PART IV.—NOTES AND NEWS.

Important Lunacy Prosecutions.

Some important lunacy prosecutions have recently been undertaken by the Commissioners of Lunacy against a Dr. Edward Charles James Shaw, residing at the Firs, Boreham Wood, Elstree, Hertfordshire. The charges against him are under the 8th and 9th Vict., cap. 100, sec. 90, for taking or having charge of a lunatic for profit, without the certificate required by the Act, and under the 16th and 17th Vict., cap. 96, sec. 9, for having wilfully neglected the lunatic.

The first case was heard at the Bow Street Police Court on the 28th of November, when evidence was adduced on the part of the prosecution that the defendant had been harbouring an alleged lunatic, and that he was not provided with the requisite licence.

Dr. George Fielding Blandford, of No. 3, Clarges Street, who was examined upon that occasion, described the appearance of the rooms at the Firs when he visited it on the 31st of October last. The room in which he found the alleged lunatic (a Mr. Clode) was about 12 feet square, with a window, and a boarded floor about six inches high. It contained a wooden French bedstead. The bedding consisted of two old mattresses, one on top of the other, and in a very filthy condition. They were very wet, especially in the centre, where there was a great hollow from a person's weight. Over the patient was a piece of old drugget, also in a very filthy state. There was no other bedding, neither was there a pillow, bolster, or sheets. There was a piece of bass matting under the mattresses. Upon looking underneath the bed, the witness saw water dripping from the ends of the mattress, which protruded under the most depressed part of the bedstead. The patient had nothing on but an old flannel shirt, the lower portion of which had been rotted off. After describing the appearances of dirt and filth about the room, Dr. Blandford added that there was no fireplace in it. The patient was neither emaciated nor fat. He stated his name and address correctly, and how long he had been there. He said that the place was certainly in a most disgraceful state. Witness saw the patient again on the 6th and 8th of November, and gave it as his decided opinion that the man was of unsound mind. In answer to certain questions which Dr. Blandford put to him, the defendant said, respecting the disgraceful state of the room, that the patient was of very dirty habits, and that it could not be helped. His friends did not pay enough to enable him to keep the man in a better state. The defendant also replied that the patient was not a lunatic, because he had no delusions, but that he had suffered from paralytic attacks, and had completely lost his memory. He was not placed under any restraint, but was allowed to take walks in the neighbourhood. He was not allowed any money, as, if he were, he would get drunk.

In answer to questions put by Mr. Merriman, who appeared for the defendant, witness said that he did not see anything indicative of an unsound mind, but that the defect of memory was such that he considered it conclusive proof of an unsound mind. He did not recollect that the

https://doi.org/10.1192/S0368315X0022882X Published online by Cambridge University Press

patient made any complaint as to a want of food, nor did he ask him the question.

The case was adjourned, and upon being resumed on the 29th of November, Dr. James Risdon Bennett, one of the physicians of St. Thomas's Hospital, was called. He also saw the patient, and said that, judging from the whole conversation he had with him, the patient's habits, and other symptoms, he should say that Mr. Clode was not only of unsound mind, but had hardly any mind left.

It was then proved by Mrs. Charlotte Townhend, of 63, Clarendon Road, Notting Hill, that she had known Mr. Clode all her life. He married her sister in 1834, and carried on business as a wine merchant at Brighton. He had had three attacks of paralysis, the last in 1863. After that he suffered from loss of memory. He so mismanaged his business that he was obliged to give it up. They advertised in the 'Times' for a home for an invalid gentleman. They had no thought of the mind in that advertisement. Engagements were entered into with Dr. Shaw to take care of Mr. Clode, at the rate of £5 per month, and subsequently £10 per month. The increase was asked for in consequence of the dirty habits of the patient.

In answer to Mr. Merriman, the witness said that Mr. Clode had been bankrupt, and the expense of his residence in Dr. Shaw's house was paid by his wife. His wife was formerly possessed of considerable property, and had spent it all upon him. Dr. Shaw had frequently expressed a desire to be relieved of his charge, but his friends had no desire to have him removed. They were satisfied with his treatment.

Another adjournment was asked for on the part of the prosecution, and when the case was again resumed on the 5th of December, Mr. Merriman called witnesses for the defence.

Mr. Godstow, a general practitioner, and surgeon to the Barnet Union, stated that he saw Mr. Clode in 1865, and gave an opinion that he was not a lunatic. He was suffering from chronic softening of the brain, inducing partial paralysis and loss of memory, but in other respects in good health and free from delusions or other indications of insanity. He did not consider the place uncomfortable, certainly not wretched.

