but she at times showed katatonia, and had on occasions to be sent to bed on account of cyanosis and swelling of the feet. On May 2nd, 1910, she was found to be suffering from phthisis affecting both apices, and so rapidly did the disease progress that two months later only the right lower lobe was unaffected. On August 12th while the chest was being examined she complained of pain in the right side. A small, slightly raised swelling was detected over the middle of the third rib. It had a "boggy" consistence, and very slight pressure on it gave rise to crepitus. Tenderness and crepitus were elicited in the fourth rib also. Careful inquiry was made about any recent injury. It was thought that she might have been struck a few days previously by the patient in the next bed when they had had a verbal set-to; but she had never complained of pain, and at the time of examination there was no evidence of bruising. Accordingly a diagnosis of pathological fractures was made, the presumption being that the ribs had become secondarily invaded by tubercle. Within the next few months her general condition became much worse and undoubted signs of secondary tuberculosis manifested themselves. She died on December 30th.

At the autopsy the second, third, fourth, and fifth right ribs showed tubercular deposits, these having caused complete fractures in the case of the first three. In the fifth caseous material had replaced only one side of the dense bone and separation had not occurred. The third rib (*vide* photograph) contained two separate foci, and in one of these uniform softening had taken place with the formation of a cold abscess subcutaneously, the bone having been split raggedly across. In the other a condition similar to that in the fifth rib was found. The ribs on the left side were quite sound.

The case is interesting for several reasons. It affords a good example of the deep anæsthesia found frequently among the insane. Even making allowance for the poor chest expansion which she had, it is surprising that pain was complained of for the first time only when pressure was applied and that possibly some time after the fractures had occurred. In spite of the frequency with which phthisis and its secondary developments occur in asylums an affection of rib appears to be rather uncommon, and of several rare. It seems not unlikely that the peculiar sequence was due to direct infection from the neighbourhood, probably the pleura.

Occasional Notes.

Legislation for the Feeble-Minded.

I VENTURE to offer to the Editors a few notes on the present phase of legislation for the feeble-minded, for the benefit of

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those who have not had the opportunity of following the progress of events, especially in the last month or two.

Three Bills have been brought forward and printed at this date, October 1st, 1912. They are entitled:

(1) The Feeble-minded Persons (Control Bill), presented by Mr. Stewart.

(2) The Mental Deficiency Bill, presented by Mr. Secretary McKenna on behalf of the Government.

(3) The Mental Defect Bill, presented by Mr. Hills.

These Bills at the present date stand as follows:

(1) Has been read a second time, and referred to Standing Committee "B" of the House of Commons. It has been considered and amended, and is now ready for report to the House.

(2) Has been read a second time, and referred to the same Committee. It is now under course of critical consideration by that Committee.

(3) Has been withdrawn altogether. It was, perhaps, the most workmanlike of all the three, but it weighted itself too much by repealing and re-enacting all existing lunacy legislation in order to bring lunacy and mental defect into line with each other in a complete Act. The effect of this, no doubt, would have been good, in so far that it emphasised the need, for which we have contended, to recognise the fact that mental enfeeblement is included in mental disease, which may develop in all degrees between downright insanity and mere mental hebetude. The complement of such a principle is administration, regulation and treatment under one law, and by one Board of Control, with appropriate provisions for each variety. But undoubtedly the work of reproducing lunacy law, as at present settled, in another shape would have opened the door to unsettling the delicate machinery which works quite reasonably well. In addition, the mere alteration in shape would entail much vexation, especially to those of the clerical staff, who have to work under sections best known to them by their numbers. The Bill aimed at representing the views of the Royal Commission on the Feeble-minded, and as the report of that body is so universally accepted, it would be a pity if any of the recommendations therein were to be missed by the withdrawal of the Bill. But it happens that one of those who were prominent members of the Commission, Mr. Dickinson, is also on the

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Standing Committee; thus, no doubt, the guiding principles of the report will not be entirely lost to sight.

Thus there are only two Bills now viable, and it is well to remember that there are two, for it is not quite outside the bounds of possibility that when the difficulties, financial and administrative, are recognised, it may be thought that the spirit of No. 1, with some strengthening, may meet circumstances better than that of No. 2. There are very essential differences between the two Bills, which, for easier identification, I will call Mr. Stewart's (No. 1) and the Government Bill (No. 2) respectively. Parenthetically I should desire to say that this latter term, which is much used, must not be taken to imply any origin that would in itself arouse in some a feeling of suspicion and resistance. It is quite apparent that business is meant in all parts of the House, and that there is a genuine intention to give effect to the admirable work done by the Royal Commission. There is no danger to be anticipated from party feeling: on the contrary the Home Secretary obtains support as well as criticism from members of all parties. The temporary and close association, for the latter purpose, of two representatives from opposite camps was the subject of some banter; nevertheless, the joining together of all sorts and conditions, whether for or against the Bill, solely on its own merits, is an obvious element which makes for a really good Act if time be taken over it. It is perhaps true that there is a little inclination to claim that the liberty of the subject is chiefly in the keeping of one or other school of thought, but we know better. In dealing with this particular subject, which in itself is likely to be one of the chief battle-grounds, it may be well to point out that the liberty of the greatest number of responsible workers who are of value to the State is best secured by depriving of his own liberty one who abuses it or interferes with that of others. Liberty has its duties equally with its privileges. From the histories which we obtain as asylum officials, we know how many wage-earners are deprived of their liberty, even of their power to work, by the dread of, and the responsibility for, the possible acts of one individual, whose services are not of the least value to them, himself, or the State.

