

shall, in some way, be secured against the vexation and pecuniary loss to which anyone who has been certified as insane has now the power to expose them.

The public exclaims against the monopoly of the medical profession to confine lunatics; the medical profession should surely now resist that which the public has forced upon them, their monopoly to endure persecution and suffer loss for the discharge of a public duty.

It may be in the interest of the public that future certification should be entrusted to specific public functionaries properly qualified, and duly protected. It cannot fail to be of vital importance to medical men that immediate steps be taken to relieve them from duties which they have not solicited, with their discharge of which the public are evidently not satisfied, and which are at all times attended by unpleasantness, and the evidently not remote possibility of serious pecuniary loss.

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*Weldon v. Semple.*

One chief feature in this case is the opposite opinion formed by two judges as to the law of lunacy, and we are inclined to think that, with all its faults—we had almost said follies—the trial of *Weldon v. Winslow* was more according to law than was the one of *Weldon v. Semple*. Both judges seem to have agreed in thinking there was something “shocking” in lunacy proceedings, and that there was necessity for immediate change in the laws regulating detention of persons of unsound mind. Everything in the lunacy world indicates unrest and unstable equilibrium, and we only hope that legislation will not follow in a panic.

The present legislation is the result of much care and experience, and, if not the best possible, is far better than what would follow hasty radical measures. Of one thing we are sure, and that is that troublous times are before those entrusted with the care of the insane. Already we know of several threatened proceedings by former patients. From experience we know that there are certain very dangerous patients, who have a craving for legal proceedings, and who really believe themselves to be persecuted or injured by unjust detention. Some of these are to the manner born, and come of nervous, unstable parents; others are discontented in consequence of imperfect recovery, repeated attacks of insanity, or because the form of the insanity was marked by querulous

discontent; many alcoholics belong to this last class. Such litigious lunatics have been long recognised, though not sufficiently described.

Besides the persons who are of markedly unsound mind, there are others in whom eccentricity approaches insanity so closely that even experts may be misled, and it is with these cases that the more danger occurs. The public and judges themselves look with very different eyes upon such cases when they are related to themselves from what they do when they have to decide in a question of liberty or freedom. Sanity or insanity is not considered then, but only whether a certain unfortunate person should practically be confined for life. There are many persons who are sources of endless family trouble, and even disgrace, who are recognised by their friends to be odd or insane, but who are so acute that it were dangerous for any physician to attempt to state in a certificate the grounds for his belief in their insanity. These cases, we fear, must at present be accepted as part of the cross which has to be borne by their relations, and must not be sent to asylums or restrained in their actions.

It is to be remembered that most of these cases can be steered by judicious management, and also that their peculiarities are so much part of themselves that to send them to an asylum is to condemn them to lifelong confinement—a most serious step to take.

Without in any way assuming that Mrs. Weldon belongs to this class, or to any class of mental unsoundness, the present series of prosecutions naturally calls our attention to the dangers involved in certifying to the mental state of any patient.

In the case under consideration at present we feel it our duty only to point out what is known of the proceedings, and to leave the issues of facts untouched.

The case may be well considered from different points of view. First, let us suppose that a gentleman of position has a wife who develops strange ideas, and who, in consequence of these ideas, ceases to perform her duties as a wife, and causes anxiety not only to her husband, but to her own relations. Later, if this person develops symptoms which, though not necessarily evidence of insanity, are more commonly present with mental unsoundness than with sanity, it is not to be wondered at that the husband should consult some specialist whose name is well known, and that he should suggest that consultations should be arranged by this specialist

to determine the nature of the disorder and the best way of treating it. A consultation takes place, and the specialist advises that a certain course should be followed; the husband, ignorant of the method to be followed, asks the consultant if he will arrange the matter, and follow the treatment which is most suitable to the cure of the patient. It is not astonishing that the consultant should refer to medical men whom he knows, and to whom he has referred other cases. All consultants must know the difficulty there may be to get certificates signed even for lunatics who are raving, and we fear this danger will be increased by the present trials.

The medical men are informed of some of the particulars of the case, and attempt to visit the patient; but difficulties arise, and subterfuges have to be made use of to obtain an interview. We personally object to any doctor disguising himself or his profession in examining cases, but we all know that stratagem is needed in some cases, and even Baron Huddleston contended that a doctor might disguise himself to obtain an interview. All this being done, two doctors go together to see the patient, provided they do of themselves, and apart, obtain facts indicating insanity, and it seems quite a new reading of the lunacy law to insist on the doctors never having seen the patient together.

