

Dr. Soutar, in reply, said this was just one of those occasions when "ordered words asunder fly," and one found oneself unable to give expression to the ideas which were pressing each other in one's mind. To have had his health proposed in such kindly terms by Dr. Needham was an honour and a delight to him, such as he could not express. He looked back to his time with Dr. Needham as being that to which he owed any success which he had had in life, and it was that which placed him in his present position that day. To have had the advantage, in the plastic and mouldable years of life, of coming under the influence and example of Dr. Needham had given to him everything to which he, in his professional life, had attained. He could only thank Dr. Needham most sincerely for the friendly and kindly expressions he had used towards himself, and the company for the kind way in which the toast had been received.

MENTAL DEFICIENCY BILL.

SELECT COMMITTEE OF THE PARLIAMENTARY COMMITTEE OF THE MEDICO-PSYCHOLOGICAL ASSOCIATION OF GREAT BRITAIN AND IRELAND.

W. R. Dawson, H.M. Inspector of Lunatic Asylums, Ireland; Ex-President Medico-Psychological Association.

J. G. Soutar, Medical Superintendent, Barnwood House; President Medico-Psychological Association.

Theo. B. Hyslop, late Senior Physician, Bethlem Royal Hospital (Chairman).

Harry Corner, Consulting Physician to the National Association for the Feeble-Minded.

G. E. Shuttleworth, late Medical Superintendent, Royal Albert Asylum.

R. L. Langdon Down, Consulting Physician to National Association for the Feeble-Minded.

F. W. Turner, Assistant Superintendent, Royal Eastern Counties Institution.

H. Hayes Newington, past President, Medico-Psychological Association.

J. Carswell, Certifying Physician in Lunacy, Parish of Glasgow.

H. Wolsley-Lewis, Superintendent of the Barming Heath Asylum, Kent.

Bedford Pierce, Medical Superintendent, The Retreat, York.

REPORT OF THE SELECT COMMITTEE TO THE ANNUAL MEETING APPOINTED TO CONSIDER THE MENTAL DEFICIENCY BILL.

June 16th, 1912.

Your Committee has held three meetings, and has carefully considered the Bill clause by clause and has to report as follows:

The kernel of the whole Bill lies in Clause 17, defining the persons subject to be dealt with by the Bill, and it must be borne in mind that such persons must come under both sections (1) and (2). On examination it will be seen that the subsections (a) to (f) and (a) to (e) are so framed as to include a very wide range of mental defectives, embracing habitual criminals, inebriates, the uneducable, the unemployable, the subjects of drug habits, and persons unfit to procreate. While agreeing with the inclusion of such persons in the Bill from a general standpoint, your Committee feel that the subclauses are too vaguely worded, and that further definitions are needed, particularly in regard to section (1) (e), dealing with those who are to be deprived of the opportunity of procreating children.

Your Committee are also strongly of opinion that the Board of Control, whether in the Secretary of State's or other Government department, should have as its first members the present Lunacy Commissioners, and have altered the Bill in accordance with this view.

Your Committee recommend that the following alterations be made:

Clause 2 (1): Delete from "any" (line 23) to "recommendation" (line 25) and substitute "a Board of Control and the first members of such Board shall be the persons who at the commencement of this Act are the Commissioners in Lunacy together with persons (one of them being a woman) to be appointed by the Secretary of State who may." Line 1, page 2: Delete "Provided that one" to "woman." (5), line 15: Delete "not exceeding three."

Clause 5 (d), line 16: Add "or (with a view to their discharge) if the necessity for their remaining subject to this Act has ceased."

Clause 12, line 20: After "the" add "Commissioners and approved by the." (a), line 23: After "Act" add "and direct the discharge of such persons as are no longer proper subjects under this Act." (c), line 29: After "defectives" add "who are subject to be dealt with under this Act." (i), line 40: "A" instead of "the."

Clause 18, line 10: For "a defective within the meaning of this Act" read "subject to be dealt with under this Act."

Clause 20 (5), line 2 (page 12): After "defective" add "and subject to be dealt with under this Act." (6), line 8: For "may" read "in the absence of a medical certificate shall."

Clause 24, line 17: Add after "Act," "but no such steps shall be taken until the parent or guardian has had opportunity of making suitable provision for it."

Clause 25. Add another subsection thus: "(5). Provided nothing in this Act shall prevent persons under twenty-one years of age being received into a certified house or institution on a medical certificate that he requires special care and treatment in such a house or institution."

Clause 27 (2), line 33: After "defectives" add "or other place of safety." (3), line 1 (page 16): After "defectives" add "or other place of safety."

Clause 29 (2), line 31: For "shall" read "may." (3), line 36: For "ought to" read "can." (3), line 38: For "shall" read "may."

Clause 38, line 6: After "The" add "Commissioners with the approval of." (c), line 10: Delete "and treatment."

Clause 42, line 11: After "defectives" add "if maintained out of public funds."

Clause 47 (1), line 5: After "persons" add "over sixteen years of age." (1), line 6: After "being defectives" add "subject to be dealt with under this Act." (2), line 11: After "person" add "over sixteen years of age." (2), line 12: After "defective" add "subject to be dealt with under this Act."

THEO B. HYSLOP (*Chairman*).

H. WOLSELEY-LEWIS (*Secretary*).

APPENDIX TO FOREGOING REPORT, JUNE, 1912.

Memorandum.—Inquiry and Visitation under the Mental Deficiency Bill.

It is recognised that the prime objects of the Bill may call for extension of power to inquire and visit, beyond that which is given under the Lunacy Acts. It is the purpose of this memorandum to point out where such extended power is given.

Generally speaking the Lunacy Act provides for inquiry into the condition of a person who is not under official observation, but is presumed or alleged to be insane under—

Sec. 13.—Constables, relieving officers, overseers, who have knowledge that any person, not a pauper, and not wandering at large, is deemed to be a lunatic and not under proper control and care, or is cruelly treated or neglected by a relative or other person, shall set the law in motion by informing a justice.