The main differences between the two Bills were set out by Mr. Secretary McKenna himself thus:

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"The proposals of this Bill differ from the other Bill in this respect, that they throw compulsion on the local authority to inquire into the feeble-minded in its area, keep a register of them, and provide for them and maintain them. The only limitation on this duty is the limitation of the amount of money which is provided by the State. All these points find no place in the Bill introduced earlier in the session. Under this Bill it is proposed to find £150,000 out of the Exchequer. Add to that the burden which will be thrown on the local authority and you have a sum which will provide a considerable number of homes which will and must deal with the feeble-minded. In the Bill introduced earlier in the session there were no means of compulsory powers and no means of meeting the cost, as a private member's Bill could not throw any charge on the Exchequer. We provide both compulsory powers and the means of discharging them."

In another part of his speech Mr. McKenna said:

"In this Bill there is the element of compulsion. The first compulsion is on the local authority to inquire and investigate as to feeble-minded persons within its area, and to provide for them. There is a limitation, however, to the duty which is imposed on the local authority. There is no compulsion on the local authority to provide and maintain homes for the feeble-minded persons beyond such a number as the State contributes for. It was felt that with so many charges on the local authorities at the present time it would be too burdensome to impose upon them a new duty with a large heavy charge, unless at the same time the State contributed towards the cost. There is, therefore, this limitation of the duty of a local authority. They need not provide for and maintain the feeble-minded persons in their area beyond the number to which the State contributes. There is power given to them to provide for all the feeble-minded in their area, but there is no compulsion to exercise the power if their means do not admit of it."

The word "compulsion" is not only a strong term, but one which might be called harsh. It arouses instantly some resistive distrust, and it may well cause alarm when the rate-payers recognise the total cost of what is sought to be done, so clearly coupled, as it is above, with compulsion. In the present instance it has a comical aspect. The local authorities

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by various Sections of the Bill are told to learn their duties and carry them out religiously, and if they do not do so the Home Secretary will soon know the reason why and compel them. But their obedience to law need not go further than a few pounds will carry them. £150,000 per annum is to be the extent of compulsory perfection for all England, Wales and Scotland.

Assuming that the threat of the thick stick is needful in order to bring some authorities up to a sense of their duties, does not this limitation itself suggest cessation from further action after the limit has been reached? But as a matter of fact we may expect that a very large amount of good work will be done apart from compulsion by most, if not all authorities, when their opportunities for so doing are properly facilitated.

Undoubtedly much has been done voluntarily and without compulsion by some authorities. One has only to mention the Metropolitan Asylums Board to give an example of really efficient service thus rendered to the State. It is true that in this case there are legal powers for the purpose that do not exist elsewhere. Full advantage has been taken of these, and the work done in respect of all classes of defectives shows that the right spirit actuates the efforts of the local administrators. So, too, in spite of the absence of these provisions, much good has been done elsewhere, and in the right spirit. The existence of this praiseworthy attitude is shown by the efforts, more or less successful, of voluntary associations, of which many exist in large towns. But in all areas the work has been hampered, and in most omitted, for one particular reason. It is the universal opinion that all work done for juvenile defectives is utterly wasted in view of the loss of legal control at the early age now obtaining. The power to extend supervision beyond that age, when required, is the most valuable asset of both Mr. Stewart's and the Government Bills. Given this power, together with some further power to deal with those who require care at any age, it may be hoped with more than a little confidence that voluntary effort will carry most authorities beyond the limited point determined by the small grant in aid. It has to be remembered that the *personnel* of local government has rapidly improved. There are many intelligent men, who spend much time in considering and pursuing such reforms, now on the various bodies. Their presence

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on boards of all kinds serves to shame and beneficially to influence those who simply study the rates. Such a question as that now being treated would surely attract their best attention, and would evoke that voluntaryism which gives far better results than compulsion.

