanied by a physician chosen by himself—this visit to be made within four days of the patient's admission. The procureur will be bound to forward instructions in regard to the admission or discharge of the lunatic within four weeks.

Various other measures of great importance are proposed in order to perfect the existing law, including the legal care of the property of patients in private asylums; but sufficient has been said to indicate the importance of the proposed legislation.\*

\* For details see "Projet de loi portant révision de la loi du 30 Juin, 1838, sur les aliénés, présenté au nom de M. Jules Grévy, Président de la République Française. Par M. A. Faillières, Ministre de l'Intérieur et des Cultes, Paris, 1882.