

REPORT

OF THE

Alleged Lunatics' Friend Society,

FOUNDED 1845.

SUPPORTED BY VOLUNTARY CONTRIBUTIONS.

Vice-Presidents.

W. BAGGE, ESQ. M.P.

COLONEL HENRY BRUEN, M.P.

B. A. CHRISTOPHER, ESQ. M.P.

SIR H. W. BARRON, BART. M.P.

W. SHARMAN CRAWFORD, ESQ. M.P.

BENJ. BOND CABELL, ESQ. M.P.

THOS. S. DUNCOMBE, ESQ. M.P.

S. C. H. OGLE, ESQ. M.P.

HON. C. PELHAM VILLIERS, M.P.

JAMES WYLD ESQ. M.P.

Honorary Secretary.

JOHN T. PERCEVAL, ESQ.

Honorary Treasurer.

REAR ADMIRAL J. DIGBY.

Secretary and Honorary Solicitor.

G. BOLDEN, ESQ.

OFFICES OF THE SOCIETY:

No. 44, CRAVEN STREET, STRAND,

LONDON,

WHERE ATTENDANCE IS GIVEN EACH DAY BETWEEN TEN AND FOUR.

1851.

SIMPKINS, PRINTER,

70, STRAND.

R55367

THE ALLEGED LUNATICS' FRIEND SOCIETY,

This Society is formed for the protection of the British subject from unjust confinement, on the grounds of mental derangement, and for the redress of persons so confined; also, for the protection of all persons confined as Lunatic Patients, from cruel and improper treatment.

This Society will receive applications from persons complaining of being unjustly treated, or from their friends, aid them in obtaining legal advice, and otherwise assist and afford them all proper protection.

This Society will endeavour to procure a reform in the laws and treatment affecting the arrest, detention and release of persons treated as of unsound mind.

An appeal is made to all classes of society, upon the grounds of religion, justice and humanity, to join this Society and to aid in carrying out its objects, as being most important to the public welfare.

Subscriptions and donations may be paid into the London Joint Stock Bank, 69, Pall Mall, and at the Offices, 44, Craven Street, Strand. Five Guineas at one payment constitutes a Governor for Life; and Ten Shillings annually, a Yearly Governor.

REPORT OF THE COMMITTEE
OF THE
ALLEGED LUNATICS' FRIEND SOCIETY,
1851.

THE Committee cannot commence their Report this year to the General Meeting of the Society, with better effect than by quoting the following extract from a speech of the present Earl of Shaftesbury, (late Lord Ashley,) the Chairman of the Commissioners of Lunacy, made during the debate upon the bill introduced by Mr. Lacy, M.P., for placing religious houses under the surveillance of the civil authority, and reported in the *Times* of May 16th, 1851. "If, said his Lordship, this bill is framed on the principle of the Lunacy Act, he did not hesitate to say *nothing could be more defective*. The inspection of private Asylums was not only imperfect, but was performed most unwillingly." No words, coming from any party acquainted with the system of law relating to private Lunatic Asylums, could more completely justify the establishment of this Society, or the objects which the Committee have had in view, including (amongst others) the complete reform of the disgraceful statute alluded to; but coming from the noble Lord, in reference to the very statute of which he was the chief framer and promoter, they convey

an authority which no man can despise, and stamp the proceedings of this Society with an undoubted title to the respect, the support, and the sympathies of their fellow-countrymen. The Committee leave it to the honorable lord to reconcile his conduct with such an expression of his opinions; all that they can say, is that if Lord Ashley's bill has terminated in so complete a failure, the fault does not rest with them, but is to be found in the hasty and illjudged conduct of those parties who forced that bill through Parliament, without a previous enquiry before a Committee of the House of Commons, which was earnestly petitioned for by this Society, corporately and by various members of it, and by other parties individually, and in spite of the representations and remonstrances of Mr. Thomas S. Duncombe, and other Members of Parliament, who were requested by this Committee to advocate their opinions, and to expose the defects of the bill introduced by his Lordship; and they cannot help further observing that, although they have constantly renewed their petitions for such an enquiry, and have taken other steps to obtain a reform of that statute, they have never yet met with any support or any encouragement to any of their exertions in Parliament from the noble Lord, or from any of his Lordship's colleagues at the Board of Commissioners in Lunacy.

The law still remains with nearly all the the odious defects belonging to it, which it possessed since his Lordship accepted the office of Commissioner, respecting the seizure and confinement of private patients on Alleged Grounds of Insanity, with the exception of the clause, the insertion of which was obtained by Mr. Thomas S. Duncombe, at the instance of this Society, whereby the medical persons certifying any party to be insane, are required to state the grounds of their

opinion, hearsay or otherwise. The judges, however, in the case of Mrs. Shuttleworth have unfortunately ruled that this clause has only a declaratory and not a compulsory effect, and, therefore, in strict parlance, it is still in the power of any two physicians, surgeons, or even apothecaries, without distinction of age, character, or experience, to consign any person to confinement in a private Asylum, by merely certifying, after a separate visit from each, that he is in their opinion of unsound mind, and a proper person to be confined; and by the further ruling of the judges in the same case, any stranger as well as any relative, may give effect to these certificates, by signing an order for the Alleged Lunatic's confinement.

The law does not give to such Alleged Lunatic, being a private patient, the right of appeal to any Magistrate, or to any tribunal, before his confinement, neither does it give him the right to know the grounds upon which he is accused, or the name of the parties by whom he is certified, or by whose order he is confined. The law does not provide any immediate enquiry by the civil authorities into the merits of the case, but the Alleged Lunatic may be confined, cut off from all communication with his friends, and placed in circumstances most calculated to render him insane, for thirteen weeks or more before the quarterly visit of the Magistrates or Commissioners can afford him any opportunity of appeal; and then the law neither makes it imperative upon the visitors to take up and attend to his case, nor if they do so, does it give him any title to be present in person or by Attorney, at their enquiry, and if the Alleged Lunatic patient makes any complaint of the treatment which he is receiving in the Asylum, he may be left for another thirteen weeks, to the malicious and vindictive persecutions of the persons under

whom he is placed, without any further protection. That such a complicated system of oppression and injustice should disgrace the jurisprudence of these countries, in the year 1851, is discreditable to the two Houses of Legislature and to the Nation. Yet to this system the Earl of Shaftesbury (then Lord Ashley) gave his approbation and sanction in 1845, although his eyes were fully opened to the nature of it, by the observations and remonstrances of this Society.

In France, a country whose Institutions are often supposed to be behind those of these kingdoms, such a system does not prevail. There, if any member of a family is alleged to be of unsound mind, the *Juge de la paix* summons a council of six members of the family, over which he presides in person, and if six members of the family cannot be summoned, the Judge fills up the number by respectable inhabitants, of his own selection. This council having heard the patient and the evidence respecting his conduct, determine according to the merits of the case, whether he shall be set at liberty, or deprived of the administration of his property, or personally confined. Upon the confinement of any patient, the owner of any Asylum is bound to give notice of his confinement, within twenty-four hours, to the Prefect of the department in which he resides, and to the Prefect of Police in Paris; and the Prefect of the Department is bound, within three days, to visit or to send medical men and others to visit such patient, and to ascertain and report upon his state of mind: moreover, at any time, he or any of his friends can appeal to a court of law for an enquiry into his case, and for a reversal of the judgement by which he is confined. Even in the Channel Islands a more just and noble system prevails. The late Secretary of the Committee had his attention drawn to a case that occurred in those Islands, during his short

residence in Jersey, in 1850, arising from the unjust confinement of a lady in the Lunatic Wards of the Hospital of St. Heliers, from which he learned that in those Islands, no person can be legally confined, as insane, without being brought before the Judges or Jurats, who order six of the respectable inhabitants of the town or parish to visit the patient, in company with medical men, and who, upon their evidence to the state of the patient, delivered on oath, decide as to whether the patient shall be confined, or deprived of the management of his property, or set at liberty.

