Prosecution in Lunacy, Scotland.

Nearly fifty years have elapsed since any legal case has been brought into the Scottish Law Courts in connection with certificates of insanity. A feeling of fancied security naturally evolved in consequence of this record of successful administration has now been rudely shaken. In fact, it has become necessary to amend the Scottish Lunacy Acts on the lines adopted in England, while somewhat strengthening the position of the medical profession where the English law undoubtedly requires strengthening.

The circumstances are briefly given in a circular letter which we transcribe. It is signed by Dr. W. L. Reid as chairman, Dr. Reid being the President of the Faculty of Physicians and Surgeons of Glasgow, and by Dr. Crawford Renton, acting as secretary:

"Two members of our profession in Glasgow, Dr. John Carswell and Dr. Marion Gilchrist, have recently been subjected to an unjustifiable and vexatious prosecution for granting the certificates necessary for placing a patient in an asylum.

"The patient was undoubtedly insane when admitted, and required asylum care; but insanity was denied, and alleged irregularities in the signing of the certificates were made the ground for an action at law and a demand for ten thousand pounds damages from each of the certifying doctors.

"After a prolonged trial in the Court of Session, the verdict given was entirely in favour of the Defendants, with expenses. The prosecutor is, unfortunately, quite unable to pay, and the expenses must be defrayed by the defenders themselves. The result is that although declared blameless they are jointly mulcted in fully £900.

"Such a hardship demands not only sympathy but practical help. It will appeal to every member of the profession, and we as a committee ask your kind assistance in raising a suitable fund.

"The Treasurer is Dr. W. G. Dun, 15, Royal Crescent, Glasgow."

We are glad to observe that the subscription has had the active support of members of the Medico-Psychological Association, as well as the general body of medical practitioners; but it is a great wrong that the profession should be mulcted

https://doi.org/10.1192/bjp.52.217.368 Published online by Cambridge University Press

in damages in this way. Dr. Carswell and Dr. Gilchrist were engaged in the execution of a statutory duty, which they performed with due care on sufficient grounds. Dr. Carswell has been distinguished by his work in avoiding certification during the many years of his large experience in Glasgow, and it is the very irony of fate that this action should have been raised against him of all men. However, the wrong has been inflicted, and it is for us to secure a real and lasting redress. No doubt the General Board of Lunacy, the Scottish universities and colleges, and the various medical associations of the kingdom will unite in prompt and energetic action. The times are not propitious for parliamentary interference, but the medical profession can hardly afford to make that an excuse for delay. While we commend the kindly and generous movement which will no doubt relieve these unfortunate doctors of the heavy financial strain imposed upon them thus needlessly, we are bound to proceed still further in seeking a remedy and urging it on Parliament without delay.

Part II.—Reviews.

The Fifty-fourth Report of the Inspectors of Lunatics (Ireland), for the Year ending December 31st, 1904.

The most notable fact recorded in the inspectors' Report is the great reduction in the annual increase of insane persons, which only amounted to 202 during the year 1904, the corresponding increment for the previous year having been 656 and the average increase for the past ten years 534. This is a big jump in the right direction, but it would be only venturesome to build much on the figures for a single year; nor will it be warrantable to infer any reduction in the rate of increase of insanity until such has been maintained for a number of years in succession.

From the summary given in the Report we learn that the total number of insane under care increased from 22,794 to 22,926 during the year 1904; the increase in district asylums being 521, in private asylums 21, in the criminal asylum, Dundrum, 6, while the number located in workhouses decreased by 340. This latter figure, however, cannot be regarded as a normal average, as out of the above total 220 were sent from workhouses to the Youghal Asylum, an incident which is not likely to be repeated within the limits of a single year. In 1880 the proportion of the total number of insane under care was in district asylums 67 *per cent.*, and in workhouses 27 *per cent.* In 1904 the corresponding

https://doi.org/10.1192/bjp.52.217.368 Published online by Cambridge University Press