

## OCCASIONAL NOTES OF THE QUARTER.

*Lunacy Legislation.*

Various bills affecting the treatment of lunacy having been introduced in the present Session of Parliament, a brief abstract of each will probably be of interest to those members of the Association who may not have obtained them.

Mr. Sclater-Booth's County Boards Bill (clauses 17 and 18), gives power to the County Boards to provide asylums for the "imbecile or insane poor who may legally be detained in a work-house;" or to provide "separate schools" for the "instruction and training" of idiotic young persons being paupers.

One or more workhouses, or parts of workhouses, may be appropriated for such purposes.

The whole county, or a combination of unions, wholly or partly, within the county, may be formed into a district or districts for these purposes. Any such scheme may be submitted to the Local Government Board, and may be established by order of that Board.

The asylums and schools thus provided shall be under the direction of the County Boards. The costs of providing, furnishing, and maintaining them shall be borne by the county rate; the maintenance of the staff and the inmates shall be charged to the guardians of the respective inmates, at a rate fixed from time to time by the County Board.

Power is also taken for the County Board, from time to time, to obtain information as to the amount, nature, and cost of the accommodation provided in the pauper lunatic asylums in the county. "It shall be the duty of the authority controlling such asylums, and of their officers, to afford the County Board all such information as they may reasonably require; and the members of such board may, at all reasonable times, visit and inspect any such pauper lunatic asylum."

The managers of any asylum or school, provided by the authority of this Act, may receive as inmates "any persons not being paupers" by payment, subject to the sanction of the County Board.

*Relief of Insane Poor Bill (Mr. Rodwell).*

This Bill incorporates certain provisions of the Lunatic Asylum Act, 1853, viz. :—

Secs. 32 to 37, and 40 and 41 as to lands and buildings.

Secs. 47 to 52 as to borrowing and repayment of moneys.

Sec. 61 as to inspection of asylums.

Secs. 79, 80, and 81 as to discharge or removal of servants.

Sec. 88 as to detention of inmates, and

Sec. 94 as to inmate, having property.

The object of the Bill is “to provide infirmaries” for the reception of the insane imbecile and infirm poor, chargeable on unions and parishes in England, other than the metropolis.

A committee of justices for the formation of an “infirmary” may be appointed by the Court of Quarter Sessions of the County; and the “infirmary,” when constituted, is to be governed by a “managing committee,” composed of the visiting justices of the County Asylum, together with “the chairman for the time being,” of each of the poor law unions in the county.

Patients who are insane, infirm, and imbecile or idiotic, and whose cases may properly be described as chronic, but harmless, may be received from any institution, &c., in the county, subject to conditions and regulations to be made by the Local Government Board; from the County Asylum by order of the visiting justices, with, and subject to, the approval of the medical superintendent thereof; from any workhouse in the county by order of the guardians, subject to the approval of the medical officer thereof.

The mode of admission shall be controlled by the Local Government Board, and no dangerous lunatic shall be admitted.

The managing committee shall appoint, control, and remove the staff; the salaries to be approved by the Local Government Board.

The managing committee shall submit an annual report, together with a duly audited statement of accounts to the Local Government Board.

Provision is made for the reception into the infirmary of idiotic children or young persons; although the same may not have been in any asylum or workhouse, or may not be in indigent circumstances, and payment or contributions may be received on behalf of them.

The infirmaries shall at all times be open to the inspection of a lunacy commissioner, of any justice of the peace, or of any guardian of any union in the county.

The Act to come into operation on 1st Feb., 1880.

*The Habitual Drunkards Bill (1879).*

The first provisions of this Bill are, that it shall come into operation on the 1st January, 1880, and terminate on the 1st January, 1886, except in the cases of charitable or philanthropic associations.

It defines the expression "Summary Conviction" to mean conviction before a court of summary jurisdiction; and defines the expression "Summary Jurisdiction Act" in its application to the existing laws for England, Ireland, Scotland, the Isle of Man, and the Channel Islands.

Also the expression "Court of Summary Jurisdiction" to mean—

- (a) As regards England and Ireland, a Court constituted by two or more justices of the peace sitting in Petty Sessions, or a magistrate or officer sitting alone or with others, and for the time being empowered by law to do alone any act authorised to be done by more than one justice.
- (s) As regards Scotland, the sheriff or his substitute.
- (y) As regards the Isle of Man and the Channel Islands, any Court, governor, deputy-governor, deemster, jurat, or other magistrate before whom offences and fines are by law prosecuted and recovered.

"A Retreat" means a house licensed under this Act, for the reception, control, care, and treatment of habitual drunkards.