Sec. 14.—A medical officer of a union, who has knowledge that a pauper ought to be sent to an asylum, shall set the law in motion by giving notice to a relieving officer.

Sec. 17.—Any justice to whom such a case is reported may visit the alleged lunatic at the house of the latter.

Sec. 22.—In such cases a relative may take charge of the patient, if the justice is satisfied that proper care will be taken of him.

Sec. 205.—The Lord Chancellor or Secretary of State may at any time issue an order for the examination of a lunatic or alleged lunatic.

Sec. 206.—If it comes to the knowledge of the Commissioners that any person appears to be, without an order and certificates, detained or treated as a lunatic or alleged lunatic by any person receiving no payment for the charge in any establishment, not being an institution for lunatics, they may inquire and visit with a view to further action.

The Idiots Act has no provision of the kind.

It will thus be seen that visitation of persons of unsound mind who are outside official supervision is very carefully guarded, and that in no case can such a visitation be carried out by a subordinate without explicit authority.

Before inquiring into the procedure in cases of mere deficiency of mind it will be essential to note the relations of the term "defective."

Clause 1 (1) of the Act limits its meaning to mental defectives.

Clause 17 (2) describes the general interpretation put on the term for the purposes of the Act; such defectives are herein termed defectives-general.

Clause 17 (1) describes the defectives who, alone, are to be subject to be dealt with under the Act; and are herein termed defectives-subject.

The class of defectives-general is very large, and practically purports to include all persons whose mind is affected, except those who are actually insane, and fit for treatment under the Lunacy Acts, the supervision of whom is left in the hands of existing lunacy authorities—clause 1 (2).

At first sight the division of authority seems to be clear and complete, but it is not so, for while clause 1 (2) preserves lunacy authority over imbeciles and idiots, clause 17 (2) brings them under the Deficiency Act, if they fulfil any of the conditions of clause 17 (1). Further, under the Lunacy Act "lunatic" means an idiot or person of unsound mind. It has been held in a Court of Appeal (*Rex v. Shaw*) that imbecility arising from the decay of the faculties through old age or intemperance constitutes unsoundness of mind. Thus (e) of clause 17 (2) as well as (a) and (b) of the same clause are subject to the Commissioners' authority if brought under the Lunacy Acts, and will also be subject to the new authority if they fulfil the conditions of 17 (1).

The duality of authority, thus made possible, will be again mentioned in a further memorandum on "Overlapping," but, for the present purpose, it is pointed out that certain classes are now brought under arrangements for inquiries, etc., to which they were not subject under the Lunacy Acts.

The following are the provisions of the Mental Deficiency Bill bearing on the question:

Clause 5.—The power and duties of the Commissioners (Mental Deficiency).

(a) Exercise general supervision, protection and control over *defectives* (*i.e.*, defectives-general).

(d) Visit either personally, or by their inspectors, defectives in institutions or (with a view to their certification) elsewhere.

Clause 12.—General duties of local authorities:

(a) To ascertain what persons within their area are defectives and are subject to be dealt with under this Act.

(c) To keep registers of defectives (*i.e.*, defectives-general).

(e) To appoint or employ sufficient officers and other persons to assist them in the performance of their duties under this Act.

Clause 12. Provision (ii).—This removes certain defectives from the operation of the Act, but thereby appears to confirm power over all not so excepted, including those of clause 17 (2) who do not fall under 17 (1).

Clause 13 (1) throws on the Education Authority of an area the fresh duty of—

(a) Ascertaining what persons within their area are defective children within the meaning of the Act.

(b) Ascertaining which of such children are educable.

(c) Notifying to the local authority under this Act the names and addresses of defective children who are ascertained to be not educable, etc.

Clause 18.—Overseers, relieving officers, district medical officers of poor-law unions, medical officers of health, and constables who have reason to believe that any person is a defective within the meaning of the Act, shall notify the case to the local authority.

It appears that, if it is intended to adhere strictly to the interpretation of defectives-general as against defectives-subject, the former and their relatives are exposed to considerable prejudice, in the matter of visitation for making inquiries and by registration. With regard to elementary school children not much harm may be done by inquiring, as the Education Authorities have already considerable power in this direction under their own Act. But the registration of their names and the publicity entailed may be of serious consequence. With children of school age it seems only fair that the effect of special training should be awaited before

the stigma of permanent defectiveness is affixed to them, and this consideration should apply equally to children of the better social grade and to those of the elementary school class as bearing on their future prospects. An instance was given to the Committee of a girl of the former class who in early years was an apparent defective, but later on completely emerged from this condition as the result of suitable education, and is now training successfully as a hospital nurse. The fact of registration in her earlier years would have been fatal to her success, and in applying for a post she would have been always liable to have the registration as a defective thrown in her teeth. With adults great harm could arise. A young lady, æt. 20, in the midst of surroundings the most suitable for care and watching, if defective, would, under clause 17 (1) (e), be subject to the Act and exposed to registration and inquiry.

It is suggested that careful attention should be given to the provisions which deal with defectives-general and defectives-subject. These are:

Defectives-general: Clause 5 (a), (d); clause 12 (a) by implication, (c), (e) indirectly; clause 18; clause 13 (a) by implication (children only).

In regard to clause 18 it may be that the definition "within the meaning of the Act" is a mistake for "subject to be dealt with." The former interpretation leads to needless interference.

Defectives-subject: Clause 5 (d), (e); clause 12 (a), (b); clause 13 (c).

Dual Authority.