When we come to analyse the nature of the pressure which may be brought to bear, it only amounts to that which has existed in the Lunacy Law since 1845. The Act passed that year threw on local authorities the duties of providing for and maintaining all the insane of the districts whose cost falls on the public. An enormous amount of money has been spent in building ample accommodation, and this has been done voluntarily or with a minimum of pressure, until it may be said that all authorities have made satisfactory arrangements. The pressure must, under the Bill, commence with the Board of Control, the Home Secretary being allowed to use his powers only on the report of the Board. The Bill in itself recognises that all cannot be accomplished at the outset, as shown by its limiting the need for present action to the value of the present grant. Further, it eases the way for local authorities by allowing the cost to be spread over sixty years instead of thirty, which is the present limit under the Local Government Act, 1888. Yet, again, it recognises that the burden of providing the necessary accommodation may be such as to cause some authorities to outstep their borrowing powers under the same Act, and it provides accordingly. In one sense this very form of compulsion is a great safeguard against undue pressure. Without it, it would be possible for anyone seeing an authority in default to agitate until necessary steps were taken; with it, no one but the body which knows all the circumstances can say a word.

But in spite of all this the word "compulsion" must attract attention to the proportion which the proposed grant of £150,000 bears to the total probable cost. This divides itself into two heads—(1) Providing accommodation, and (2) maintenance, including in the latter wages and maintenance of the necessary staff. As to the first I take the estimated figures of the Royal Commission. By these there were in 1908, when its report was issued, 66,509 defectives of various classes who urgently needed provision being made for them. We may assume that during the period elapsed since then the number

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has grown to 70,000. The Royal Commission on certain data estimated that proper accommodation could be built for £100 to £120 per bed. But the instances on which they founded that estimate showed a considerable shortage in land, which is so essential for the education, occupation and support of many, if not most, of the defectives to be cared for. A careful survey of the work of the Metropolitan Asylums Board in regard to its mental patients shows that at the four large asylums of Tooting Bec, Leavesden, Caterham and Darenth, the cost for land and buildings works out at about £163 per bed, about one-seventh of the total being for land. As no doubt some of the children's homes would cost less, the probable cost for all their defectives would amount to £150 per bed. The four asylums may be taken as fair samples of what has to be faced, for the expense of the more recent asylum at Tooting Bec is at least outset by that incurred forty years ago for the cheaply built Leavesden and Caterham. On this estimate the total expenditure to be incurred under the Bill will amount to considerably beyond £10,000,000. Since it will be needful to build for more than present necessities, we may take £11,000,000 as the sum wanted in course of time to meet all needs. The repayment of capital and interest (at 3½ *per cent.*) during, say, fifty years, will need a yearly payment of about £450,000. I take fifty years rather than the maximum of sixty, since some of the expenditure will be made in respect of furniture, fittings, etc., of a perishable nature, for which such a long time as sixty years could not be reasonably asked. For to the cost of maintenance, the Royal Commission estimated for an increased expenditure of about £550,000. The two costs, therefore, would together amount to £1,000,000 annually. It will thus be seen that the grant bears but a small ratio to the total, and it is altogether too small for compulsion to be talked of with a sense of proportion, the more so since legislation is called for by the nation for the general good of the nation itself. It is, of course, true that in essence a local area is deemed to be responsible for the well-being of its sick, but, admitting this, it would seem right to think that there are two parties involved equally in this matter and that each might bear a moiety of the cost. I note that an amendment having this effect stands in the name of Captain Clive.

The financial aspect of the Bill does not concern medical

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experts so much as others perhaps, nevertheless the experience of those in medical charge of defectives may serve to point out some particulars raising hopes which are not likely to meet with fulfilment.

In his second-reading speech Mr. McKenna said:

"In order to start the local authorities in this work, it is proposed that there should be a payment by the Exchequer of £150,000 a year. That will greatly assist the local authorities in dealing with those feeble-minded persons. There will no doubt be the economies in respect of those who will be taken out of workhouses, and further economies in respect of those taken out of lunatic asylums and prisons. We must also remember that to a considerable extent the feeble-minded homes will be self-supporting, and therefore I am not without hope that while this grant of £150,000 will not, and cannot, cover the whole ground, it will be a sufficient sum to enable local authorities to make a real substantial start in the work that lies before them, and to meet to a certain extent the cost in the first years of the Act."