The Committee have learnt also the state of the law in such matters as it is carried out in many of the States of the American Republic. It having been stated in the public papers that the American Government were in correspondence with Dr. Winslow, respecting the state of the law of Lunacy in these Kingdoms, and the Committee being apprehensive that some of the defects of the English law might be introduced into America, they requested an interview with the representative of the United States, Mr. Lawrence, who very courteously received them, assisted by Mr. Mac Curdey the American Consul in Vienna. These two gentlemen stated the practice that prevailed in the States of the Union with which they were acquainted. Upon the allegation that any party is spend-thrift or insane, the chief men in the town in which he is residing, either on the application of the relatives, give notice to the Alleged Lunatic, and appoint a day for examining him and confronting them together; or upon the information of other parties, give notice to the relatives and to the Alleged Lunatic, and summon them to appear before them, and then proceed to examine into the case, and as is done in France, and in the Channel Islands, confine the Alleged Lunatic, or deprive him of the management of his

property, or release him, according to the merits of the evidence; but if the party should be confined, he is usually confined in a public hospital, to which there are frequent visitors, so that he can readily apply for a writ of Habeas Corpus, if dissatisfied with the decision in his case, and obtain a more formal enquiry into it. The expenses also in all these proceedings are comparatively trifling.

The advantages of the systems prevailing in these several jurisdictions are so great and so obvious, as regards the security of the liberty of the subject, from undue interference upon the pretence of insanity, and the consequent protection of mankind in intellectual, scientific, and social progress, that the Committee earnestly recommend them to your attention, and desire your faithful and sincere co-operation in their attempts to introduce them, or similar provisions into the legislature of this Kingdom.

In corroboration of Lord Shaftesbury's declaration, that the system of inspecting Asylums, provided by his Act, 8 & 9 Vict., c. 100, is both irregular and imperfect, and of the lamentable consequences of the same, the Committee will refer to the Report, March, 1851, of the prosecution of Dr. Maddocks, the proprietor, and of Mr. Perfect, the medical officer, of a Lunatic Asylum at Malling, in Kent, who pleaded guilty to an indictment preferred against them by the Commissioners in Lunacy, for making false entries in their books, representing that no personal restraint had, during a certain period, been used in their Asylum towards the patients. The case was gone into, when it appeared that Dr. Maddocks, who had made a profession of carrying on the non-restraint system, was in the habit of frequently using manacles, and other means of restraint to several of his patients, but upon the anticipation of the arrival of the Commissioners, or of the

visiting Magistrates, collected all these implements together and hid them away.* In the opinion of the Committee such conduct was sufficient to prove that Dr. Maddocks was undeserving of his license, of which he ought to have been deprived; for neither can any confidence be placed in such a person, nor can it be expected that the evils attending the management of private establishments, which have been so long inflicted with impunity, can be put a stop to, if a false mercy is shewn to those who betray the trusts reposed in them, towards the unfortunate and helpless class whom they have the care of, whilst one severe example would produce a wholesome effect in these establishments throughout the Kingdom. Through that false sympathy, however, which seems to pervade the conduct of the Commissioners, it was arranged that no severe penalty should be pressed for, and the Doctors were condemned to pay a fine of £50 on each of the three indictments preferred against them, which was understood to cover the costs of the proceedings.

Another example of the same nature is to be found in the prosecution, by the Commissioners, of one of the keepers of Mr. Armstrong's Asylum, at Peckham, for the manslaughter, to give it no severer a name, of a Pauper patient in that Asylum, in December, 1850. The patient on refusing to go to bed, was seized by the keeper and thrown on the floor, and several of his ribs were broken by the keeper kneeling upon him when down, which is a common practice in those establishments; his arm was also broken close to the shoulder, and the neglect shewn to him was such that the injury was

* It is notorious that the proprietors of many private Lunatic Asylums by *some means* obtain *previous* notice of the intended visits of the Commissioners in Lunacy and visiting Magistrates, and put their houses "in order" accordingly, and also endeavour to get their own friends appointed visitors, and other Magistrates excluded.

not discovered until after his death, when the bone was found to have penetrated into the muscles of the breast. The Commissioners acted, however, with praiseworthy vigor in this instance. They attended at the inquest, and opposed the conduct of the Coroner, who objected to the evidence of some of the patients, who alone were present at the time, as to the cause of his death. The same objection to this evidence was taken on the trial, but the prisoner was condemned to twelve months imprisonment, subject to the decision of the Judges on the validity of such evidence. The Committee are happy to be able to report that the Judges, one of whom stated that he had never heard evidence given more clearly, ruled that such evidence was good, when supported and corroborated by other testimony. Without such a decision it would be next to impossible to extend any protection to this unfortunate class of prisoners, the cruel illtreatment of whom the Committee ascribe mainly to the fact, that until lately it was supposed that they were incapable of giving correct evidence, and that all of them alike and on all subjects, were unworthy of having their word depended upon.

As the Commissioners in their late Reports usually declare that the abuses which formerly existed in private Lunatic Asylums, no longer take place in those under their superintendence, and as they, or the patients in these Asylums, whose statements cannot reach the world until they are set at liberty, are the only persons who can give evidence to the contrary; the Committee deem it particularly providential that from the necessity of instituting these prosecutions, the Commissioners have given them the means of contradicting their own reports, and of corroborating the complaints which have at various times been made to them, by parties who have been lately confined in such establishments. They regret to add, however, that the Coroner's inquests held upon

patients who have died in other Asylums, afford equal testimony to the same violent and cruel system being still pursued.

But of the continuance of such malpractices, and of the inefficiency of the visits of the Commissioners and of the visiting Magistrates, to prevent them, or to discover and remedy abuses, unless the greatest rigor and the utmost vigilance is used, the several reports of Mr. Purnell Bransby Purnell, the Chairman of the visiting Magistrates of the County of Gloucester, made to the Court of the Quarter Sessions, in 1849 and 1850, afford ample proofs.* From the investigation into the management of the Asylum kept by G. W. Bompas, at Fishponds, near Bristol, in that County, (which cost that County more than £1000,) it transpired that a Mr. D. had been confined twenty years in that Asylum, upon an original order, signed by himself, and during that time had been deprived of his property. That two of the patients of the name of A., who had each a property of £350 a year, left to them by their father for their support, and whose sister-in-law had married one of the proprietors of the establishment, had been kept in a miserable state of confinement, deprived of proper comforts and healthy exercise, as the comparatively small sum of £110 each had only been allowed for their maintenance, whilst the family reserved the remainder of their income for their own benefit, and had actually divided a great part of it amongst themselves, as if the Lunatics were dead. That several patients were confined in unhealthy rooms. That one gentleman had been doubly manacled at night, for presuming to complain of his treatment to the Magistrates, and that patients had been stripped naked in an open yard, and there washed. In another Asylum, a young gentleman had been

* A Public Testimonial was lately presented to Mr. Purnell for his conduct on the subject of Private Lunatic Asylums, and it is now in the Great Exhibition, in class 23, number 112.

confined upon a forged order from his father, containing statements of his having been insane when at College, which was without foundation ; and other facts of the same nature transpired. The Committee are happy to say that, through the perseverance and energy of Mr. Purnell, the owners of the two Asylums were unable to obtain a renewal of their licenses, and that one Asylum was closed, whilst the other was placed under another medical superintendant. At the request of Mr. Purnell, the cases of the two Mr. A—s were brought by this Society under the notice of the Lord Chancellor, and Commissions of Lunacy having been issued, and proper Committees appointed to protect their persons and property, they have been placed in a private house, in an extensive Lunatic establishment, where their health has been much improved, and where it is hoped they will meet with more humane treatment.