"Habitual Drunkard" means a "person who, by reason of habitual intemperate drinking of intoxicating liquor, is dangerous to himself or herself or to others, or incapable of managing himself or herself, and his or her affairs.

Application for the license of a retreat to be made to the justices for the county or borough, and to be accompanied by a plan of the house to be licensed, with the dimensions of every room, the arrangements for the separation of the sexes, the quantity of land attached, and the extent of the applicant's interest. The applicant undertaking to give personal attention to the management.

The license may be granted to one or more persons for any period not exceeding thirteen months, and may be renewed, revoked, or transferred by the local authorities. The local

authority or the Inspector of Retreats, may order the discharge or removal of any inmate from a retreat which has become unfit for its purpose.

Any habitual drunkard may be admitted into any Retreat, by making an application in writing, in due form, stating the time (not exceeding one year), he wishes to remain, and accompanied by the statutory declaration of two persons, that the applicant is an "habitual drunkard."

The signature to the application must be attested by two Justices of the Peace, who have satisfied themselves that the applicant is an habitual drunkard, and have explained to him the nature of the application. The licensee of any Retreat, receiving such applicant, shall, within two clear days, send a copy of the application to the Clerk of the Local Authority.

The Secretary of State shall appoint an Inspector of Retreats, and, if necessary, an Assistant Inspector, by whom the Retreat shall be inspected triennially and reported on to the Secretary of State, who, on their report, or in his own discretion, may order the discharge of any person detained in any Retreat.

A Judge of the High Court of Justice, on an application *ex parte* at Chambers, or a County Court Judge, within whose district the Retreat is situated, may authorise an enquiry in regard to any person detained in a Retreat, and may give an order of discharge.

A Justice of the Peace, at the request of a licensee, may permit an inmate to be absent on leave for any period not exceeding two months; such period to be reckoned as part of the period of detention.

This leave of absence is forfeited by an attempt to escape from the person with whom the habitual drunkard has been placed, or by a reversion to intemperance.

It is constituted an offence against this Act to neglect an inmate of a Retreat, to assist him in escaping, or to supply him with stimulants of any kind whatsoever, without the authority of the licensee.

Any habitual drunkard refusing to conform to the rules of the Retreat of which he is an inmate, on summary conviction, may be fined five pounds, or imprisoned for any period not exceeding seven days.

An habitual drunkard who has escaped from a Retreat, may be re-arrested on the warrant of a Justice of the Peace, at any time before the expiration of his prescribed period of

detention : if apprehended he must be taken before a Justice of the Peace, who may remit him to the Retreat.

Notice of and cause of death of an inmate to be sent to the Coroner, Registrar of Deaths, and Clerk of the Local Authority of the district.

*The Lunacy Law Amendment Bill (Mr. Dillwyn).*

Gives power to the Justices of counties and boroughs to raise money for the purchase of private asylums and licensed houses.

The money value shall be given for all lands, buildings, plant, fixtures and furniture, and a sum of money shall be paid in lieu of goodwill, "which sum *shall not be less* than the yearly average of the receipts of the establishment during the three years immediately preceding the sale."

The establishments thus bought shall be "public asylums," and governed by Secs. 24, 25, 26 and 53 of 16 and 17 Vic., cap. 97, and by the secs. of the same Act in the keeping of accounts.

The receipts of all the asylums in a district shall form a common fund for the expenses of management, &c., and any surplus, after the payment of all expenses, shall be used for lessening the rates levied for the pauper lunacy of the district.

The Justices of counties and boroughs shall appoint for each district a duly qualified medical man, to act as medical visitor to the public asylums, who may be the superintendent of the chief asylum in the district, and who shall act as medical director of all the asylums in the district. He shall be responsible to the Justices in Quarter Sessions, who shall determine his salary, and provide him with assistance if advisable.

The Medical Visitors to be retained.

The officers of the transferred asylums shall be also retained, their salaries to be arranged with the Committee of Visitors, subject to appeal by the officers to the Commissioners in Lunacy. All officers so appointed to be entitled to the provisions as to superannuation grants in the Lunacy Acts.

Power is given to provide superior accommodation for private patients in, or in connection with pauper asylums, on terms of payment to be arranged by the Committee.

Private asylums and licensed houses in the Metropolis to be transferred from the jurisdiction of the Commissioners to that of the Justices.

Provision is made for two additional Commissioners, one

medical and one legal, and for the appointment of a substitute in the case of illness of a Commissioner.

A lunatic shall only be received in an asylum on an order by a Justice of the Peace of the district, such order to be granted upon a petition in due form, by a blood-relation or a householder, or, in the case of a pauper, by the relieving officer of the union or parish, accompanied by a statement and two medical certificates. Any superintendent may, however, receive and detain any person as a lunatic, for any period not exceeding forty-eight hours, upon the petition, statement, and one medical certificate, where the case is certified by one medical person to be emergent.