The particular statement which first calls for criticism is that in which the Home Secretary looks forward to the feeble-minded homes being to a great extent self-supporting. It is not quite clear whether the term "feeble-minded" is meant to include only those who are defined in the Bill itself as coming under it—persons who may be capable of earning their living under favourable circumstances through mental defect existing from birth or from an early age—or whether it is meant to include, as the context suggests, all the subjects of the Bill. But in either case experience shows that little help can be got from the workers, certainly not sufficient to keep them in board, lodging and supervision. If the term is used in the larger sense it is at once certain that any profit from the labour of the few profitable workers will but little affect the expenses of all, and it is when dealing with the total expense called for by the Bill that the Home Secretary advances his statement. Obviously it is the income made by the total defectives which counts when considering for practical purposes the net cost to the ratepayer. The operations of the Metropolitan Asylums Board can again give us some valuable information on several questions of cost of providing and maintaining, and of the return made by working defectives. It may be said that these

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operations cannot be taken as a fair example. I do not know why they should not, for the Board is progressive, working hard to fulfil its duty as well as to satisfy those whom it represents. Further, it presents an instance of the most advanced dealing with a comprehensive variety of all those whom it is sought to bring under the new Act excepting those who are under the care of the educational authorities ; and it, in Darenth, presents an example of the most scientific and financially successful endeavour to extract profit from damaged brains; it is, as far as I know, the only body which deals with the total mental deficiency of the area which it covers, irrespective of those who are kept at home, undeclared, or who are at school. It deals with almost all those who will be enumerated by the Act, seeing that it embraces, with the exception of less than 2 *per cent.* of the total mental defectives (who are retained in the ordinary workhouses), all those who do not come up to the lowest requirements for admission to the asylum. Taking the figures for 1911 the Board deals with 580 children in homes and 5,800 of all ages in the various asylums. At two institutions, Darenth and Bridge, the latter being for children, there are considerable returns made from the patients' work. At the former such a return is made of £3,354, of which £2,478 is made in the shops solely by patients, and the balance is made on the farm, where no doubt sane paid labour contributes much. Yet this return only lowered the total maintenance cost at Darenth by about 6 *per cent.*, all capital charges, special expenditure and central office expenses being ignored. On the total cost of the defectives the return lessened expenses by under 2 *per cent.* The weekly cost at Darenth amounted to 9*s.* 7*d.* after the return had been deducted. This fairly corresponds with the rough estimate made by the Royal Commission, but it is a little difficult to see where there is likely to be economy in transfer of inmates from asylums and workhouses to the new institutions. It is true that some of those transfers may bring with them some valuable labour, but that will only deprive the asylum of the same value, and will necessitate in the latter the hiring of more expensive labour to do the simple work which had been done by the inmates for their board only. The ratepayer will not in the end find much economy from the transfer.

There was yet another, and even more important, difference between the two Bills. I refer to the composition of

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the Board of Control. That difference has happily to some extent disappeared, unless it be revived by a higher authority than the Standing Committee "B." This contingency, however, is not probable. At the outset of his introduction of the Bill to the Standing Committee, Mr. McKenna, after reviewing his reasons for proposing the composition of the Board as it appeared in the original Bill, announced that he had altered his opinions, and moved that the Board should consist of the present eight paid Commissioners, four other paid Commissioners, with three others, fifteen in all. The chairman is to be paid, and one of the Board shall be a woman. The question as to which section of the Board is to supply the lady is not quite clear, but apparently it enacts that she shall be medical. Thus there will be placed at least five medical members on the Board for the present, as it is intended to appoint the four present medical incumbents right away. The exact composition of the Board, outside the appointment of the present paid Commissioners, is still under debate, and there appears to be some desire to reduce the number.

In this connection it is right to state that the work of the Lunacy Commission was fully and worthily recognised in the debates. Much trustful reliance for the working of the new Act, as well as of those already in existence, was expressed. I have reason to know that the trust in the Commissioners is so great in some quarters that there may be some desire to leave a good deal of the details in the matter of classification and administration which should appear in the Act itself. But whatever the amount of advice that may be asked for and given by the Commission, it would obviously be necessary to define the limits in every direction with the greatest precision and formality. Nothing could more readily lead to distrust of the Board than being called on to interpret broad directions laid down by the Act, instead of being called upon simply to apply the Act as given to them. We know how patients, and even their friends in some instances, despise the judgment of the present Commissioners when their opinion does not coincide with the feelings of the patient on the question of sanity. However justifiable the steps to be taken under the new Act may be in the eyes of disinterested persons, it is quite certain that considerable irritation will be aroused in many to whom the Act may come home. Beyond these, sympathetic neigh-

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bours will be disturbed and distressed by unfortunate defectives being, for reasons not very obvious to them, deported to a distance, possibly for ever. On all grounds it is essential that the clearly cut directions of the law should be behind those who have to administer it.

So far there has been little, if any, expression of the idea that persons can now be locked up unwarrantably. As the scope of the discussion, both in the House and in the Committee, allowed full opportunity for such an expression, we may take it that the idea is practically non-existent or at least confined to a few.

The Bill does not specifically propose the appointment of Assistant Commissioners, but there is an amendment down for this purpose. Such help will be urgently needed to meet the great extension of duties imposed by the Bill.