The doctors having obtained facts satisfying themselves of the insanity of the patient hitherto, have not been expected to call together all possible evidence in support of their judgment, or else every certificate would involve days of questioning. It seems to us most anomalous that on the one hand the doctor is expected to form an independent judgment, and yet he is to get all the collateral evidence as well.

The above may be said to be one side of the question. The other is that a husband, being tired of a wife of strong will and definite purpose who renders his life uneasy, determines to get rid of the bother by putting her into an asylum. He calls in a specialist who has an asylum and offers him liberal terms to get her out of the way; the latter takes the job, calls in his friends to assist him, primes them with statements which are perversions or exaggerations of fact, and they, willing to serve him, go through a form of examination, acting up merely to the letter, not the spirit of the law, and thus place the patient under certificates.

We ourselves do not believe that the latter is at all a likely thing to happen.

There is yet another way of looking at the matter, which is

that misrepresentation of facts by friends may lead a doctor to believe that a peculiar person will be benefited by temporary seclusion under his care; and other doctors, who know and believe in his judgment, may too readily accept the facts which are told them, and see and hear everything with a strong bias. In this last case no bad faith or evil intention exists on any side, and the most that can be said is that carelessness was present. Each person who has followed the trial must have been struck by the very strong opinion formed by the judges. It is to be regretted that men of sound judgment should be ready to accept the charges against doctors, and this makes one anxious to know why the evidence of medical men should be so mistrusted.

The lessons to be learnt are that even greater dangers arise to the proprietors of private asylums than was suspected, and that a very strong feeling is abroad against the maintenance of institutions for the detention of lunatics in which there is a strong inducement to keep patients who might be at large. We ourselves accept the evidence brought before the Parliamentary Committee showing that no cases of undue or unjust detention in these asylums could be discovered. The principle is one which seems to be dangerous, but the difficulty is great when we want to provide a remedy, and we believe there will be a reaction when some judge or politician has been killed by a lunatic who was too cunning to be certified.

Private asylums are not the only ones interested in paying patients; a superintendent of a paying hospital feels the effect of the loss of highly paying patients in his annual returns, and the doctor with one patient cannot be always content at the prospect of losing the person who pays his rent.

As to the signing of certificates, we regret to find that many men whose judgment is of the soundest refuse to run the risk involved in signing a certificate. We do not believe that any plan for signing on oath will be of any service, and the attempt to have magisterial sanction or authority will delay the treatment of many cases till the time for cure is past.

It has always seemed an anomaly that in all other diseases the treatment is decided upon after consultation by two or more medical men, but in lunacy independent judgment is considered best. Who has not met with dangerous lunatics who might be interviewed for an hour without their delusions

being detected, unless a hint were given by the family doctor ?  
Then all is cleared up and the certificate signed.

Lunacy law will be amended, or probably re-made, and the foundations will be laid at the cost of some martyrs.

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## PART II.—REVIEWS.

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*Outlines of Psychology, with Special Reference to the Theory of Education.* By JAMES SULLY, M.A. London: Longmans, Green and Co. 1884.

A work by Mr. Sully bearing this title is sure to interest medical men whose practice is concerned chiefly with the psychical manifestations of disease. However skilful a man may be as a physician, he can scarcely fail to increase his success in dealing with the insane when to his knowledge of medicine he adds knowledge of the laws that govern mental phenomena. It might be added that such knowledge will not merely improve his professional insight; it will quicken his perception and aid his judgment as a man of the world; leading to facility in tracing motives, in analysing character, and in influencing the conduct of others.

The present volume is designed for the general reader as well as for the student. Its main object is to present the leading facts of the science of mind, and to point out the practical application of them. In working out this object the author entirely avoids questions in metaphysics. Mr. Sully's point of view is that of the Association School of Psychology as modified, or rather expanded, by the doctrine of evolution.

As an exposition of the present state of psychology the book may be said to carry out its intention satisfactorily. Without presenting anything striking either in the way of fresh analysis or in the manner of setting out the facts, it may be said to exhibit succinctly the current views of the Association School though it may be doubted whether a reader would carry away with him as clear and definite a grasp of the subject as he would from Bain's "Compendium of Mental Science." This comparative inferiority is probably due to the fact that Mr. Sully is somewhat sparing in concrete examples to illustrate general statements. For this reason, though the style is clear and the meaning is never uncertain, the various laws of mind are hardly realized in all their bearings and in full force.