In the course of the last year application was also made to the Society, by the mother and father-in-law of a lady who had been many years confined in an Asylum near Bristol, and who had been entrapped into confinement under circumstances of disgraceful fraud and cruelty. The proprietor, who was the friend and family physician of the parties who made the application, and who had known the young lady from a child, and was trustee to her mother's marriage settlement, having been called in to attend her, and having discovered that she was not of perfectly sound mind, recommended to her and her relatives that she should be placed under his care, in his private house, for six months, and he engaged to release her, ill or well, at the end of that time, or before if she desired it, and to allow her to see any of her friends who might call upon her, and not to permit her husband, (with whom she had been at variance some time, and who had given her up to the care of her parents,) to interfere in the

matter ; no sooner however had he got his victim into his meshes, than he applied to the husband for authority to detain her, and the same night placed her in his Asylum, and excluded all her friends except her parents, who, however, were also virtually excluded by such refined cruelty and treachery, as they found it irreconcilable with their feelings and infirm health, to visit her under such circumstances. Upon being remonstrated with, the proprietor allowed one lady, who had been Governess to her children, to visit her, who found her closely confined and placed under personal restraint, and to whom she complained piteously of her wretched position amongst maniacs and other lunatics. At the end of some months she earnestly besought her to desire her mother to take her out, or she felt that she must otherwise go raving mad. The mother and step-father in vain made applications for her release, appealing to the feelings of the proprietor as a man of honor and a gentleman, and reminding him of his engagements. The poor lady did at length go raving mad, and her treatment was most severe, until Mr. Purnell interfered, and procured its amelioration, but her mind appeared irrecoverably deranged. On investigating the case, it was discovered that the original order for her confinement by her husband had been wholly informal, and the documents falsified ; but on the case being reported to the Magistrates at Quarter Sessions, it was stated that this had been done by a lady, who had formerly been jointly licensed with the proprietor as superintendent of the establishment, and as there was, and could be at the time no evidence of this having been done with the proprietor's cognizance, he was thus enabled to escape punishment and the censure of the Magistrates.*

* Since the drawing up and the adoption of this Report, the Committee have had laid before them the Report of the visiting Justices of private Asylums in

The Committee are happy to state that, on the interference of the Society, who presented a petition to the Lord Chancellor, the lady was at length surrendered to the care of her parents, under whose superintendence she is now residing, and her health very greatly improved.

It is difficult to conceive a case of a more affecting and heart-rending description, coupled with so much bad faith on the part of one who was bound by every feeling to protect the patient, and yet the iniquity had been going on for years undiscovered, and was perpetrated in one of the first private Lunatic establishments in the County.

In reference to the case of a Mr. Evans, which was mentioned in their second Report, the Committee are happy to be able to report further, that he has at length, after many years delay, caused by poverty and by legal fraud and chicanery, obtained in the Sheriff's Court an award of £50, as damages for his illegal confinement, against one of his relatives, who was concerned in confining him in Bethlehem Hospital. Trifling as the award is, it is satisfactory to think that the law has been in some degree vindicated.

The Committee regret that, from want of sufficient funds, they were unable to give Mr. Evans that efficient support and protection which his case well merited.

In the case of a gentleman of the name of Pimental, who had been confined in Bethlehem Hospital, in February, 1849,

Gloucestershire, to the Magistrates at the Trinity Quarter Sessions, from which it appears, that for eighteen years, a system of illegalities has been pursued at this Asylum, by which all the precautions provided by the law, to prevent the improper confinement or detention of persons, has been violated. That many falsified copies of documents, besides those above-mentioned, have been forwarded from the Asylum to the Clerk to the visiting Magistrates; and that the lady in question was constantly in the habit of drawing up these documents, and signing them with the proprietor's name, who declared that she never did so without his sanction. A copy of this Report is printed in the Appendix.

and allowed to return home to reside with his wife upon trial, and who afterwards became again deranged, and was placed by his wife, under the care of keepers, previous to his removal a second time to Bethlehem, upon which occasion the parties employed by his wife, conspired to defraud him of £45, which he had received as dividends from the Bank of England, and of which they robbed him; the Committee offered the assistance of their Solicitor, who prosecuted the parties and obtained their conviction at the central criminal court, in June 1849, when the Keepers were sentenced to six months imprisonment with hard labour.

In the case of a gentleman, (Mr. S.) who had been accused of being deranged, and had been confined whilst occupying a farm, which he held on lease from the Mercers' Company and who after his restoration to liberty was left at the mercy of his relations, who refused to return any account of his property, the Solicitor of the Society also interfered and obtained for him a settlement of an annuity from his family.

In the month of October, 1850, application was made to the Committee by an elderly person of the name of W., who had been confined several times, and who had been living at liberty many months on an allowance made to him by his wife, who had got possession of his property and refused to give him any account of it, and who had subsequently deprived him of this allowance; and upon his remonstrating and demanding an account of his property, threatened to have him confined again, and had actually obtained certificates to effect this object. The Committee placed the matter in the hands of their Solicitor, who threatened to indict the parties for conspiracy, if they attempted to put the certificates in force and confine Mr. W. and who at length obtained a settled allowance from the wife for the support of her husband;

although at first the interference of the Society was treated with great contempt. Mr. W. who is an elderly man, has been since carrying on a small business on his own account, being perfectly capable of doing so, and is now living perfectly free and unrestrained.