Clause 1 (1) of the Mental Defectives Bill preserves all the powers of the Lunacy Commission and of the Lord Chancellor. Both of these bodies have authority over certain patients, including idiots and several of the classes of mental deficiency defined in 17 (2). The present Bill aims, no doubt, at some division of authority, but while the Lunacy Acts are unrepealed responsibility for the above-mentioned defectives must remain on the Lunacy Commission. It has been held in a Court of Appeal (*Reg. v. Shaw*) that imbecility arising from decay of the faculties through old age or intemperance constitutes unsoundness of mind. Therefore any person thus becoming defective is on the responsibility of the Lunacy Commission. The old age defectives form a considerable portion of the subjects of the present Bill. As soon as such are declared by the action of the Bill they will fall under the dual authority.

The Lunacy Commission are appointed by, are under the control of, and report to, the Lord Chancellor, while under the Bill the Secretary of State is the chief executive officer in the matter of defectives. Thus in the highest quarters there will be dual authority.

At present no fresh licences can be granted under the Lunacy Acts, while under the Bill such can be granted for defectives. As the division of defectives is a matter of great difficulty, there is likely to be considerable friction and jealousy on the granting or not of licences, and undoubtedly there will be opportunity of evasion of the present law, unless proper, co-ordinated authority is at once instituted.

The relations between the educational authorities and the new authority, set up by clause 13, will possibly lead to trouble as to authority in border-line cases.

A very serious financial difficulty may arise thus:

Under the Lunacy Acts the capital expenditure in respect of defectives in asylums falls on the local authority, the maintenance falling on the Poor Law authorities, who receive the State grant of 4s. per week *per caput*, to meet the expense. Under the Bill both capital and maintenance charges fall on the local authority alone, who will receive a State grant of 7s. per week.

The 4s. grant was originally given to furnish some inducement to the guardians to send their acute cases to the asylum, instead of retaining them in workhouses, and thus depriving them of the treatment urgently needed. The effect of this inducement was marked, leading to the sending to the asylum not only of the acute cases, but also of the chronic defectives who gave the least trouble. This has led to the blocking up of the expensive asylum with persons for whom cheaper accommodation is now so urgently demanded. Whether or not the local authority, under the Bill, receives an adequate grant from the State, the same question of relative expense will always be in the mind of those on whom rests the

responsibility of placing defectives. Will it be cheaper to send one to the asylum and obtain for him the grant of 4s., or place him under the Bill, and pay only the balance of cost demanded of the ratepayers by the local authority? This amount will necessarily depend on the total cost to the local authority. Thus the location (and treatment) of the defective will be determined chiefly by finance and not by mental classification. In effect, if the authorities under the Lunacy Acts and those under the Bill are kept distinct, there will be constant friction on this head. If, however, they are combined, the question of location, being highly technical, can only be properly treated by the lunacy side of the central authority. This, among other facts, points to the present knowledge of the Lunacy Commission being utilised at once, and to that body being the predominant authority.

The greatest amount, available, of experience and special knowledge will be needed for the present setting up of a practice suitable for the purposes of the Act, when it becomes law, and as much experience is called for in tactfully securing due observance, in the future, of regulations made for those purposes. It cannot be too strongly urged that Mental Deficiency, such as is now thought to be brought under control, shades off, on one hand, into lunacy, with all its very special interests and requirements, and, on the other hand, into insignificant fatuousness. To set up and maintain anything like a satisfactory dividing line between these three conditions it is necessary to retain, as paramount, the services of those whose business it has been to guard jealously the boundaries set by existing legislation in regard to mental failure. This necessity is all the greater in view of a fresh departure which may introduce fresh interests and may lead, if not strictly guarded, to grave interference with liberty of the person and with the rights of those whose natural duty it is to care for afflicted relatives. The whole subject needs to be dealt with by a strong, independent and experienced authority, and with the least possible chance of friction.

FURTHER REPORT OF THE SELECT COMMITTEE.

September 26th, 1912.

The Committee has held several meetings since the report to the Annual Meeting was presented. The following are its conclusions to the present date. Attention has been given chiefly to Clause 17, since it is understood that the Standing Committee will consider it at an early date.

Clause 5 (e) and Clause 34 to delete the words "dangerous or violent."

Clause 17 (1) in place of "persons who are defective and" to insert "persons who are

- " 1. idiots: or
- " 2. imbeciles; or
- " 3. feeble-minded and."

Note.—The Committee are firmly of the opinion that the qualifications *a, b, c*, etc., should be attached only to the feeble-minded so that idiots and imbeciles shall *ipso facto* be certifiable under any circumstances as is the case at present under existing legislation.

(1). (d) The Committee object to Mr. Hill's three amendments and support that of Mr. Locker Lampson, applying this provision to children on "or before" attaining the age of sixteen.

1. (e) The Committee would delete this, being of the opinion that medical knowledge is not so sufficiently advanced as to afford any definite guidance by which possible abuses that might occur under this provision can be obviated. It is felt that, if the Act is thoroughly administered, the feeble-minded who are capable of procreating children will before long be in safe keeping.

1. (f) The Committee would delete this. In place thereof they suggest a new provision:

"Who are in need of further care, control or treatment, and are a source of injury or mischief to themselves or others; or"

Note.—The principle of this was passed by Standing Committee "B" in the Feeble-minded Control Bill.

Following thereon,

- (4) Moral imbeciles who need special care and treatment.

The Committee would delete the provision bringing the mentally infirm within the meaning of the Act for the following reasons :

They are beyond the legitimate scope of the Bill, and are incompatible, both in nature and requirements of treatment, with the other clauses enumerated in the clause. Further, this class is adequately provided for under existing legislation, such as the Lunacy Law and the Poor Law.

(2). (a and b) The Committee support the definitions of idiots and imbeciles, as given in the Bill.

(c) The Committee support the amendment of this provision, as proposed by Mr. Leslie Scott and other members, as follows : " Feeble-minded person, that is to say, persons who may be capable of earning their living under suitable supervision, but are incapable, through defect of mind existing from birth or from an early age, of managing themselves and their affairs with sufficient prudence to maintain an independent existence."

(d) The Committee propose that this provision should read : " Moral imbeciles ; that is to say, persons who from an early age display some permanent mental defect, coupled with habitual vicious or criminal propensities, on which punishment has little or no deterrent effect."