Though the principles of the original Bill, on which the first composition of the Board was decided, have been overcome, as shown above, yet some of them are recalled by a proposition made verbally to the Standing Committee by the Home Secretary, when he announced his desire to revise his first views. This proposition is now set out in an amendment standing in his name, *viz.:*

" For the purpose of the exercise and performance of such of the powers and duties of the Board as may be determined by the Secretary of State to be of an administrative nature, there shall be established an executive committee of the Board (in this Act referred to as the Executive Committee), consisting of a chairman and such of the Commissioners not exceeding four as the Secretary of State may appoint, to which shall be entrusted the executing and performance of all such duties as aforesaid, subject as aforesaid."

Thus at the very outset, the body which we hoped to see homogeneous and experienced is cut in two. Some of the Commissioners have powers which others have not. This process of disintegration is not to be confined to the powers conferred under this Bill, but is to be extended by an order of His Majesty in Council to all the powers and duties of the Commissioners in Lunacy under the Lunacy Acts, 1890 to 1911, and the Idiots Act, 1886. It is not difficult to conjure up circumstances under which friction between the two authorities may occur, but we can go to history of some years

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back to find one concrete example. The Commission of that day had strong views as to the size of asylums into which curable cases were to be admitted, and expressed those views in relation to an asylum proposed to be built by the London County Council. Nevertheless, the plans were passed, over the heads of the Commission, by the Home Secretary of the day. The establishment of independent authority in two parts of one Board is further evidenced by an amendment which provides that any inquiries empowered by the Act may be held by the Board or the Executive Committee or any two Commissioners. It is difficult on analysing the particulars of an administrative nature to find any which cannot properly come within the scope of the whole Board. Undoubtedly, money was at the back of Mr. McKenna's mind when he gave as a reason for setting up the Executive Committee the fact that public money was going to be spent under the Act, and thus responsibility to Parliament of the officer of State (himself in this instance) is entailed. If he wants any official explanation or account from a section of the Board, it is not easy to see why he should not have the Board's views and actions reported to him by a finance committee appointed by the Board itself. There would then be responsibility on the whole Board. If, on the other hand, he is only to listen to one section of it, the other members will be bound by the action of their few colleagues, and thus probably the prestige of the Board itself may suffer. It is suggested that very real risk of misfortune may arise from the uncertainty and possible want of unanimity for which opportunity is thus given. No doubt the Board will have occasional differences of opinion among themselves, but these will be settled privately in the ordinary way. The possibility of difference of opinion between the Board and its Statutory Committee being made public is much to be deprecated.

Undoubtedly clause 17 is the most important part of the Bill, seeing that it settles the limits within which its operations are to take place. The importance of the clause impressed itself on some members of the Standing Committee so much that they asked for its being taken at the very outset. However, it was ultimately agreed that after the composition of the Board with matters contingent thereon had been settled, this clause should be taken next. Accordingly its consideration

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may be looked for in the early days of the resumed sittings of the Committee in October.

It is impossible to discuss its many and intricate phases without the actual words before one, and therefore it is set out in full.

17.—(1) Save as expressly provided by this Act the following persons, and no others, shall be subject to be dealt with under this Act, that is to say, persons who are defectives and—

(*a*) who are found wandering about, neglected, or cruelly treated;

(*b*) who are charged with the commission of any offence, or are undergoing imprisonment or penal servitude or detention in a place of detention, or a reformatory, or industrial school, or an inebriate reformatory;

(*c*) who are habitual drunkards within the meaning of the Inebriates Acts, 1879 to 1900:

(*d*) in whose case, being children discharged on attaining the age of sixteen from a special school or class established under the Elementary Education (Defective and Epileptic Children) Act, 1899, such notice has been given by the local education authority as is hereinafter mentioned;

(*e*) in whose case it is desirable in the interests of the community that they should be deprived of the opportunity of procreating children;

(*f*) in whose case such other circumstances exist as may be specified in any order made by the Secretary of State, as being circumstances which make it desirable that they should be subject to be dealt with under this Act.

(2) The following classes of persons shall be deemed to be defectives within the meaning of this Act:

(*a*) Idiots; that is to say, persons so deeply defective in mind from birth or from an early age as to be unable to guard themselves against common physical dangers;

(*b*) Imbeciles; that is to say, persons who are capable of guarding themselves against common physical dangers, but who are incapable of earning their own living by reason of mental defect existing from birth or from an early age;

(*c*) Feeble-minded persons; that is to say, persons who may be capable of earning their living under favourable circumstances, but are incapable, through mental defect existing from birth or from an early age:

(i) of competing on equal terms with their normal fellows or;

(ii) of managing themselves and their affairs with ordinary prudence;

(*d*) Moral imbeciles; that is to say, persons who from an early age display some mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect;

(*e*) Mentally infirm persons; that is to say, persons who through mental infirmity arising from age or the decay of their faculties are incapable of managing themselves or their affairs.