One of the most interesting cases which have been brought before the notice of the Committee is that of a Mr. M. formerly Lieutenant in one of Her Majesty's regiments of foot, who in the month of November, 1847, at three o'clock in the morning, whilst residing in lodgings near St. Paul's Church Yard, had his bed room door burst open by four men in great coats who desired him to get up, put on his clothes, deliver up his keys, &c. whilst they proceeded to ransack his drawers and examine his papers, without producing any warrant or authority for so doing. Upon Mr. M. remonstrating they told him they were acting under orders, and that if he did not submit it would be the worse for him. One of them then doubled down the collar of his coat. and Mr. M. perceived from the number on the collar of the under coat, that he was one of the city police and submitted, supposing that he was falsely accused of some crime, and that he should soon have an opportunity of vindicating himself before a Magistrate. He was afterwards manacled, taken down stairs, and placed in a cab, and driven to a Lunatic Establishment, called Wyke House, in Brentford, which was then kept by a Dr. C. Mr. M. was then kept in solitary confinement for three weeks, during which he complained of, and remonstrated against his confinement; after a fortnight had elapsed he wrung from Dr. C. the information that he was confined as a Lunatic on a charge of designing to assault and injure the Home Secretary, and the Commander-in-Chief. Mr. M. repudiated the idea of having ever had any such intention, and

upon Dr. C.'s suggestion, wrote to the Commissioners in Lunacy, who paid no attention to his letters. Accordingly, after waiting five or six weeks, he attempted to escape, when he was treated in so ruffianly manner by the proprietors' Medical Assistant and his Attendants, that he was provoked to retaliate upon the Medical Assistant whom he struck. This doctor then placed a belt with iron handcuffs on him, declaring he would not take it off till Mr. M. offered him an apology. As Mr. M. refused to apologise to a man who had behaved so ill, he remained so confined for eight or nine weeks, and even until he was removed from the Asylum, The Commissioners visited him at length in their usual routine of inspection. They saw him in this state of personal restraint, they promised to consider his complaints, but left them unredressed. In consequence of this, after waiting some weeks, Mr. M. again attempted to escape, but was once more detected, treated with brutal violence, and made to sleep amongst the most filthy and degraded patients; at length as no one came forward to pay for his maintenance, Mr. M. still handcuffed, was at Dr. C.'s request removed, by order of a Magistrate, to the public Asylum at Hanwell; there his handcuffs were at once taken off, and from this Asylum he was released in two months, as of sound mind. The reports of the Medical Officer of the Asylum stating that since he had been there his conduct had been remarkably mild and gentlemanlike. On recovering his liberty Mr. M. discovered that he had been confined at the instigation of the Military Secretary, and of the late Adjutant General, by order of his mother who had been persuaded to do so on their representations; but who had not seen him more than twice during the two preceding years; and upon the certificates of two medical men that he was labouring under maniacal ex-

citement, and contemplated some mischief to the Commander-in-chief. Upon enquiry being made by two of the Members of the Committee, it appeared that one of the medical certificates was not signed until *after* he had been seized and confined, rendering such seizure and confinement illegal; and that the Surgeon who had signed that certificate, after hearing all the evidence against him, and reading the correspondence at the Horse Guards which had led to the desire to confine him, had, had so much doubt of his insanity, that he had declined signing the certificate, until he could be examined by a medical man conversant with such cases. He, therefore, waited until Mr. M. had been seized and conveyed to Dr. C.'s Establishment, and subsequently acted upon the opinion of Dr. C. (that is of the very party who alone could be benefited by his confinement). Mr. M. himself, disclaims any intention of offering violence to the Commander-in-chief or any other persons, and he denies also that his correspondence contained any expressions which could bear such an interpretation; whether it was so or not the Committee cannot determine, as the application of the Hon. Secretary to inspect the correspondence has been refused by the Military Secretary. Through the state of the Law the Committee have been unable to offer Mr. M. any assistance, as he did not apply to them until the period allowed by Law for any proceedings to obtain redress, from the proprietor of the Asylum had elapsed. It would perhaps be impossible now to prove whether or not, there were any justifiable grounds for Mr. M.'s confinement, but the case is an example of, and shews the injustice of a system, under which a gentleman may be so confined, without being previously brought before a Magistrate or some Court of Law, in which he might have an op-

portunity of answering and explaining any of the charges brought against him.

Another case of a party confined at Wyke House was brought under the notice of the Committee, by the Alleged Lunatic patient himself, after his escape, and shews the frivolous grounds on which a party may be confined. In this case one of the grounds of the certificates was, that the patient had a morbid propensity for quack medicines—which arose from his having had recourse, during an illness, to Holloway's Pills. The other ground was, that he had an aversion to his family and his home, without any sufficient reason. The patient assured the Committee that there never was any reason for such an allegation. This party also corroborates Mr. M.'s evidence with regard to the degrading treatment then used towards the patients at Wyke House. Having escaped from Wyke House he was again confined under Dr. W. at Hammersmith, from whom, after a few weeks' detention he also escaped, since which time he has been at liberty.

One of the few amendments introduced by Lord Shaftesbury, in the year 1845, into the Law relating to the confinement and treatment of Patients in Private Lunatic Asylums, affecting the protection of such patients, and the dealing justly and humanely to them, was the 85th clause, by which the Commissioners and visiting Magistrates are empowered to introduce into Asylums the friends of patients who might make an application to see them. Soon after the passing of the act the Committee found in the case of a Mr. B. who was confined in St. Luke's Hospital, and who had applied to the Committee for their assistance, and in the case of a Lady who was confined at Dr. C.'s establishment at Hanwell, and in whose behalf a friend had also applied to the Committee, that the Commissioners, by their interpretation of this clause

made it at their pleasure, and virtually of no effect, inasmuch as they declined allowing the Solicitor or the Honorary Secretary, or any member of the Committee to visit these patients upon the ground, that no special case was made out to warrant such permission. From this arbitrary interpretation of this clause, which has been repeated in other instances, it is evident that no person, however unjustly confined, can obtain any assistance from the Committee, or from any person to whom he makes application, unless some friend or relation who is entitled to demand admission to him, or to interfere on his behalf, will do so. Repeated instances of this kind have occurred. In the case of a gentleman, named P. confined at Dr. S.'s Asylum, at Hillingdon, who in 1850, wrote to the Honorary Secretary of the Society, requesting him to call upon him, the Commissioners refused to grant the permission; and in a case which has lately occurred in the metropolis, where a Lady has passed a letter, written on two sheets of an account book to a female friend of great respectability, the Commissioners, on application having been made to them by the Lady for an order to see her friend, have, in reply, informed her that they have taken, what appears to the Committee to be the extraordinary step, of referring to the proprietor of the Asylum, who is the Alleged Lunatic's brother in law, and of whose conduct she complains, to know whether he approved of her receiving the visits of her friend. The answer may be very well conceived to have been in the negative, coupled with the extraordinary assertion, that his patient did not desire this Lady, to whom she had herself written, to call upon her; and upon the Doctor's answer the Commissioners have acted, in refusing the application of the friend of the patient. The case has been brought before the Committee by an officer of the Royal Navy, ac-

quainted with the Lady, and it is hoped, that by proper representations in other quarters, or by an appeal to the Court of Queen's Bench for a mandamus, this system may be put a stop to.

Various applications have been made to the Committee, by persons who have been confined as Lunatics on the most frivolous grounds, as set forth in the medical certificates, such as having adopted the vegetarian system, *religious* delusions (not specified), aversion to family or friends, excessive drinking, propensity to indulge in the grossest slanders, a total disregard to the truth, and similar reasons. The Committee also find that in some cases, where the original certificates have been informal or insufficient, the Commissioners in Lunacy have allowed them to be amended *after* the party has been placed in confinement, although the act requires that the medical certificate shall be *signed* and *dated*, the same day on which the patient shall have been examined by the medical man, and *before* the party can be legally confined.