The definition of mentally infirm persons would not be needed if, as the Committee suggests, these persons are excluded from the scope of the Bill.

The Committee desire to say that while it is recognised that the definitions contained in the Bill are necessary for the administration of the Act, it is likewise recognised that they cannot be regarded as strictly scientific. In fact, it is apparent that no definition can be framed which will satisfy accuracy as well as the needs of practical administration.

At the end of the Clause 17 the Committee propose a new proviso :

" Provided that no person who can be certified under the Lunacy Acts 1890-1911, not being an idiot or imbecile, shall be subject to be dealt with under this Act ; and every medical certificate given for the purpose of this Act shall contain a statement that in the opinion of the certifier the person to whom the certificate relates cannot be certified as a proper person to be taken charge of and detained under care and treatment under the provisions of the Lunacy Acts, except as an idiot or imbecile."

The following communications have been supplied to the Journal independently of the Select Committee :

MENTAL DEFICIENCY BILL, 1912.

Special committee representing the voluntary institutions for idiots, imbeciles and the feeble-minded.—Earlswood: Mr. E. C. P. Hull (Chairman); Colonel R. H. Rawson, M.P.; Mr. Leslie Scott, K.C., M.P.; Sir George Savage, M.D., F.R.C.P. Royal Albert Institution: The Right Hon. Lord Richard Cavendish, P.C. (Chairman); Mr. C. F. Tetley (Vice-Chairman); Mr. E. B. Dawson (Vice-Chairman); Sir William Priestley, M.P.; Sir N. W. Helme, M.P. Western Counties' Asylum: The Earl of Devon (President); Major A. W. Neville Thomas (Chairman); The Hon. Lionel Walrond, M.P.; Sir John Spear, M.P.; Capt. E. F. Morrison Bell, M.P.; Major H. Du Buisson. Midland Counties' Institution: Mr. T. M. Colmore (Vice-Chairman); Mr. A. F. Bird, M.P.; Rev. T. W. Downing; Mr. A. D. Melson. Royal Eastern Counties' Institution: The Earl of Stradbroke (Chairman); The Viscount Clifden; The Hon. H. W. Pearson, M.P.; The Right Hon. James Round, P.C.; Colonel The Right Hon. Mark Lockwood, P.C., C.V.O., M.P.; Colonel Sir Courtenay Warner, Bart., C.B., M.P.; Sir Robert Price, M.P.; Mr. L. Worthington Evans, M.P.; Mr. Almeric Paget, M.P.; Mr. E. G. Pretyma, M.P.; Mr. John Wood, M.P.; Mr. H. A. Krohn, D.L.; Dr. Edgar A. Hunt.

Summary of Suggestions.

The representatives of the voluntary institutions for imbeciles urge :

(a) That, while receiving patients under the Idiots Act and remaining under its protection they should at the same time have power to receive and detain defectives, certified under the Mental Deficiency or the Education Acts.

This will probably need a new clause, and in clause 19 (a), line 16, and clause 20 (5), line 32, after the words "defectives," the addition of the words "or an institution registered under the Idiots Act."

(b) "That power be given to public authorities, including the education authorities, to contract with these institutions for the care, education and maintenance of defectives."

The following additions are suggested :

Clause 12, line 28, after the word "Act," add, "or sent to an institution registered under the Idiots Act."

Clause 24, line 14, after the word "Act," clause 36, lines 30 and 35, and clause 41, line 22, after the word "defectives," add "or an institution registered under the Idiots Act."

After Clause 13 (c), add "to contract with the managers of an institution registered under the Idiots Act for the reception, education and maintenance in these institutions of defective children for whom, in the opinion of the education authority, institutional care is desirable, provided the consent of the parents or guardians is obtained."

(c) That as there is no provision for money grants under the Idiots Act, words may be introduced into the Mental Deficiency Bill, sanctioning Parliamentary grants towards the expenses of defectives detained in the imbecile institutions registered under the Idiots Act, as though they were detained in institutions certified under the Mental Deficiency Act.

Clause 43, line 25, after word "defectives," add "or in registered institutions under the Idiots Acts."

The following suggestions, a summary of which appears on the first page, have been prepared for any deputation that may wait upon the Home Secretary to urge that some slight amendments be introduced to increase the usefulness of the voluntary institutions for idiots, imbeciles and the feeble-minded.

The voluntary institutions for idiots, imbeciles and the feeble-minded, possess amongst them nearly 500 acres of land with large buildings, freehold and unencumbered, the total value of which is, roughly, over half a million of money, besides endowment funds of varying amounts.

The total income of these institutions for the last completed year (including donations to building and endowment funds) was about £86,000.

These institutions have been maintaining and educating by charitable funds, for from forty to sixty-five years, not only a large number of free cases, but also cases for whom, on account of the parents' want of means, inadequate payments have been made.

They have been built, furnished and equipped at considerable expense in a thoroughly efficient manner and have been brought up-to-date in methods of education, training and sanitation. They possess boys' and girls' schools, workshops for technical training, farms, sea-side houses, and special departments for the younger children, cripples and epileptics.

As legislation will undoubtedly cause the diminution of charitable contributions, and as it is specially recommended by the Royal Commission that these institutions be continued, it is imperative that the money required for maintenance of patients (as well as for future extension) should be supplemented in some way.

The representatives of the voluntary institutions are in general agreement with the Government Bill, but with the view of enabling these institutions to be continued and extended in the future, they venture to suggest some amendments.

The Bill does *not* affect the Idiots Act, under which the voluntary institutions work.

But, on the other hand, these institutions are not included in any of the provisions of the Mental Deficiency Bill.

Therefore no patients can be sent to them under it.

The proposed local authorities cannot contract with these institutions to take patients.

The local education authorities cannot contract with these institutions to take defective children.

The Secretary of State cannot give these institutions any grant out of the money to be provided by Parliament.

