have before mentioned, I heard all these different remarks; whether such were made in reference to my mode of life or in order to drive me to a place like this I cannot say.

In conclusion allow me to thank you, and with you, Dr. Williams, for your uniform kindness and courtesy towards me, though at one time I took both him and you to be my two deadliest enemies, and trusting to be forgiven for my hastiness and show of ill-temper on different occasions,

I remain, dear sir,
Yours respectfully,

Geo. H. Savage, M.D.

* * *

OCCASIONAL NOTES OF THE QUARTER.

Mr. Dillwyn's Amended Bill.

We confess that, at one time, we hoped Mr. Dillwyn would succeed in framing a Bill which would on the one hand satisfy the just claims of the proprietors of Private Asylums, by offering a liberal compensation for their contemplated loss, and on the other meet the demands of a considerable class of the public who feel uneasy about the nature of the relation subsisting between patient and proprietor in these institutions.

Our hopes, we regret to say, have not been realized.

The perseverance of Mr. Dillwyn in endeavouring to push his measure through the House of Commons has not met with success this year, but as there is every reason to believe he will re-introduce his Lunacy Law Amendment Bill, we think it due to those who are interested in its provisions, to point out their bearing, and their unsatisfactory character.

In a recent article in this Journal we asserted, and we do not hesitate to repeat the assertion now, that not a few of the present proprietors of Private Asylums will gladly hail any arrangement for the extinction of Licensed Houses which is conceived and carried out in a just spirit, by which their interests and peculiar position are fairly and liberally considered.

It ought, however, to be effected by a Government and compulsory measure, not one which is permissive, and would therefore operate unequally and unfairly.

If the conversion of Licensed Houses into self-supporting Lunatic Hospitals forms a portion of a Government Bill, it need not financially be a very Herculean measure. Scarcely six per cent. of the whole number of lunatics in England and Wales are in private care; and the purchase of the 95 Licensed Houses now existing may be effected at

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a moderate national cost, while it would be an intolerable burden if cast upon some of the unfortunate counties affected by Mr. Dillwyn's Bill.

How and by whom the new hospitals are to be in future conducted, is another matter, bristling with difficulties which we are not disposed to discuss here.

Some suggestions of amendment of the law were embodied in the Report of the Select Committee of 1877, and will doubtless form part of the Bill which, although delayed, will, we may presume, be at no very distant time introduced by the Lord Chancellor. Such a Bill will receive respectful attention from the medical profession, but it is not likely to go far enough to satisfy the unreasonable demands of a section of the public who clamour for the virtual removal of the principal safeguards against the dangerous acts of the insane.

Any future legislation in regard to Private Asylums is, of course, hampered with a system already firmly established, and which was built up during ages when Parliament took little or no care of the insane; the wants and comforts of family life have become interwoven with it, and the 8 and 9 Vic., cap. 100, *et seq.*, developed a clear distinction between lunatics dependent upon local taxation and those possessed of means for their own support. Taken together, they appear to facilitate the admission to asylums of the pauper class, and guardedly oppose obstacles to the ready reception of persons capable of paying for their own maintenance in Licensed Houses. The lax tone of morals of a former day, and the indifference to the condition of even ordinary prisoners, justified this suspicion of possible corrupt influences, and there is no reason to complain of its continuance in healthy moderation. Wendell Holmes is not far wrong—there never was a guild of persons or a company of craftsmen that did not require sharp looking after. The liberty of the subject is at stake in either case, but in one of them there is property, and towards that the English law has ever been scrupulously tender.

Mr. Dillwyn's Bill modifies the present system of admission of pauper patients to asylums. In Secs. 11, 13 and 14, it includes them in the provisions for further visitation and the discharge of patients. There is nothing more bearing on the interests of this class, as Sec. 8, which enables Justices to provide superior accommodation for other than paupers into County Asylums cannot be regarded in this light. Licensed Houses are, therefore, almost exclusively affected by this Bill, and several changes made since that of 1879 are for the worse instead of the better. Both Bills are permissive, and liable to the imperfections of that class of legislation, but, whereas, in Clause 2 of the Bill of 1879, the Justices were authorized in their dealings with proprietors of Licensed Houses (if bought up) to award them a sum not less than one year's *gross* receipts over and above the value of the plant and premises, in that of 1880, this is reduced to "a sum not

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less than the yearly average of *profits* during the three years immediately preceding the sale!"—that is, one year's profit, or about 75 per cent. less than the first proposal.

That many of the houses and sites are not worth purchasing at all —and this is the serious, if not fatal difficulty attaching to Mr. Dillwyn's scheme—is undeniable; but having regard to the fair interests of the asylum proprietors themselves, we maintain that if they are to be compensated for the loss they would sustain by such a Bill, they ought to be paid at least as liberally as proposed in the first Bill. When it is recollected that a large number of the proprietors consist of either ladies (mostly widows of medical men), or of medical men advanced in life who cannot adopt a new profession, this Bill would, if allowed to pass in its present form, be justly regarded by them as simply confiscation of their property, because, although permissive, the results of refusing to accept the terms offered must be slow if not immediate ruin. If this be granted, there would seem to be nothing in the Bill calculated to mitigate the heavy blows inflicted upon the proprietors, and, so far as they are medical, upon the profession itself.

True, in the last Bill the schedule imposing upon medical men the declaration "On soul and conscience" (whatever these may mean; neither phrase, alike unknown to English law, being defined), does not appear, but the whole scope and tendency of the scheme is to hand over the care and management of lunatics to Justices of the Peace by overshadowing the opinions and discrediting the authority of physicians, and, practically, to an officious quorum only of the Bench, as the Court of Quarter Sessions is generally well pleased when members of their body can be found to take a laborious duty off its hands.