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I do not propose to criticise the clause in anything like an exhaustive manner, but merely wish to make one or two general points which may have a large bearing on the scope of the Bill. No doubt our Special Committee will continue the close examination which it has commenced.

One such point is the use of the word "defective." It will be observed that in the opening of sub-clause (1) it is used in the sense assigned to it in clause 1 (1), "within the meaning of this Act," being immediately tied down for the purposes of treatment under the Act by certain qualifications or accessory conditions. Next, in sub-clause (2) the term is more specifically defined. Thus, we get two distinct ideas conveyed by the term. Thus, there are two distinct conceptions of deficiency: Deficiency within the meaning of the Act; deficiency within the meaning of the Act, and further qualified as in sub-section (1). This is a matter of cardinal importance. Naturally the term itself will be met with in all parts of the Act, and its careless use may alter the operation of the Act to almost any extent. It is absolutely necessary that whenever it is used its precise meaning should be accurately weighed before it receives full force by law. To take a striking instance: Clause 12 (*a*) directs the local authority to "ascertain what persons within their area are defectives and are subject to be dealt with under this Act," and (*c*) to "keep registers of defectives." To carry out the latter direction in its full sense it would be necessary to carry out the first direction much farther than is intended by the Act. All doubt would be removed if the word "such" were inserted before "defectives." Perhaps such a limitation would not satisfy the eugenists, who would probably wish that for their purposes the registration of the second class of defectives should be noted as well. It is much to be hoped for that the excellent principles of the eugenic body should not be imperilled by general mistrust arising from too vigorous application of detail. It is quite evident that these principles have already awakened a certain amount of dogged opposition to much that may be useful. Another example of the unlimited use of the term is found in clause 5 (*a*) which provides that the Board shall "exercise general supervision, protection, and control over defectives," thus bringing into control many who by the Act are not to be subject to treatment under the Act.

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Mr. Dickinson has put down an amendment to the opening sentence of sub-clause (1) by which he would delete the word "defective" and substitute the words "idiots or imbeciles or feeble-minded." This proposal limits the application of qualifications or the accessory conditions to the first three of the five classes set out in sub-clause (2). By a further amendment Mr. Dickinson would apply the Act directly and without the qualifications to (4) moral imbeciles and (5) mentally infirm persons who are in need of care or control. One would suggest that the moral imbeciles to be dealt with should likewise have the qualification for need of care and control, since the definition of moral imbecility, even when strengthened by the substitution, proposed by Mr. Dickinson, of "habitual" for "strong," is still too wide. Most of us know silly and purposeless liars who get on fairly well without control, but might be dealt with under the Act as "displaying some mental defect" by their silliness coupled with the "habitual vicious propensity" of mendacity. If this actual need of control or care is made a *sine quâ non* all through instead of the operation of the Act being determined by a mere academic definition, much of the existing doubt and distrust will be disarmed.

It may be said, further, that the power to detain under care or control those who at present pass from official supervision at an early age will obviate many difficulties in applying the Act at a later period of life. If defectives are caught up in the beginning of their career and are kept as long as may be necessary under control, there will be fewer at large to require control at later stages. For instance, most of the women, who under the Act are not to be permitted to procreate, will be under circumstances requiring no further restrictions, while the imbecile male will be in a safe place. The dealing with the latter *de novo* will be one of the most difficult of the problems to be solved.

Then with regard to the old folk, is it really necessary to do more with them than to create powers for dealing with them only when it may be absolutely necessary? The procedure suggested by Mr. Dickinson will obviate much disturbance of existing circumstances, which circumstances the Royal Commission admits are in many instances quite satisfactory: it will obviate much expense, which cannot well be afforded in compulsory shifting of patients between asylum, workhouse and new institu-

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tion; and it will also obviate much of the irritation and mistrust which is engendered by the difficulty of foreseeing to what extent the Act will carry us. On the other hand, it will bring together and concentrate the best endeavours of all parties to deal with early deficiency, for in all quarters the interests of the young are considered to be paramount.

Mr. Dickinson carries out this care for the young by a further amendment giving power to the Board to apply the whip to those education authorities who are behindhand in providing special care and instruction for such of their children as may require them.

Again dealing with clause 17 in a general way, it may be pointed out that it does not go far enough in one direction and goes too far in another. Sub-clause 1 (*a*) is far too restrictive in that it does not include those cases which ought to be moved perhaps on account of their surroundings not being sufficiently good, and which cannot by any possible stretching of terms be brought within the conditions of "wandering about, neglected or cruelly treated." Incidentally the wording of the provision seems to be unfortunate and to require an "or" between "about" and "neglected." It would obviously be impossible to bring workhouse or asylum cases within this provision, and yet it is the only one under which an attempt could be made to deal with them. Some words are required to be added to bring in as a qualification the need of better treatment or environment. Once again there really is no provision for enfeeblement of mind, mild or marked, arising from physical disease such as apoplexy, or from the severity of antecedent insanity, or from past alcoholism and the like, unless, indeed, it is covered by "decay of their faculties." But to bring such cases under that term would be about as correct and illuminating as to describe the loss of an eye from a gun-shot wound as blindness arising from decay of the power of sight. This omission in itself will defeat the proposal to transfer middle-aged chronics from asylums to new institutions.