There is a unanimous desire to remain under the Idiots Act under which so much good work has been done.

Because a large number of patients at present maintained in these institutions have no provision made for them under the new Bill, *i.e.*, ineducable children, etc.

The Poor law authorities would lose the power they now possess of contracting with these institutions to take Poor law patients.

Suggestions.

It is therefore suggested :

(1) That registration of an institution under the Idiots Act shall be equivalent to certification of an institute under the Mental Deficiency Act, in so far that any person who can be sent under certificate to any institution certified under the Mental Deficiency Act can, under the same certificate, be received into any institution registered under the Idiots Act.

(2) (a) That nothing shall prevent institutions registered under the Idiots Act and receiving patients under that Act, receiving, at the same time, patients certified under the Mental Deficiency Act.

(b) That nothing shall prevent institutions registered under the Idiots Act and receiving patients under that Act, receiving, at the same time, mentally defective children certified under the Education (Defective and Epileptic Children) Act, 1899.

(3) That the provisions of the Idiots Act shall apply to those now known as *feeble-minded*, in the same manner as though this class was actually mentioned in every place after the word *imbecile* in the Idiots Act.

Because the word "imbecile" in the Idiots Act was intended at the time the Act was passed to cover those who have since become known as the feeble-minded.

Because these institutions from their foundation have always provided for the class now known as the feeble-minded. Early annual reports and case books prove this, as well as the presence in the institutions of patients who have resided there for from twenty to sixty years, and who would now be called feeble-minded. This is of importance, as in the definitions contained in the Mental Deficiency Bill the term imbecile is used in a restricted sense, and does not include the feeble-minded.

(4) (a) That they remain under the control of their own Boards of Management.

(b) That there should be one central authority to control all classes of mental defectives.

(c) That the Commissioners, whether under the Secretary of State or other Government Department, should have as their first members the present Lunacy Commissioners.

(5) (a) That the proposed local authorities be empowered to contract with the boards of management of these institutions for the care, education and maintenance of any defective needing institutional care.

(b) That the local education authorities be empowered to contract with the boards of management of these institutions for the care, education and maintenance of any defective children needing institutional care.

It is the opinion of the representatives of the voluntary institutions that many of the children in the special schools, who will need permanent care, would benefit throughout their lives if it were possible to transfer them to institutions at an earlier age than that of sixteen. This will be facilitated by giving the education authorities the power to contract with the voluntary institutions.

(6) That if an extension of the existing buildings is considered advisable, some provision should be made for raising the money necessary for this purpose.

(7) That in consideration of these institutions with their lands, buildings, workshops and existing funds, which have all been provided by voluntary effort, being used for public purposes, the Secretary of State be empowered to contribute grants out of money provided by Parliament towards the cost of each defective thus contracted for; and that the grant be paid direct to these institutions.

(8) That institutions maintaining defectives certified under the Idiots or Mental

Deficiency Acts be exempt from any payments for these patients that may be due under the National Insurance Act.

The attention of Members of Parliament is called to the fact that the Mental Deficiency Bill makes no provision for the very large class of ineducable children, nor for those discharged from special schools or classes *before* the age of sixteen and still defective, and it is urged that at the least Clause 17 should bring definitely within the Act those discharged from special schools or classes *before* the age of sixteen and *still* defective.

A large number of the cases at present maintained in the voluntary institutions will not "be subject to be dealt with" under this Act, nor will they be eligible to receive any Parliamentary grant.

Attention is also drawn to the fact that the term "defective" will in the future have two contradictory statutory meanings. The Elementary Education (Defective and Epileptic Children) Act, 1899, excludes imbeciles from this term, the Mental Deficiency Bill proposes to include imbeciles in the term.

STATEMENT REGARDING PROPOSED LEGISLATION FOR THE MENTALLY DEFECTIVE WITH REASONS WHY THE "MENTAL DEFICIENCY BILL" BE EXTENDED TO IRELAND.

The growing sense of obligation to provide for the mentally defective in these countries who do not come within the scope of the lunacy laws is shown by the fact that there are at present three measures for the purpose before Parliament, *vis.*, the Feeble-minded Persons (Control) Bill, introduced under the combined auspices of the National Association for the Feeble-minded and the Eugenics Education Society, and read a second time on May 17th, 1912; the Mental Defect Bill, an ambitious measure supported by the Charity Organisation Society, and read a first time on April 15th, 1912; and lastly, the Government measure, the Mental Deficiency Bill, introduced on May 16th, 1912, and read a second time on July 19th, 1912.

All three measures were intended to apply to England only, but as the result of action taken by the Scottish authorities, Scotland has been included in the provisions of the Government Bill. Ireland is, however, expressly excluded therefrom by the 68th Clause. Yet Ireland stands in more urgent need of provision for the classes dealt with than either of the sister countries, there being no legal enactments affecting the mentally defective who are not lunatics, nor any means of dealing with them except the Stewart Institution, which is supported by voluntary subscriptions and cannot provide for more than about 100; whereas in both England and Scotland legal provision is made and institutions exist for dealing with several of the classes. In addition to this, the Report of the Royal Commission on the Care and Control of the Feeble-minded has shown that Ireland is worse off than either of the sister countries, whether as regards the actual numbers of mentally defective persons relative to the population, or as regards the proportion of these urgently in need of provision. Thus, it was estimated that there were in Ireland in 1906, 25,415 mentally defective persons outside of asylums, and that of these no less than 66.06 *per cent.* were in need of immediate provision, as against 44.45 *per cent.* in England and Wales and 34.57 *per cent.* in Scotland. It is, therefore, most disappointing that the country which is of the three the most urgently in need of provision should be that one which is expressly excluded from the scope of the Government measure, and at a Special Meeting of the Irish Division of the Medico-Psychological Association of Great Britain and Ireland, summoned to consider the matter, a resolution was unanimously passed urging the necessity of introducing modifications to the Government Bill so as to extend its provisions to this country. Copies of this resolution have been sent to the Chief Secretary, to all the Irish Members of Parliament, to the county councils and others, with the request that they will use their influence to carry it into effect.

