Our space will not allow of entering into further details in regard to the provisions which ought, in the opinion of the reporters, to form part of the proposed new Irish Lunacy Law. They appear to us to be judicious and to be guided by an honest attempt to adopt what is good in the English and Scotch Lunacy Acts, while avoiding their defects. We have no doubt whatever that if the recommendations of the reports before us are carried out, the future condition of the insane in Ireland, within and without the walls of asylums, will be vastly improved. There is no denying that a thorough reform has for long been necessary. We confidently look to a brighter record than that of the past. It may be that the change has already commenced, and "the Reports of the Committee appointed by the Lord Lieutenant of Ireland on Lunacy Administration" (consisting of the competent gentlemen mentioned at the commencement of this review) will, we hope, exert a beneficial influence in the regeneration of Irish asylums.* May this report not follow its many predecessors to the Vice-regal waste-paper basket! Here is the weak link in the chain, we are sorry to say. Of what advantage is the best advice, if it is not taken?

Important Lunacy Action.

In a recent trial a verdict was given against a medical man for writing a certificate to the effect that the plaintiff was insane. The medical man in question pleaded that the words written were not a certificate, but were for the information of the relieving officer, and given to him to enable him to take the steps provided for such cases under section 20 of the new Lunacy Act.

In 1889 the plaintiff had attempted suicide, and had been confined in an asylum. He was, however, discharged recovered after some months' treatment. In November, 1890, a quarrel had arisen between his wife and himself, and the wife applied to the defendant, who wrote the words complained of, viz., that the plaintiff was a person of unsound mind and dangerous to those about him. On receipt of this document the relieving officer, aided by two police officers, removed the plaintiff to

* Although the admissions into district asylums have steadily risen during the decade 1879-1888, and this in spite of diminishing population, the Committee point out that the conclusion of there being an increased liability to mental disease would be unwarrantable. Emigration causes a larger proportion of *defective* persons to the population of the country, and, along with other circumstances, explains the apparent increase.

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the infirmary on a Saturday, and on the following Monday he was taken before a magistrate, who, after examining him, refused to sign an order for his detention, and he was immediately liberated. In the course of cross-examination he declared that his family evinced feelings of hostility towards him, and that it was untrue that he had threatened the members of his family.

The defence raised was to the effect that from the defendant's previous knowledge of the case, and the wife's statement, he had written the certificate to enable the relieving officer to set on foot the necessary inquiry with regard to the plaintiff's state of mind, although he admitted it would have been more desirable that he should have seen the plaintiff beforehand; but knowing how important it was that such cases should be dealt with promptly he had given the certificate without seeing him, in order to save time.

Mr. Justice Cave, in summing up, put the following points to the jury:—1st. The action for libel must fail because the occasion was privileged, and no malice was proved; that the proceeding was under the Lunacy Act, and the question was whether it was necessary for the safety of the public or for the welfare of the plaintiff that he should be detained as a person of unsound mind, and if so the verdict would be for the defendant. Then, again, did the defendant act in good faith and with reasonable care? If he did not the verdict would be for the plaintiff.

The jury found for the plaintiff, and gave him £25 damages. There can be no doubt the jury were influenced by the fact that the defendant had not seen the plaintiff for some considerable time before giving the certificate, and that consequently he had failed to exercise reasonable care in signing the document complained of. Nor do we see how they could have decided otherwise. We do not think a medical practitioner should sign any document bearing upon the mental condition of a person without being perfectly aware of the consequences of his so doing, and without a full knowledge of the penal clauses in the recent Lunacy Act. The care that is taken throughout the Act to make it plain that no certificate shall be signed without the patient having been seen within a very few days, should have warned the defendant to be careful in stating in writing that the plaintiff was of unsound mind, and it would clearly have been exercising more reasonable care if he had had a personal interview with him before committing himself to a written opinion.

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