In their last half-yearly report to the Lord Chancellor, the Commissioners of Lunacy omitted the names of the Medical Gentlemen and others who are proprietors of Asylums. As this omission added to the difficulties of discovering the place of confinement of any patient, and rendered it impossible for any parties to detect whether or not any of the Commissioners in Lunacy, or the Medical Men signing the certificate of any patient, were or were not connected with the proprietors of the Asylum, and consequently the one or the other rendered by the law, incompetent to act. The Honorary Secretary brought the circumstances under the cognisance of the Home Secretary, who wrote to the Commissioners respecting it, in reply to whom the Commissioners excused themselves

on the score of abridgement and of convenience in printing their report. But acknowledged that it would be advisable to return back to their former practice.

The Committee cannot close their report without expressing their deep regret for the loss of the services of their late valuable and indefatigable Secretary, Mr. W. Bailey, and soliciting the condolence of the Members of the Society with them, in the melancholy termination of his noble and meritorious career. To his energy the establishment of this Society must be chiefly attributed, and without his devoted labours the objects of it could never have been carried out. Fully acquainted with, and alive to the injustice, and to the cruelties of the abominable system under which he had been himself, at different intervals, a sufferer for five years in different Asylums, he readily and zealously offered all his energies to the task of procuring a reform of the law, under which they were perpetrated, and to the relief and rescue of those who were suffering under them. Ever vigilant, ever active, he was always present at any case which required to be watched by the members of the Committee, and sought for, and obtained the best information. It grieves the Committee, that from the limited support which their exertions have received from the public, they could only remunerate such services with a small addition to a very limited income. During the summer he received an apoplectic stroke, which disabled him from discharging his duties as Secretary, which he shortly afterwards resigned, feeling himself inadequate to the labours of the situation.

Mr. C. Lushington, the Member for Westminster, having, at the request of the Committee, put the question to the Right Hon. Sir George Grey, in his place in the House of Commons, as to whether the Government contemplated making

any reform in the Law of Lunacy, Sir George Grey replied, that the subject of amending the Law was under his consideration, but that there would be no time to introduce any measure during this Session of Parliament.

The Committee are glad to have obtained, ultimately, even this vague intimation of the intentions of government upon this question, but they consider it to be their duty not to relax in any exertion to endeavour to press the matter upon the attention of Parliament. They have, therefore, drawn up a petition, to be submitted for the adoption of the Members of the Society, and to be presented to both Houses of Parliament early next session.

(Signed)

JOHN T. PERCEVAL, *Hon. Sec.*

UNTO THE HONORABLE THE
COMMONS OF GREAT BRITAIN & IRELAND
IN
PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION of the Chairman and Members of
“ the Alleged Lunatics’ Friend Society,”

MOST HUMBLY SHEWETH unto your Honorable House :

That in the year 1845 an Act was passed for Amending the Laws relating to the arrest, confinement, and treatment of persons alleged to be of unsound mind, intituled “ an Act for regulating the care and treatment of Lunatics.”

That under the said Act the seizure and confinement of persons alleged to be of unsound mind, may be still effected in a clandestine manner, upon the order of a perfect stranger, and the certificates of any two medical men, without the sanction of a magistrate, or the attestation of any person of recognised authority, and by the servants of private individuals, and not by the officers of the law.

That when any person is so confined, steps are not required to be taken by any authority immediately, to ascertain the

real state of such person's mind, and the justice of the grounds of his apprehension and confinement, nor is any provision made in the Act for such persons being informed of the name of the party who has ordered his confinement, of the medical men that have certified him to be insane, or of the charges that are brought against him, nor for his communicating with his friends or attorney; so that a person is frequently confined three months, or more, before he has an opportunity of appealing to any authority for an examination into the grounds of his confinement.

That the Law does not require, or allow, that such person should be present, either in person, or by attorney, at any enquiry that may be made before the visiting magistrates, or commissioners in Lunacy, into the grounds of his confinement, neither are any letters from patients allowed to be sent without the inspection and sanction of the superintendent of the Asylum.

That there are now upwards of 15,000 persons confined as Lunatic patients in public and private Asylums and Hospitals exclusive of about 3000 pauper patients in workhouses, all of whom are under the supervision of the commissioners in Lunacy.

That the experience, during a lapse of several years, of many patients who have applied to this Society, proves that the system of supervision of Asylums, provided by the Law, through the quarterly visits of magistrates, and the occasional visits of the commissioners in the country, and through the quarterly visits of the commissioners in the metropolis, is highly defective, and not sufficient to detect injustice, to

remedy abuses, and to prevent intimidation and ill treatment, but exposes patients in Asylums, who may prefer complaints to the visiting authorities to the vindictive persecutions of the proprietors and servants they make complaint against, and that these complaints are fully corroborated in the evidence taken by the Gloucestershire Magistrates, in enquiries made by them during the last three years, into the management of the private Lunatic Asylums in that County, and by the reports of the Chairman of such Magistrates, presented to the Court of Quarter Session.

That the Chairman of the Commissioners in Lunacy who introduced this law into Parliament has acknowledged it to be most defective, and that the inspection of Asylums under it is very imperfect and unwillingly performed.

That it is the opinion of your Petitioners, that the compulsory confinement of patients in private Asylums, is contrary to sound principles of legislation; but that if such a system is allowed to exist, nothing short of weekly or fortnightly inspection of such Asylums, and that by persons residing in the neighbourhood, who can make themselves acquainted with the cases and characters of the patients confined in them, can be adequate to prevent the abuses which still exist in private Asylums, nor can any less frequent inspection do effectual justice to all parties concerned in the detention of persons alleged to be insane.

That it is the opinion of your Petitioners, that it is contrary to the principles of religious liberty to prevent ministers of religion having access to patients of their own persuasion, as is the case under the present system.

That it is desirable, also, that on the death of any patient in an Asylum, the report of such death should be sent to the Coroner, who should be required to make enquiries into the cause of his death, so that an inquest might be held on the body, if any circumstances of suspicion should shew the necessity of it.

That this Society do therefore humbly pray that your Honorable House will appoint a Committee, to enquire into the whole system of the seizure, confinement, treatment, visitation, and undue detention of patients, confined in the Lunatic Asylums of these kingdoms, with a view to placing the law upon sound foundations of justice and humanity.

And your Petitioners will ever pray, &c.

APPENDIX.

Entry of the Visitors of the Private Lunatic Asylums in the Bristol District, in the County of Gloucester, in the Visitors' Journal, at the Asylum of Henry Hawes Fox, M.D. at Northwoods.

The visitors have felt it to be their duty to enquire into the cause for the extraordinary entries which they found in the books of this Asylum, made by Dr. Henry Hawes Fox, and which were there unexplained; the first on their visit on the 7th of January last, of the discharge of four of his patients on the previous day; the others on their next visit on the 24th of February last, of the re-admission of such four patients on the 8th of January, after an absence of only one day; of the admission, under a new order and certificates, of a patient on the 10th of January last, who was then and had been, for many years previously, a patient in the house, and who had not been discharged from it, and of the discharge of another patient on the 10th of February last, and of his admission on the 22nd of the same month, no cause being entered for such discharge and admission. At this last visit, Dr. H. H. Fox, having verbally assigned, as the reason for these discharges and re-admissions, that he had been advised to have these effected. The visitors requested him to produce the original orders and certificates in these cases. This he declined, acting, as he said, upon the same advice, and though the law was shewn and explained to him, he persisted in his refusal. The visitors told him that they had no wish, if he produced them, to animadvert upon mere inaccuracies, but that they could overlook nothing untrue, nothing fabricated, nothing interpolated by him or by others of his establishment to make what was not legal, legal; and that he must take the consequences of their non-production. He stated that all the orders and certificates had been carefully examined, and he assured the visitors that he "had legal advice that all these papers were correct, so as to be received and passed by any court of Law; still that there were some trivial inaccuracies and informalities, such as the t-s not tailed, and the i-s not dotted, which prevented their being in exact accordance with the requirements of the act of parliament." But he still refused to produce them, and asked for five days' delay to obtain fresh advice.