Then the clause covers a great deal too much, in that it applies the Act and the treatment under the Act to all idiots, imbeciles, etc., without any regard whatever to such features as dangerous proclivities. We know well enough that it is the quiet, smiling, mild-mannered imbecile who sets fire to haystacks to see them burn, who assaults and possibly murders

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little girls, who cuts and wounds cattle and horses. Yet, as the Bill stands, all these are to be provided for as defectives under the conditions laid down by the Bill. In fact, there is much danger that the proposed Act will offer opportunity of putting into the new institutions some of those who are only fit for asylums. It would seem to be ungracious to suggest that economic considerations should be allowed to weigh in such a matter. But we cannot forget that in the old days the four-shilling grant, which was given to induce poor-law authorities to send recoverable cases at once into asylums to promote recovery, not only answered that purpose, but led to the sending of all forms of insanity to the asylum, thereby blocking them up with chronics, and thus leading to the present demand for relief through cheaper accommodation; it would indeed be irony on human nature if the present bait of economy led to the exactly reverse operation. It would seem to be proper that careful provision should be made against all risk of the mixing up of cases, and it might be well that the certificate to be given by the medical practitioner should be framed so as to ensure that a choice between the two lines of detention must have been made by him on special and critical differentiation. In this relation some mention should be made of the curious provisions whereby the Board (clause 5) is directed, and the Home Secretary (clause 34) is empowered, to provide and maintain institutions for defectives "with criminal, dangerous or violent propensities." Such provision is right and proper as regards criminals, but what are ordinary asylums built for except to deal with dangerous and violent defectives? There can be no classification of dangerous and violent propensities in terms of defect or lunacy; on the contrary, classification must be between defects in terms of danger or violence. By practice and common-sense the defective is regarded as a lunatic, or at least fit for treatment as a lunatic, when he becomes dangerous or violent. Verily, if it is sought to remove harmless chronics on the one hand and the dangerous on the other, the usefulness of asylums of all kinds has departed.

Perhaps a word may be said about the term "imbecile." As will be seen it is used in the Bill in the strict sense, importing early incidence of the deficiency. But it is by no means sure that the ordinary layman thus restricts its meaning. Thus a

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wrong impression may be easily entertained by one who makes a survey of this form of deficiency in any area, unless he has had the opportunity of studying the precise terms of the Bill.

Some objection has been taken to the wideness of the sub-clause (1) (*f*); in fact this clause is sure to be subjected to strong criticism, as it was in the second reading debate. An amendment has been put down for its total deletion. It is to be hoped that there will be some provision of the kind to take note of feeble-minded persons, especially girls, who inherit money and run risk thereby from schemers. It will be remembered that some years ago, the Parliamentary Committee, on being informed on high authority that there was no legal protection for such persons, made representations that Sect. 116 of the Lunacy Act might well be extended to cover them. The idea was favourably received by the authorities, and it would be a good opportunity to make such provision now. It has to be noted that the lot of anyone dealt with under the Act may take the shape of being placed under guardianship and not necessarily of personal detention.

There seems to be almost entire absence of provision for the discharge of defectives from institutions, or for removing names from the register. I note that the Home Office stated in an interview with the representatives of the County Councils Association that the latter omission will be rectified by regulations to be drawn up by the Secretary of State.

Mr. Dickinson has put down a valuable series of provisions for voluntary submission to treatment. He has also another series dealing with the institution of receiving-houses or wards for defectives, in which they are to be subjected to observation and temporary treatment. The admission into these seems to be sufficiently guarded, but does not require the greater formality of the ordinary procedure under the Act. The medical officer of the local authority will inspect the patient immediately after he has been admitted on the certificate of the medical officer of the receiving house. The former will decide how the patient is to be dealt with. The idea is an excellent one, which will probably save expense. It is to be feared that recovery will not often be one of the benefits such as are hoped for from the proposed receiving-houses under the Lunacy Acts. For this purpose the local authority may demand from any public body (including guardians and borough councils) the

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use on terms of a building or part of a building, or it may provide the accommodation itself.

On clause 42, which applies the Asylum Officers Superannuation Act of 1909 to institutions certified under the Act, Lord Wolmer seeks to graft many of the provisions of the Bill brought in by him for regulating the hours of asylum service. This will have to be narrowly watched by our Parliamentary Committee as before.