Cross-examined by Mr. Poland for the prosecution, the witness said he should say that Mr. Clode was not a lunatic, but that he was a person of unsound mind. He could not certify that he was a person who ought to be taken charge of and placed under care and treatment. He ought to be placed under care and control, but not deprived of his liberty.

Questioned by Mr. Vaughan (the magistrate) Mr. Godstow replied that it was very difficult to define insanity. He should not consider a person insane who had no delusions and was not dangerous to himself and others. If a person had delusions and was dangerous he should say that he was insane. Delusions were the principal symptoms of insanity.

Mr. Edwin Joseph, a surgeon of Barnet, who had been in practice for twenty-two years, said that he had come to the conclusion that Mr. Clode was not insane, and certified to that effect. He had been present at those proceedings, and after hearing the evidence he should not feel justified in certifying that he was a lunatic, or of unsound mind, and ought to be placed under restraint. He required care and kindness, which he considered he had at Dr. Shaw's.

In reply to Mr. Poland, the witness said that he did not consider Mr. Clode to be of unsound mind within the meaning of the Act. He should say that he was of defective mind. The patient was senile; he was prematurely old from excess. When sober he should say that if he had money he could go and take lodgings for himself, buy provisions, and generally take care of his affairs.

https://doi.org/10.1192/S0368315X0022882X Published online by Cambridge University Press

Re-examined by Mr. Merriman, the witness agreed with Dr. Godstow that Mr. Clode ought to be placed under restraint. He did not agree with him that there was softening of the brain. He thought that the derangement arose from the spinal marrow and not from the brain at all.

In answer to Mr. Vaughan, the witness attributed the loss of memory to premature old age, the result of excess. He did not consider loss of memory a symptom of unsoundness of mind, though it might accompany an unsound mind. In a person of unsound mind he should expect the drawing of unsound conclusions and incoherency; in a person of defective mind loss of memory.

The case was again adjourned, and when it was again brought before the attention of the magistrate the defendant was committed to take his trial at the Hertford Assizes.

Another Charge against Dr. Shaw.

At the Bow Street Police Court on the 13th December Mr. Vaughan heard another charge against the same defendant for an infringement of the Lunacy Laws, by keeping a Mrs. Frances Danvers Weston, an alleged lunatic, without having a licence according to the Act of Parliament.

Mr. Poland, barrister, appeared for the Commissioners of Lunacy, and Mr. Merriman, solicitor, for the defendant.

Mr. Poland, in informing the magistrate of the facts of the case, said that the Commissioners of Lunacy felt it to be their bounden duty to investigate this case, in order that it might be seen whether it was one which should be sent to the assizes. In the present case the patient, respecting whom the inquiry would be made, was Mrs. Frances Danvers Weston. She was a person of some property, having about £6100 in the consols. It appeared that she married Mr. Weston in January, 1851, and in April, 1858, being then insane, she was removed to Great Foster House, Egham, Surrey, and there confined under a regular medical certificate. She was there until the 11th of February, 1865. On that day she was discharged from that asylum, and was taken away by her husband. He should prove by Mr. Edward Thomas Furnivall, one of the medical witnesses, that at that time Mrs. Weston was in no way relieved. She suffered delusions of a peculiar character, and there could be no question that she was a right and proper person to be under care in a licensed establishment. It would be shown that after she left Great Foster House she went to the establishment which was kept by the defendant. There was no doubt that the sum paid to Mr. Shaw for her board and attention was £65 a year. There was reason to believe that she remained at Dr. Shaw's from 1865 until the 6th or 7th of November in the present year. On the 31st of October Dr. Blandford went to Dr. Shaw's house at the Firs, and endeavoured to see this lady, but was unable to do so. He went again on the 6th of November, but was still unable to see her. Whether these two visits alarmed Dr. Shaw or not, he (the learned counsel) could not say, but the prosecution would show that some time about the 6th or 7th of November, Fanny Wheeler, Dr. Shaw's servant, took Mrs. Weston to Bicester, in Oxfordshire. Having thus taken Mrs. Weston away on the 6th or 7th of November, Fanny Wheeler returned home without her on the 8th. These matters were notorious, and it was thought by the Commissioners that Dr. Blandford should go to Bicester. But when there he was unable to find her. After considerable difficulty Mrs. Weston was found living with her husband's aunt, a Mrs. Osborne, at No. 4, Church Street, Murray Street, Hoxton. When Dr. Blandford saw her he found that there was no question of her insanity. She had delusions of

https://doi.org/10.1192/S0368315X0022882X Published online by Cambridge University Press