In no case shall the Justices' order remain in force longer than the 1st January first occurring after the expiration of three years from the date on which it was granted, or than the 1st January in each succeeding year, unless the medical attendant grant and transmit to the Commissioners in Lunacy a certificate that the detention of the lunatic is necessary and proper.

Provision is made for boarders in asylums.

Any person may obtain an order from the Commissioners in Lunacy for the visitation and examination of a lunatic in any asylum, by two registered medical persons, and on the production to the Commissioners of the certificates of two medical persons approved by the Commissioners, certifying that, after two separate examinations, at intervals of at least seven days, they are of opinion that the lunatic may be discharged, the Commissioners in Lunacy shall order the liberation of the lunatic at the end of ten days.

Provision is also made for granting licenses by the Commissioners in Lunacy, to attendants on the insane, on certificates from a medical superintendent of fitness, and of having acted as an attendant for not less than six months.

*The Poor Law Union and Lunacy Inquiry (Ireland).*

The conclusions arrived at by the Commissioners appointed for this enquiry are—

That for the better care, relief, and treatment of the poor who are lunatic, idiotic, or imbecile in mind, or otherwise afflicted with mental disease, it is expedient that a complete re-organisation of the whole lunacy administration be effected.

For which purpose they recommend—

1st. That under the provisions of sec. 15 of 8 and 9 Vic., cap. 107, the existing district asylums should be classified, reserving one or

more, as may be required, in each province, as "lunatic hospitals," especially for the curative treatment of the insane;

2nd. That the remaining district asylums should be appropriated as "lunatic asylums" for the accommodation of the chronic insane requiring special care. A certain number of this class would be accommodated in the "lunatic hospitals," as about fifty of each sex would be required for the service of those establishments;

3rd. That the inspection of the "lunatics at large" should be made one of the duties of the dispensary medical officers, who should be remunerated for this duty, and whose certificate that any one of this class is neglected or improperly cared for should be made the ground for action by the lunacy authorities;

4th. That the accommodation for the third or harmless class, who are at present in "lunatic asylums," in "workhouses," or "at large in a neglected state," be provided for by the appropriation of spare workhouse buildings, a sufficiency of which is to be found in each province; and

5th. That for the present all expenditure upon the building or enlargement of the district asylums be suspended.

They estimate the cost of the curative establishments at £26 per head per annum.

The second class at £20 per head per annum.

And the third class at £16 6s. per head per annum.

It is recommended that power should be obtained to move medical superintendents from one asylum to another without losing their services (as reckoning on superannuation), and to fix their salaries on a proper scale, instead of being dependent, as they now are, in a great measure, upon the number of beds for which their asylums are built.

The opinion is expressed that "the whole lunacy administration of Ireland should be under the general control, as Poor Law and sanitary administration is, of the Local Government Board.

The Poor Law and Lunacy Enquiry Commission was, it seems, hampered with conditions which restricted within narrow bounds the scope of its enquiry. Originally appointed as a Commission to hold enquiry "in regard to the number of Poor Law Unions and Workhouses in Ireland, and the provision now made for the relief of the sick and destitute poor in workhouses and hospitals, and whether any changes in that respect are necessary or desirable," it subsequently was directed to investigate and report on the provisions at present made and existing in Ireland for the care, relief, and treatment of the poor who are lunatic, or idiotic, or imbecile in mind, &c. Whether, owing to the limitation by which it was bound, or not, it has certainly limited its enquiry to a range falling far short of a full investigation as to what further provision is desirable for the sick and

destitute poor in Ireland, and for the care, relief, and treatment of the poor who are lunatic, or idiotic, or imbecile, and any one who expects to find those subjects exhaustively treated in the report of the Commissioners will find himself disappointed. Nevertheless, the report contains some valuable information. Owing its existence, as it did, to the force of the *vox populi* that further legislation was requisite on the subjects referred to it for enquiry, it must needs be that new legislation is proposed by the Commission, but the changes shadowed forth are not so sweeping in some directions as was, we believe, generally expected, although in other directions open, we think, to grave objection.