There are altogether twenty-five pages of amendments put down. But a great number of these are unimportant, being drafting amendments of those consequent on matters already settled. But one long series aims at preserving intact the provision of existing institutions for idiots, imbeciles, and feeble-minded, the interests of which are imperilled, though probably without any such intention, by the language of the complicated arrangements for the various forms of new institutions. It is very evident that these places, many of which have done so much for juvenile defectives, have warm friends on the committee, as they deserve to have.

With much diffidence I venture to suggest that an ideal Bill should contain the following among other fundamental clauses:

That the whole scheme as finally adopted for dealing with defective children, together with all the provisions for their detention and maintenance when necessary after they pass from childhood, be made absolutely and immediately compulsory.

That the dealing with adults and old people, other than those detained from their childhood, as above, be made permissive for a period of, say, five years. During this time it would be seen how far voluntaryism with all its advantages serves to bring about the desired ends. There would be thus valuable opportunity for discovering by varied experience the best methods of treatment, the most suitable forms of institutions and institutional life and so on. Above all it would afford time to make a correct estimate of the amount of accommodation which would eventually be required. The respite would give local authorities time to take up the great burden thrown on them. We may reflect on what would be the position of the insane, compared to what it now is, if all asylums had been built compulsorily and immediately on the passing of the 1845 Act, even if they had been built on the best model of

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that day. At the end of the period it might be necessary to apply stimulus, or, on the other hand, the permissive stage might be prolonged.

That suitable contribution should be made by the State, on the footing of the nation being at least equally responsible with its component parts for carrying out a vast reform, which would benefit all.

That all division of the controlling authority be removed by removing the cause of that division. Assuming, as I think may be correctly assumed, that the granting of a sum of public money is the only valid reason for establishing an executive committee, it would not be difficult to remove that reason by providing (*a*) that all State contributions should take the form of *per caput* grants, which would bring these grants into line with those now given in respect of asylum patients. The existence of such grants has not hitherto needed the establishment of an executive committee of the present Board of Lunacy; and (*b*) that the Home Office Department should continue to have the care of the criminal defectives. The only other money provision in the Bill is for the payment of the remuneration of the Commissioners and their officers. This is a matter for the ordinary procedure of the Treasury, and it is simply an extension of existing arrangements. As stated before, it is difficult to conceive any other matters, administrative or otherwise, with which the Board itself, as augmented and strengthened, cannot deal.

Finally, I desire to affirm in all sincerity that these criticisms and reflections have not been made in any carping, factious spirit. I, as well as all thinking men, know that some legislation of the kind ought to come, must come, and will come, and that unreasoning opposition would be absolutely futile. He would be a bad neighbour to any Bill, who, finding, or thinking that he has found, defects in it, passed by on the other side in silence. It is quite recognised that there is practical unanimity in endeavouring to make the best possible Act, but it must also be recognised that there are strong forces at work which suggest the need for compromise. Compromise is itself dangerous from the opportunity it affords of masking for the time difficulties which are bound to reveal themselves later on. Some of the forces have been indicated. To them may be added mistrust of eugenists, mistrust of the medical man, and mistrust of the mental expert.

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One hears sometimes that a person in authority announces that he would rather follow the dictates of his own common-sense than the opinion of the most expert of mental experts. That man forgets that the expert also exercises his common-sense, but with the difference that in his case instructed and experienced common-sense is used.

H. HAYES NEWINGTON.

The Annual Meeting.

The Annual Meeting held at Gloucester has again demonstrated how popular with our Association is a visit to a provincial centre in July. Of the many agreeable features of a highly successful meeting we would like to refer especially to the well-informed and sympathetic interest, in the aims of the Association, evinced by the distinguished county and city officials who honoured us by their presence. We regard their attitude as a striking testimony to the value of the work which has been done by Dr. Soutar and by his predecessor at Barnwood House.

The record of the transactions which appears in this number of the Journal shows how numerous are the Association's activities, and how zealously the various officials and committees have worked during the past year.

Dr. Soutar's presidential address contains an admirable statement of his appreciation of the services rendered by British alienists in the domain of psychiatry, and of his estimate of the qualities which make for success in the endeavour to accomplish the highest aims of our specialty. When he deals with the attitude of the State towards scientific research we are reminded of a prominent feature in the history of the progress of the British race, namely, the part played by the individual pioneer unsupported by official recognition. Already we are under deep obligations to such pioneers in our branch of medicine, and we are confident that they and their successors will continue to add to our indebtedness, and will eventually meet with a full measure of official encouragement.

The long-hoped-for legislation to deal with the care and control of the feeble-minded has at last been introduced, and our Parliamentary Committee, with commendable promptitude, appointed a Select Committee, which has worked indefatigably,

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