Is it certain, by the way, that County Justices will thank the promoters of this measure for endeavouring to add to their duties, and, as it would certainly prove, their troubles?—little honour and much anxiety. And it will probably be said, with much force, that the only mitigation by way of compensatory privilege granted by the Bill is (sec. 5) the power given to them to tax paying private patients or their friends, in order, not to improve the accommodation of pauper lunatics in their asylums, but to lessen the cost of the latter to the ratepayers. This power is also given under the Bill to the Justices of only twenty-four out of the fifty-two counties in England and Wales, as twenty-eight counties have no licensed houses within their borders, and the expenses of enlarging Public Asylums for the reception of a superior class of patients, if that duty is accepted by the counties last named, will for a long time anticipate all reasonable profit. Heavy responsibilities are imposed on the Justices of Surrey, Middlesex, Somerset, Wilts, and other counties, if they elect to adopt its provisions, from which Dorset, Berks, Hants, Cornwall, &c.,

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are almost entirely free. In addition, the Metropolitan County Justices take over the visitation of all Licensed Houses within their jurisdiction, hitherto performed by the Commissioners in Lunacy, and so practically become the comptrollers of, in a sense, their own speculations. A certain well-worn Latin proverb about custodians will inevitably be cited against them, for it will be said that this searching and independent inspection is to be transmuted, so far as the visitors are concerned, into an interested examination of their own affairs by a body of men whose position of Justices of the Peace is the only guarantee that in judging of the working of their own acts, they would be less prejudiced than ordinary mortals. Again, it has hitherto been deemed a great boon to the patients that the medical visitor of a Licensed House should have no personal interest in the admission or detention of patients; but by Clause 9, the medical visitor is to be one of the two medical men signing certificates on all future cases of admission, whether of pauper or private patients, excepting those admitted under certificates of emergency. Such a course would altogether destroy the principle of the recommendation of the Select Committee.

Clause 13 provides for a system of espionage, which may cause, to say the least, much annoyance. By this Clause, "*any person*" (by whatever motive actuated) may obtain from a Judge in Chambers, if in London, or if elsewhere, from a Chairman of Quarter Sessions, or Stipendiary Magistrate, or a County Court Judge, an order for the visitation for the examination by two registered practitioners of *any person* confined as a lunatic in *any* hospital, house, or asylum (the only limitation here being, that the medical practitioners must be approved of by the party who grants the above order). And if the two strange doctors, after two visits, decide that the alleged lunatic is not dangerous to himself or others, his liberation would follow, in spite of any opinion to the contrary held by the Medical Superintendent, Committee, or the Medical Visitor. Surely this objectionable proceeding will not be conducive to the recovery of the patient. Besides, are there not "needy lawyers," as well as "needy doctors," who will be found only too ready to set the machinery of this Clause in motion for their own interests, and not those of the patients? The two registered practitioners need not be experts; on the contrary, they may, until the General Medical Council is brought to recognise the necessity of special psychological study, be wholly ignorant of the shades of insanity. The Commissioners exercise due caution in sanctioning the visits of even alleged friends of a patient who desire to investigate his condition or grievance, but if Clause 13 becomes law, they will only be communicated with, and there is no sufficient guard against the door being thrown open to visits originating in nothing better than impertinent interest, or rather interested impertinence.

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To most thorough and frequent inspection of private as well as other asylums we have no objection; on the contrary, we desire it. But irregular and harassing visitation will endanger the permanent recovery of the patient, if it leads, as is probable, to premature discharge—the patient being hurried into the cares and turmoil of the world at a moment when the tender shoot of renewed mental vigour requires the most careful protection and guidance. No form of disease is more liable to relapse than insanity, and time must always be an important element in its satisfactory treatment. But the present tendency of popular legislation is so to increase the danger arising from facility of discharge, that we shall, if it is successful, read in the papers even more frequently than now the details of family tragedies, accompanied by the remark: "He had recently been discharged from a lunatic asylum."

We are disappointed to have to make these criticisms on Mr. Dillwyn's no doubt well-intentioned, Bill, which in its revised form is less liberal than the original. But it is not, we willingly admit, altogether bad. Let us be just.

Clause 10 adopts the principle of the early treatment of insanity.

Clause 12 extends the power to receive voluntary patients.

Clause 14 doubles the visitation of public asylums by the Commissioners in Lunacy. (Why not include workhouses?)

Lastly, Clause 16 adds two medical Commissioners to the Board, with a paid chairman.

All these, which are real improvements, obtain our unqualified approval, and as to the last it is sufficient to say that many years must elapse before the advent of a second Lord Shaftesbury. The labours he has performed as a labour of love cannot justly be imposed upon any other man without adequate payment, and it is to his honour that this is fully understood and recognised—as evinced by the reception accorded to him at our recent dinner.*

Granting, then, that it is probable a great change in the present constitution of Licensed Houses will eventually be brought about, not because abuses have been committed by the honourable physicians who superintend them, but for other reasons; hoping, as we do, that only superior houses will survive, placed on a basis satisfactory alike to the proprietors and the susceptibilities of the public conscience—we earnestly hope that our Legislators will not, either in haste or at leisure, do anything which will introduce greater evils than those from which it is desired to escape.

* A report of Lord Shaftesbury's speech will be found under "Notes and News."

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