The classes of persons proposed to be dealt with by the Bill are such idiots, imbeciles, feeble-minded persons, moral imbeciles and persons who have become mentally infirm from age or decay of their faculties, as are not properly provided for, or are in prison, or in a reformatory, industrial school or inebriate reformatory, or charged with an offence, or are habitual drunkards, or should not be allowed to

procreate children, or in whose case other special circumstances exist rendering it desirable to deal with them under the Act. They also include children discharged at the age of sixteen from a special school or class established under the Elementary Education (Defective and Epileptic Children) Act, 1899, and notified by the local education authority to the local authority under this Act; but as the Elementary Education Act does not apply to Ireland, and there are no special schools or classes and no local education authority, this part of the Bill would not be applicable.

It is proposed to make the county and borough councils respectively responsible for dealing with the above classes of defective persons as local authorities acting through a committee for the care of the mentally defective appointed by them, but such local authority is not to be obliged to provide accommodation for such cases unless a sum of 7s. per week per head is contributed by Parliament. A total contribution of £150,000 per annum by Parliament is authorised, but this is in addition to payments made for such persons as shall be transferred from Government institutions, such as prisons, reformatories, etc. It would require to be increased if Ireland is included.

It will be seen that many of the persons to be dealt with under the Bill are already, though unsatisfactorily, provided for in asylums, workhouses, prisons, reformatories and other institutions, and therefore their transference to institutions of the kind contemplated would tend to reduce the expense of the existing establishments, and as regards asylums to lessen the overcrowding which is so very general; while once the new institutions were established, the increased contribution from Imperial sources (from 4s. to 7s. per head per week) would minimise the additional strain upon the rates. The provision of the necessary institutions in the first instance would, however, constitute a heavy initial expenditure such as the Royal Commission on the Feeble-minded has stated could not possibly be borne by the ratepayers unless they receive a substantial building grant in aid, and in this respect, as well as in respect of maintenance, it would seem that Ireland has a special claim for generous treatment, for the following reasons:

(1) Emigration leaves an undue proportion of the senile feeble-minded class, who are mostly in indigent circumstances, and hence gravitate to workhouses and asylums.

(2) The younger feeble-minded often find their way into State or State-aided institutions such as prisons, inebriate and ordinary reformatories, and their removal from these would reduce expense to the State.

(3) Consequent to some extent on the admission of such persons to the district asylums, the grant-in-aid, normally 4s., has been greatly reduced, and so a still greater burden has been thrown on the ratepayers.

It would, therefore, seem reasonable to expect a special grant in aid of building institutions to be made to this country.

But, after all, the strongest argument for the extension of the Bill to Ireland is the crying need for some provision for the non-insane defectives of all ages, who, under existing circumstances are left to drift into lives of degradation, crime and disease, and to hand on their own defects in aggravated form to their hapless and often illegitimate offspring, thus sowing the seed of an ever-increasing crop of degeneracy, and building up an ever-increasing burden of expense to the community.

R. R. LEEPER,
Hon. Sec., Irish Division,
Medico-Psychological Association.

MENTAL DEFICIENCY BILL.

From the Irish Division of the Medico-Psychological Association of Great Britain and Ireland. Suggestions for a new Clause 68 to include Ireland.

Clause 68: This Act shall apply to Ireland subject to the following modifications:

The Central Authority to be constituted as recommended by the Royal Commission on the Feeble-Minded, *vis.*, with the Registrar in Lunacy and the two Inspectors of Lunatics as a nucleus, together with unpaid Commissioners not exceeding two; the Registrar in Lunacy to be *ex-officio* Chairman.

References to His Majesty the King and the Secretary of State to be taken as meaning the Lord Lieutenant of Ireland; the Lord Chancellor to mean the Lord Chancellor of Ireland.

The Local Government Board to mean the Local Government Board of Ireland.

The Commissioners in Lunacy to mean the Inspectors of Lunatics.

The Prison Commissioners to mean the General Prisons Board of Ireland.

Provisions affecting the Education Authority not to apply.

In Clause 18 of the Bill the word "Overseer" to be omitted, and the words "manager of national school" added.

The Judicial Authority to be a County Court judge, a resident magistrate, or any justice annually appointed as such judicial authority in accordance with regulations analogous to those contained in Section 10 of the Lunacy Act, 1890.

Clause 21: Petitions to be heard by the Lord Chancellor or any Lunacy Judge under the Lunacy (Ireland) Act, 1901, in accordance with rules to be made by the Lord Chancellor.

Clause 38: Regulations to be made by the Commissioners with the approval of the Lord Lieutenant.

(This is on the supposition that the Registrar in Lunacy is to be Chairman of the Commissioners, otherwise the rules should be approved by the Lord Chancellor before being submitted to the Lord Lieutenant.)

Clause 41 (7) may require modification.

Clause 61 does not apply, but Sections 68, 69, and 113 of the Lunacy Regulation (Ireland) Act of 1871 shall apply in the case of persons dealt with under the Act, no matter what the amount of their property.

Clauses 37 and 64 do not apply, and Clause 68 (2) is withdrawn.

National Association for the Feeble-Minded.

Denison House,

296, Vauxhall Bridge Road,

S.W.

AMENDMENTS TO THE MENTAL DEFICIENCY BILL RECOMMENDED BY THE
EXECUTIVE AND MEDICAL COMMITTEES OF THE NATIONAL ASSOCIATION
FOR THE FEEBLE-MINDED.

Executive Committee.

President: Lady Frederick Brudenell-Bruce.

Chairman: Sir William Chance, Bart.

Hon. Treasurer: Sir R. Biddulph Martin, Bart.