Upon the 25th of February, he wrote to the visitors for an extension of this time, but on their visit, on the 1st of March, he produced the original orders and certificates. Had the examination of these documents resulted in discovering inaccuracies and informalities alone, they would have deemed it to have been unnecessary to have commented upon them in this book. But they regret to have found the facts transpiring from such examination to be signally at variance with the previous assertions of Dr. H. H. Fox.

The visitors on the 7th of January, the 24th of February, and the 1st of March were A. G. Harford Battersby, William Fripp, Edw. Sampson, Purnell B. Purnell Esqrs. and Gilbert Lyon, M.D. As regards the first papers which they examined on the 1st of March, they found that an order fabricated in 1850, was laid by Dr. H. H. Fox before them, as being the original order in the case made in 1837. This order so made in 1850, though without date purported by two of its entries to have been made in 1837. The existence at any time of any order in this case, previous to this fabricated one has not been shewn.

It appeared that the father who should have made the order in 1837, was still alive a few months ago. In 1837 he resided at Bristol, and was then a timber merchant. The visitors have ascertained that he relinquished his trade in 1838 and afterwards he went to reside at Liverpool. The paper thus produced to the visitors as an order made in 1837, and as the one referred to in the second medical certificate in the case as annexed to it—which certificate was made and is dated in 1837—has all the entries of its statement in the handwriting of Mrs. Hawke, inserted about six months before this visit. It was transmitted by her to Liverpool, to a son with whom the father resided, with an intimation that there was no order in the case, and a request that he would obtain his aged father's signature. The father signed his name, did not state any date, and under his signature entered Bristol as his place of residence instead of Liverpool, and described himself as deal and timber merchant—a description which applied to him in 1837, when this order purports to have been made, but has not been applicable since 1838, 13 years ago. Of this order, Dr. H. H. Fox stated to the visitors on 1st of March last, "It is my belief that it is the original order. I believe it to be the order referred to in the second certificate," made in 1837. But Dr. H. H. Fox then made what appears to be a singular declaration from the proprietor of an asylum, viz. ; "I do not know that I ever saw the order or the certificates ;" and afterwards he said, "Many orders come to this asylum which I never see." He accounted for this order not being on the other half of the sheet, which has the certificate made in 1837 entered on it, by stating that the use of separated half sheets is a matter of frequent occurrence at Northwoods. The visitors must remark on this—that the date being inserted in the certificates and not in the order,

according to the forms of the act—the only check afforded by the 2d and 3d Wm. 4, c. 107, against the subsequent substitution of a fabricated new order may be thus got rid of—by tearing the original order without date on one half of the sheet from the two certificates referring to it on the other half sheet—which certificates being dated, would, if the order had been left on the same paper, have proved the date of the order.

On the 1st of March Dr. H. H. Fox was unable to recognise the handwriting of Mrs. Hawke in all the entries in the body of this order, though it appears that she has written almost every document for him for many years. Upon the 4th of March he wrote to the visitors that he had been reminded by his son that the “order and statement which now accompanies the certificates in Miss W.’s case (the one above referred to) are not the original order and statement, a circumstance which had entirely escaped the recollection of Mrs. Hawke and myself.” This forgetfulness appears extraordinary, when he stated to the visitors on the 8th of March that this order had been fabricated only about six months before, and that he himself had then directed the application to the friends of Miss W. for this order. And he said he took advice upon this same order, after the last Epiphany Quarter Sessions, resulting in his direction for the obtaining of a new order in its place, assigning to them as his reason for having so done, that he considered this order incorrect.

Having thus had his attention especially drawn to all the circumstances of this fabricated order so recently before their visit, on the 24th of February last, when he declared this and the other orders and certificates, which he refused to produce to be “correct, having only some trivial inaccuracies and informalities in them, such as the t’s not tailed and the i’s not dotted,” he yet declared, on the 1st of March “that it is his belief that it is the original order, and his belief that it is the order referred to in the certificate,” (which is dated 1837), as being then annexed to such certificate. Mrs. Hawke, on the 1st of March recognised all the filling, in the body of the order, to be her writing, but she could not then remember if it were the original order of 1837; nor could she then remember if she had copied from this order in 1837, when she sent what purported to be the copy of the original order, written by her to the clerk of the visitors. She adds, and apparently very naturally, “I have no recollection about it, it is so many years ago.” And such forgetfulness would have been natural, if this order had been made in 1837; but on the 8th of March she remembered making this order herself, only a few months before, and sending it to the son, at Liverpool, to obtain his father’s signature, telling him that there was no order; but she did not know how Mr. W. the father came to enter his residence as at Bristol, when he was living at Liverpool, and to describe himself as carrying on the trade of a timber merchant, when

he had relinquished such residence, and his trade thirteen years before. The visitors are willing to believe that this order may have been fabricated, not to prevent the discharge of the patient, but to conceal her unlawful detention for thirteen years, and to prevent the illegal management in this establishment becoming apparent to searching visitors—but the endeavour to hide truth, the palming a document fabricated, about six months before, upon the visitors, as an original document, thirteen years old, when there had been no original document or when it had been destroyed or lost; and the present endeavour to support the authenticity of such fabricated document by verbal statements, cannot but very materially detract from that confidence, which the visitors and the licensing court of quarter sessions ought to have in the medical superintendent of this, or of any similar establishment. Having thus gone through the first case, the visitors next examined the papers in the other five cases, and ascertained, as regarded the six, that in two there were originally no orders; that in three the orders were illegal; that at least four of the certificates were so, as was the admission of at least three of the patients upon the authority of one, instead of two certificates, without cause assigned in the orders. The visitors next referred to the copies of such orders and certificates, which should be transmitted, according to law, after the admission of each patient, to the clerk of the visitors, by Dr. H. H. Fox, accompanied by a notice to such officer, under his signature, in each case certifying that he sends copies of the original order and certificates in such case. They found that in one case there were no copies, there being no originals; that in five cases, the copies had been written by Mrs. Hawke; and that the signature to the notice, in each case, Henry Hawes Fox, M. D. Proprietor, was the handwriting of Mrs. Hawke; nay, more that in the only two of these cases, which have the medical statements, which, as directed by the act, must be made and verified by the signature of the medical superintendent, setting forth the mental condition and bodily health of the patient on admission; they found such statements to have been made by Mrs. Hawke, and to have been signed by her “Henry Hawes Fox, medical proprietor.”