The Poor Law Board in England and Ireland, originally constituted partly for the prevention and partly for the relief of pauperism, has changed its name, and, it is to be presumed, its object, to an extent which is now bounded rather by geographical than social or political limits. To some extent it may be admitted that it has enlarged its views, and doubtless in the course of time it may be presumed that it will do so still more, and bring them up to a level with the legal enlargement of its powers. But while we do not deny that the Local Government Board has made considerable progress in the application of benevolent and enlightened views as regards the care and treatment of the sick, yet we by no means think that this advancement has been so complete as to warrant the expectation that as at present constituted it will supply a central authority *adequate to meet the full requirements of the insane*, especially in view of the fact that many of those requirements differ largely from those of other classes of the sick. From a similar point of view we regret that the Poor Law and Lunacy Enquiry Commission had not at least one member conversant with the treatment of the insane and imbeciles as carried out in institutions specially established and conducted for the purpose. Whatever the central authority may be to which the supervision of the insane is relegated, we trust the mistake will not be committed of constituting the body of members not having the education or experience requisite in the consideration and carrying out of measures for the due fulfilment of such duties, involving, as they do, both a practical and theoretical knowledge of the subject.

If a body fully competent to deal thoroughly with it were constituted, we should certainly object to restricting its operation by legal sub-division and technicalities, defining



the location and classification of the insane by hard and fast lines under which the insane would be statutablely relegated to curative, intermediate, and incurable asylums. Given a good central authority, better than this would be to leave the determination of the general principle and details as little restricted as possible by strict classification by statute. Before Ireland is mapped out, as has been attempted in the report of the Poor Law and Lunacy Enquiry Commissioners, we hope that much thought will be expended on the best mode of providing for the insane in that country. A liberal outlay of money on first-class asylums will never be regretted; but, as regards what is now proposed, we think the caution given by the Commissioners themselves against an outlay on buildings deserves to be most carefully kept in view.

We are afraid that the present confessedly miserable condition of the insane in the Irish workhouses will not be remedied by legalising their detention there, or by increasing their number up to 50 or 100, so as to make it worth the Guardians' while to place them in charge of one or two attendants. Let it be understood that there is no recommendation to constitute anything like an auxiliary asylum, such as Leavesden or Caterham, where large numbers, being brought together, can be kept at a cheap rate, and can at the same time be properly treated *under medical care*. No provision is made for the necessary supervision, medical or otherwise. The dispensary medical officer is to visit the insane at large, but those in workhouses are to be left to the tender mercies of attendants. The amount of care and comfort these unfortunate beings are to enjoy can be imagined from the fact that the Commission considers that £14 6s. a year will be the cost of their maintenance, after paying attendants, whilst the cost of those in the second-class establishments is to be £20, or about £6 less than what they cost at present. We have been careful to speak in measured language of the scheme now before us, but we must be allowed to say that we fear that, if carried out, it will be found disastrous to the best interests of the class it is intended to serve.\*

At the meeting of the Council of the Association on the 19th March a Committee was appointed to consider the

\* The reader will find much useful information in the pamphlet by Lieut.-Colonel Chichester, entitled "Amalgamation of Unions, and proposed Modifications in the Poor Law." Dublin, 1879.

various Bills affecting lunacy before Parliament in the present Session. The Committee appointed, consisting of Drs. Blandford, Crichton Browne, Bucknill, Lush, Lindsay, Orange, Paul, Parsey, Rayner, Rogers, and Hack Tuke, met on the 28th of March, when the various proposed Bills were fully discussed. The report of the proceedings of the Committee will be presented at the next meeting of the Council.

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## PART II.—REVIEWS.

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*The Pathology of Mind.* By HENRY MAUDSLEY, M.D.  
Third Edition.

Dr. Maudsley has re-cast and re-written his now classical volume on "The Physiology and Pathology of Mind," bringing it out in two distinct books. In some respects this may be one advantage to his readers, but we do not consider that the arrangement will be the best for the subject. As it appeared before, the book was unique in its completeness and solidarity. The fact that the physiology and pathology of mind could be treated together, and by the same author, helped to produce on the reader conceptions of the true scientific unity of the mental functions of the brain in their normal and abnormal manifestations. We see no good reason why the author's "more ripened experience" should not, like his "first fruits," have been embodied in one continuous and uniform effort to bring "psychology, physiology, and pathology" into "relation with one another." But it has seemed best to Dr. Maudsley to make the change, and we must accept his decision.

The new chapters on sleep, dreaming, hypnotism, somnambulism, and allied states are suggestive, but not strikingly new. Dr. Maudsley never writes at his best till he has an opponent. The most striking thing about these chapters is the wealth of illustration used to convey the meaning. "Man is not a mixture, or a compound of body and mind, but one being, having, magnet-like, two polarities, the one linking him to that which is below him, the other representing his spiritual aspirations, having opposite and higher attractions." The "plastic power of the supreme cerebral centres," on which he insists, as being something "deeper than conscious mental function," and to prove the attributes of which he