Lord Frederick Brudenell-Bruce; Miss Bushell; Harry Corner, Esq., M.D.; Miss Craster; Mrs. H. St. L. Curteis; Miss Evelyn Fox; Leonard G. Guthrie, Esq., M.D., F.R.C.P.; Mrs. St. John Hope; Miss Kelsey; E. Montefiore Nicholls, Esq., M.A.; W. E. Mullins, Esq., L.C.C.; Mrs. Kinsey Peile; H. F. Pooley, Esq.; Mrs. Western.

Hon. Medical Consulting Staff.

Leonard G. Guthrie, Esq., M.D., F.R.C.P., *Chairman.*

London.—Harry Corner, Esq., M.D., M.R.C.S., late Resident Physician, Medical Superintendent, Earlswood Idiot Asylum; Miss Dickinson Berry, M.D., L.R.S.P., Assistant Medical Officer, Education Committee, L.C.C.; R. Langdon Down, Esq., M.B., M.R.C.P.; T. N. Kelynack, Esq., M.D., M.R.C.P., Hon. Secretary of Society for Study of Inebriety; F. W. Mott, Esq., M.D., F.R.S., Pathological Laboratory, London County Asylum, Claybury; Dr. Agatha Porter, L.R.C.P., L.R.C.S., Royal Free Hospital and New Hospital for Women; Dr. Ettie Sayer, M.B., B.S., Assistant Medical Officer, Board of Education, L.C.C.; C. J. Thomas, Esq., M.D., M.R.C.S., Assistant Medical Officer, Education Department, L.C.C.; William Hill, Esq., M.D., Consulting Surgeon for Diseases of Ear, Throat and Nose, St.

Mary's Hospital; Charles S. Blair, Esq., M.D., F.R.C.S., Clinical Assistant, Royal Eye Hospital, Southwark; E. Wallis, Esq., M.R.C.S., L.D.S.; Dr. Constance Long, M.D., L.S.A., Medical Officer to the Education Committee; Walter E. Fry, Esq., F.R.C.S.

Provincial Members.

Birmingham.—W. A. Potts, Esq., M.D., Medical Expert, Royal Commission on Care and Control of Feeble-minded; G. A. Auden, Esq., M.D., M.R.C.P., Medical Superintendent, Education Committee, Birmingham.

Bradford.—F. W. Enrich, M.D., Professor Forensic Medicine, Leeds University.

Brighton.—Dr. Helen Boyle, M.D., L.R.C.P., Medical Officer, Lewes Road Hospital for Women and Children, Brighton.

Bristol.—J. Mitchell Clark, Esq., M.D., F.R.C.P.

Cambridge.—Sir Clifford Allbutt, K.C.B., F.R.S., Regius Professor of Physics, University of Cambridge.

Cardiff.—Charles Downing, Esq., L.R.C.P., M.R.C.S.

Coulsdon.—Fletcher Beach, Esq., M.B., F.R.C.P., Hon. Physician to Chalfont Colony for Epileptics.

Guildford.—A. F. Tredgold, Esq., L.R.C.P., F.R.C.S., Medical Expert to Royal Commission on Feeble-minded.

Leicester.—Frank M. Pope, Esq., M.D., F.R.C.P., Consulting Physician to Leicester and Rutland County Lunatic Asylum.

Liverpool.—C. F. Macalister, Esq., M.D., F.R.C.P.

Manchester.—Charles H. Milland, Esq., M.D., M.R.C.P., Medical Expert to Royal Commission on Feeble-minded.

Newcastle.—Dr. Ethel Williams, M.D.

Nottingham.—E. Powell, Esq., M.R.C.S., L.S.A., Superintendent, City Asylum, Nottingham.

Oxford.—A. L. Ormerod, Esq., M.D., F.R.C.P., Medical Officer to Education Authority, Oxford.

Sheffield.—R. P. Williams, Esq., M.D., Assistant Medical Officer of Health to City of Sheffield.

The Executive and medical committees of the National Association for the Feeble-Minded wish strongly to urge the following recommendations and amendments:

RECOMMENDATIONS.

- (1) A dual authority is inadvisable and control should be vested in the hands of the Lunacy Commissioners.
- (2) Should the authority be the Lunacy Commission, it should be suitably strengthened by the addition of new Commissioners including at least one woman.
- (3) Should the new authority be constituted as in the Bill, in view of the inevitable overlapping of the work of the two bodies of Commissioners, definite machinery should be contained in the Bill to co-ordinate the work of these two bodies until such time as amalgamation takes place under Sec. 62.
- (4) Clause 2: In event of the Commissioners being appointed, as suggested in the Parliamentary Bill, it is desirable that the legal and medical professions should be duly represented.
- (5) Clause 4: Ownership of licensed houses under the Lunacy and Idiots Act should be made a disqualification.
- (6) Clause 8: Attention is drawn to the non-mention of women in the clause providing that a council having a single visiting or asylums committee under the Lunacy Act, 1890 to 1911, may empower that committee to act for the care of the mentally defective, and that provision should be made for their being placed on such committees.
- (7) Clause 27: The Committee consider that a medical report should always be procured.

- (8) Clause 29: Attention to be drawn to the absence of a medical certificate.
 (9) Attention is to be drawn to the safeguards included in the clauses as to re-certification and discharge contained in the Feeble-Minded Control Bill as amended. (See clauses 10, 11, 13 and 15.)
 (The Committee suggest that these would probably come in under clauses 31 and 32 of the Government Bill.)

AMENDMENTS.

Clause 3, page 2, line 23: After "inspectors" add "some of whom should be medical practitioners."

Clause 11, page 5, line 16: After "appoint" insert "and pay."

Clause 12, page 5, line 22: After "area" insert "not in institutions for defectives or otherwise provided for under this Act."

Clause 12, page 5, line 29: Leave out (c) "to keep register of defectives." If line 29 is retained, after "defectives" insert "subject to this Act."