On questioning Dr. H. H. Fox as to these apparent forgeries of his name, he declared that “Mrs. Hawke has never signed his name except with his sanction.” Dr. H. H. Fox, proving upon further examination, positive upon this point, all papers thus signed by her, become the same as if signed by him, and all responsibility arising from such signature attaches to him, as he himself declared. Having on a comparison of these copies with their original orders and certificates, ascertained that six of them were not true copies, the visitors were led to a further comparison of the copies referring to the other patients in the house, with their original orders and certificates, commencing with, as they then thought, those

of the first admitted of the present patients (though this proved to be a mistake,) such papers referring to a different person, though of the same name. The discoveries which ensued on the inspection of these documents induced by degrees a much more lengthened examination than they had anticipated, and at last included all the documents produced by Dr. Fox. It has continued at several meetings, held as often as the attendance of the visitors could be insured. They deeply grieve to add, that illness and death prevented the further attendance of Mr. Battersby.

The following are the results. The number of patients to whom the papers referred being about 154.

AS TO ORDERS AND THEIR STATEMENTS.—The order for the reception of a patient should be filled and signed, and under the last act dated by the party making the order, which refers to an accompanying statement respecting the patient. The statement has a list of printed queries, the answers to which are also to be filled in by the party giving the order, who must attach his signature both to the order and to the statement, and must direct such order and statement to the proprietor by whom, and to the asylum where, such patient is to be received. Of these orders and statements have been wholly filled by Dr. H. H. Fox, (except the signature of the relative, his abode and occupation,) 69; ditto, partly filled by him, 6; total 75. He has directed to himself Henry Hawes Fox, M.D. proprietor, Northwoods, 22; and Mrs. Hawke has written the same direction to 8; total, 30. Of orders and their statements filled by Dr. H. H. Fox, there are not legal 43; of those filled by Mrs. Hawke there are not legal 4; total, 47. Of orders and statements there are altogether not legal 80.

AS TO THE MEDICAL CERTIFICATES.—The two medical certificates in each case should be filled, signed and dated by the two medical practitioners certifying the insanity of the patient, and should be brought with their annexed (as under the former Act) or accompanying order and statement (as under the recent Act,) with the patient to the asylum, whose proprietor should have no cognisance of them until such time. Of the medical certificates there are filled by Dr. H. H. Fox, and not by the certifiers, 77; partly filled by him, 20; and by Mrs. Hawke, 3; total so filled, 100. Of ditto, where the date as well as filling, and all but the signature of the certifier, his profession and abode have been written by Dr. H. H. Fox, so that if signed in blank, such certificates might be made applicable to any patient, and to any time there are 16. Of ditto where by the 8th and 9th Vict. c. 100, the medical certifier must set forth his full reasons for certifying the patient to be insane—there are where all such reasons have been filled in, not by the

certifier, but by Dr. H. H. Fox, 9. Of medical certificates there are not legal, 50. Of orders and medical certificates there are altogether not legal 150.

AS TO PATIENTS ILLEGALLY RECEIVED. Of patients illegally received by Dr. H. H. Fox upon the authority of one certificate only, without due cause assigned for the same by the person making the order, there are fifty-four. Altogether of patients illegally received there are one hundred and five. A wife has been admitted into the Asylum upon the order of her husband, and upon the authority of one certificate only, and that certificate signed by her husband. A letter from Dr. H. H. Fox to a person making an order states, "If there be any inconvenience in getting a second certificate it can be dispensed with until after admission." And to another, "The second (certificate) can be procured at my house if more convenient."

AS TO NOTICES OF ADMISSION.—Of notices to be sent by the proprietor of the Asylum to the clerk of the visitors of the admission of patients—and of the notices of the sending true copies of the orders and certificates referring to the admission of such patients, which should be filled and signed according to the Act by the proprietor, there are of such notices so signed by himself, only about nineteen. Of such notices filled in and signed Henry Hawes Fox, proprietor, Northwoods, by Mrs. Hawke, there are one hundred and twenty-five. Of such notices purporting to be signed by Dr. H. H. Fox, but so signed by Mrs. Hawke, and others of his establishment, there are one hundred and forty-four.

AS TO COPIES OF ORDERS AND STATEMENTS.—Of copies of orders and statements sent by the proprietor to the clerk of the visitors there are written by Dr. H. H. Fox himself only about eighteen. Of ditto there are written by Mrs. Hawke, purporting to be written by Dr. H. H. Fox, having Henry Hawes Fox, M.D., proprietor, written by Mrs. Hawke, signed to the accompanying notices, one hundred and twenty. Of the copies written and signed by Dr. H. H. Fox, there are of these not true copies, five. Of the copies written by Mrs. Hawke, and signed by her Henry Hawes Fox, M.D. &c., by the direction of Dr. H. H. Fox, there are not true copies ninety-five. There are altogether not true copies one hundred and twelve.

AS TO THE PROPRIETOR'S MEDICAL STATEMENTS.—The 8th and 9th Vict. c. 100. makes it imperative on the medical superintendent to make and transmit to the clerk of the visitors, his statement, declaring that he has this day seen and personally examined A. B. the patient just admitted, and that he hereby certifies,

with respect to his mental condition, that he is, (here giving his medical description) and with respect to his bodily health, that he is, (here giving his medical account of that) and to subscribe his name to such declaration, with the addition that he is medical superintendent, and to state the date. The visitors were astonished to find any proprietor disregarding such a stringent requirement of the Act, by delegating this special matter to another, and that other a female; but they find—of such medical statements made and signed by Dr. H. H. Fox, himself, up to their first visit after the Epiphany Quarter Sessions, that there are none. Of such medical statements made by Mrs. Hawke, and signed by her Henry Hawes Fox, M.D., medical proprietor, there are twenty-five. Mrs. Hawke using the conventional terms of “aberration of mind,” “delusion,” “depression,” and “exciteable;” and as to health, “good,” “delicate,” “debility.”

AS TO COPIES OF MEDICAL CERTIFICATES.—Of the copies of the medical certificates sent to the clerk of the visitors, there are written by Dr. Fox himself only about thirty-four. Of ditto written by Mrs. Hawke there are two hundred and forty. Of these two hundred and seventy-four there are not true copies thirty. There are written by Dr. Fox, Mrs. Hawke, and others of the establishment, altogether not true copies sent to the visitors, forty. Of copies of orders and of certificates there are together not true copies one hundred and fifty. One medical certifier signs certificates fifty-seven.

AS TO NOTICES OF DISCHARGE AND DEATH.—Of the notices of discharge and death to be signed according to the Act by the proprietor of the Asylum, and sent by him to the clerk to the visitors, there are so signed by Dr. H. H. Fox himself only about thirteen. Of such notices giving the medical condition of the patient on discharge, and medical cause of death, filled by Mrs. Hawke, and signed by her Henry Hawes Fox, M.D., there are one hundred and ten. There are altogether of such notices filled and signed Henry Hawes Fox, M.D. not by Dr. H. H. Fox, but by Mrs. Hawke and others, above one hundred and thirty. Of one patient, not now in the Asylum, there is no notice of discharge, escape, or death. And Mrs. Hawke has signed the name of Dr. H. H. Fox as Henry Hawes Fox, &c. in the documents transmitted to the visitors, times two hundred and sixty. The visitors are aware that Mrs. Hawke was licensed for some years under the designation of superintendent; but this appointment did not authorise her to use the signature Henry Hawes Fox, &c.; and her practice of doing so continued when she was not so licensed. Of the weekly entries in Dr. Fox's medical journal, required by the act to have been entered and signed by him,

shewing the state of health of the patients, &c., about eighty of such entries are made by Mrs. Hawke, signed by Dr. H. H. Fox.