Clause 12, page 6, line 33: At end of clause add "provided that if at any time the Commissioners are of opinion that a Local Education Authority is not making such provision as is reasonably necessary under the Elementary Education (Defective and Epileptic Children) Act of 1899 they may direct the local authority to make provision under this Act for such children as require it."

Clause 13, page 6, line 37: After "area are" insert "not in institutions for defectives or otherwise provided for under this Act and are."

Clause 17, page 8, lines 34 and 35: Delete "Defectives" and insert "(1) Idiots, or (2) Imbeciles or (3) Feeble-minded and."

Clause 17, page 9, lines 11, 12, 13: Leave out paragraph "e" and insert "who are in need of further care and control, and are a source of injury or mischief to themselves or others."

Clause 17, page 9, line 16: After "State" insert "on the advice of the Commissioners under this Act."

Clause 17, page 9, line 18: At end insert "or (4) Moral Imbeciles, or (5) Mentally infirm persons who are (1) found wandering about, neglected or cruelly treated. (2) In need of further care and control, and are a source of injury and mischief to themselves or others."

Clause 17, page 9, line 39: After "some" insert "permanent."

Clause 17, page 10, line 1: Leave out "strong" and insert "habitual."

Clause 18, page 10, line 10: Leave out "within the meaning of" and insert "and is subject to be dealt with under."

Clause 20, page 10, line 20: Leave out "friend" and insert "responsible person having personal knowledge."

Clause 19, page 10, line 19: At end insert "Nothing in this Act shall prevent a feeble-minded person who is over twenty-one years of age, from voluntarily placing himself as a boarder in a certified house or institution, provided always that notice of his reception shall be given to the Commissioners within twenty-four hours of his reception by the owner or manager of the certified house or institution into which such boarder has been received."

If any owner or manager fails to comply with the provisions of this section he shall for each day or part of a day during which the default continues, be liable to a penalty not exceeding five pounds.

If the Commissioners after inquiry are of opinion that the mental state of any boarder received into a certified house or institution is such as to render him unfit to remain as a boarder, they may order the owner or manager of the certified house or institution either to remove such boarder or to take steps to obtain an order for his reception as a defective and subject to be dealt with under this Act.

Any owner or manager failing to comply with an order of the Commissioners made pursuant to this section shall, for each day during which the default continues, be liable to a penalty not exceeding five pounds.

Every boarder shall, if required, be produced to the Commissioners and visitors respectively on their respective visits.

A boarder may leave the certified house or institution in which he is a boarder upon giving to the manager thereof three days' notice in writing of his intention so to do.

If any person is not allowed to leave the certified house or institution in which he is a boarder after the expiration of three days' notice to the manager thereof of his intention so to do, he shall be entitled to recover from the manager ten pounds as liquidated damages for each day or part of day during which he is detained."

Clause 20, page 11, line 1: After "one other person" leave out sentence in brackets (who may be one of the persons who gave a medical certificate), and insert "who should be a qualified medical practitioner."

Clause 25, page 14, line 19: After "twenty-one" insert "and subject to be dealt with under this Act."

Clause 25, page 14, line 24: After "Defective" insert "and subject to be dealt with under this Act."

Clause 25, page 14, line 41: At end insert "Nothing in this section shall prevent a parent or guardian of a feeble-minded person under twenty-one years of age, and not subject to this Act, from placing such a person in a certified house or institution for defectives or under the guardianship of a suitable person, provided that notice of his reception shall be given to the Commissioners, within twenty-four hours of his reception by the guardian, owner or manager of the certified house or institution in which such person has been placed."

Clause 25, page 14, line 38: Leave out paragraph 4.

Clause 31 or 32, pages 17 and 18: Insert, "Nothing in this Act shall operate to deprive any parent, guardian, or relative being above the age of twenty-one years, of any feeble-minded person certified under this Act, of the care, control, and protection of such feeble-minded person, upon proof being given to the Commissioners by such parent, guardian, or relative being above the age of twenty-one years, that such feeble-minded person, in respect of whom application is made, will receive adequate care, protection and control."

Clause 38, page 21, line 10: After "and" insert "general."

Clause 42, page 24, line 11: After "defectives" insert "if maintained by public funds."

Clause 47, page 26, lines 5 and 6: After "Defectives" insert "and subject to be dealt with under this Act."

NOTICES BY THE REGISTRAR.

PRELIMINARY EXAMINATION, MAY, 1912.

Successful Candidates.

Fort Beaufort, South Africa.—Joseph E. Richardson, Edmund B. Kekewich.

Pretoria, South Africa.—Frederick W. Hartnell, Joseph Derry, Tryntye Douma.

Brighton County Borough.—Ernest H. Vinehill, Frank Chatfield, Gladys Evans, Edward A. Hammond, Charles F. Manning, Ida Jones.

Chester County.—William Pritchard, Samuel C. Warburton, Mary C. Roberts, Nellie Harrison, Myfanwy Holman, Minnie Griffiths.

Cumberland County.—Charles H. Thorpe.

Devon County.—Ella Steer.

Essex and Colchester County.—Carolina A. Myall, Eva Chaplin, Cressie Chase, Emily Bolton.

Glamorgan County.—Lucretia M. Evans, Frederick B. Morris, Beatrice A. Maunder, Mary Davies, James Fortune, Ernest L. Williams, Daniel Jenkins, Ephraim E. Howard.

Kent County, Maidstone.—Ada C. Westover, Ethel Webb, Lily D. Byron, Alice G. Quick, William H. Long, Frederick Wickens, Emily M. Sutton, Winifred E. Spratt, Violet E. Sutton, Eliza C. Juniper.

Kent County, Chartham.—William C. Burbidge, Henry C. Williams, William H. Christian.

Lancashire County, Winwick.—Bertha Hudson, Annie Taker, Ellen Morris, Jane Eyre, Catherine McLoughlin, Elizabeth Williams, Bertha Coleman, William Hartley, Louis L. Lee, Thomas Hessian, James G. Brennan, John Pendlebury,