OF THE PATIENTS IN THE ASYLUM AFTER THE EPIPHANY QUARTER SESSIONS. --Of documents having reference to the patients who were in this Asylum after the last Epiphany Quarter Sessions, in number thirty-six. There were no original orders, two ; not legal orders, twelve ; not legal certificates, eleven ; not legal admissions, being upon one certificate without due cause for the same assigned by the relative giving the order, six ; not legal admissions altogether, thirteen ; not true copies of orders and their statements, twenty-three ; not true copies of medical certificates, seven ; medical statements made by Mrs. Hawke, and signed by her, Henry Hawes Fox, M.D., five ; very objectionable certificates from the reasons assigned by the certifier for adjudging the patient upon his examination to be insane, being written not by the certifier, but by Dr. Fox, five.

SPECIAL CASES.—In one the order and certificates could not be found during the inquiry. There are three orders purporting to be original orders, written on one half of the sheet of paper, which has the original certificates, signed by the certifiers, on the other half. These orders are wholly filled by Mrs. Hawke, who has herself written the signature (in her common hand-writing) of the relative in each of the three orders who made such order. Of these documents Mrs. Hawke can afford no explanation ; and the copies of them sent to the visitors would produce the inference that the originals were authentic. In one case, besides all the filling of the original order and its statement, and also of the two certificates being written, not by the relative and the two certifiers, but by Dr. H. H. Fox, the signature purporting to be that of the first certifier is written by Dr. H. H. Fox, (in his usual hand,) making the whole of this document the document of Dr. H. H. Fox, the copy of this paper, also written by Dr. H. H. Fox, and sent by him to the visitors, does not shew this, but appears to be the copy of an authentic original. In another case the whole of the order and statement made and filled in accordance with the Act, and on one half of the sheet of paper on which the original medical certificates are entered, is in the handwriting of Dr. H. H. Fox, who has also written the signature (in his usual hand) purporting to be that of the relative giving the order, and the whole of the filling, including the date (not the signatures) of the two certificates, is written by Dr. Fox. There is a loose slip of paper also written by Dr. Fox, worded--“Sir, I request you will receive my brother in your Asylum,” This is not directed to any one, and is not annexed to any certificate. It is signed not in the writing of Dr. H. H. Fox. The copy of the order and certificates written by Dr. H. H. Fox, and sent by

him to the visitors, is a copy of the order fabricated by him, but gives no copy of, and does not at all notice, the slip of paper. In another case the whole order with its statement, and the signature purporting to be that of the relative making the order, is written by Dr. H. H. Fox, (in his usual hand.) In this case also the first certificate having been made by a medical practitioner, who has certified for Dr. Fox fifty-seven times, the certificate has been partly erased by Dr. Fox, and made to serve for a person purporting to be the first certifier, the new filling being written by Dr. H. H. Fox, including the signature purporting to be that of the first certifier, which is written over the scratched-out previous signature, as is the word physician over surgeon scratched out, and Dublin over Whiteshill, Winterbourne, scratched out, and in the date 13th over 18th scratched out. The copies of these documents written by Dr. H. H. Fox, and sent to the visitors, shew nothing of the above, but, on the contrary, it would be inferred from them that the originals were faultless. Dr. Fox afforded no explanation of these documents when shewn to him.

After the examination of all these papers, the visitors feel bound to remark—that the filling of the orders for the admission of patients, not by the relatives giving the orders, but by Dr. H. H. Fox.—The filling of the statements accompanying the orders, giving the previous history of the patients, not by the relatives but by Dr. Fox.—And the filling of the direction of the orders to Dr. H. H. Fox, by Dr. H. H. Fox, are circumstances suspicious in themselves, and tending to create doubt as to the authenticity of such insertions. The filling the name of the patient in the medical certificates, not by the medical certifier, but by Dr. H. H. Fox makes the identity, in some measure, depend on the proprietor. The filling the name of the patient, and the date when examined, and certified not by the medical certifier, but by Dr. H. H. Fox, if done after the signature, would leave the certificate applicable by the proprietor, to any patient, and for any time. And, worst of all, the insertion of the medical certifier's reasons for adjudging the patient, upon his examination of him, to be insane, not by the medical certifier, but by Dr. H. H. Fox, and so sent to the certifier, ready for his signature, from a person of Dr. Fox's professional reputation, was equivalent to deciding the patient's case before examination. The cases above stated as special cases, can need no comment.

The visitors have heard Dr. H. H. Fox, since the Epiphany Quarter Sessions, refer to past laxity in his attention to the forms of the act, in extenuation of what they have found to be illegal. But they cannot but remark, that they consider the term laxity to be inapplicable to the system which has been pursued by him. A system in which all the barriers created by the law against illegal and improper orders and certificates, and against the illegal reception and detention

of patients, have been broken through and utterly disregarded. A system in which what he should sedulously have avoided, has been principally performed by Dr. H. H. Fox; what by law he should himself have done, has been principally performed by others; a system in which patients have been received and detained for various periods upon illegal and invalid documents; but a system in which the forms of the act have been fully complied with in the copies of such documents transmitted by him to the visitors—in which all the illegalities of the originals have been carefully made good, inducing the inference that such originals which were never referred to, were in all respects perfect and according to law. A system then, which they feel compelled to designate, as one having in it less of laxity than of deception, and one which they regretted to observe continued since his last license in the examinations on the first of March, though not subsequently. By his acts, Dr. H. H. Fox has rendered himself amenable to prosecution for misdemeanors, especially created by the act, to the number of above 280. It seems astonishing, that such a system should not have been long since exposed, but that appearances disarmed suspicion, prevented enquiry, and induced a mere superficial inspection at the hurried visitations of past times.

In conclusion the visitors do not hesitate to state that this investigation was unwillingly entered upon by them. After the renewal of the license to Dr. H. H. Fox, by the Epiphany Court of Quarter Sessions, they were desirous to look to the future rather than to refer to the past. The enquiry has arisen alone from the course pursued by Dr. H. H. Fox himself immediately after those sessions, and it necessarily so arose, as it would have been a dereliction of duty on their part not to have examined into the cause of such an extraordinary course respecting six patients then in his house. They at once felt satisfied with the assertions of Dr. H. H. Fox respecting the papers referring to them on his refusal to produce them, and were the more astonished on their production to find such positive assertions so entirely contrary to the fact. The examination of these originals when at length produced led to that of their copies; and the enquiry respecting the six patients led to that respecting the remainder in the house. The repeated casual discovery of documents which then occurred induced gradually and ultimately the examination of all. The schedule, therefore, applies to the past as well as to the present patients of this asylum.

They had not intended to have looked so far to the past, but were misled by the first case being that, as they believed till quite lately, of a patient now in the house. But having thus ascertained facts as to the conduct of this asylum by its present proprietor---facts wholly unknown---but which should have been known before, they have considered it to be their duty to record them for the information of their brother Visitors of the district, and of the Court of Quarter Ses-

sions, for in the exposure of the past will be found the best preventive for the future.

(Signed)

WILLIAM FRIPP,
EDWARD SAMPSON,
PURNELL B. PURNELL.
GILBERT LYON, M.D,

Dated this 17th day of June, 1851.

