

REPORT 324

OF THE

Committee on Public Health

RELATIVE TO

LUNATIC ASYLUMS.

TRANSMITTED TO THE LEGISLATURE MAY 22, 1879.

ALBANY:
CHARLES VAN BENTHUYSEN & SONS.
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MAY 22, 1879.

REPORT

OF THE COMMITTEE ON PUBLIC HEALTH RELATIVE TO
LUNATIC ASYLUMS.

The committee have had before them, for their consideration, the petition referred to them on the 20th of March, purporting to be a petition of two hundred and twenty-one "physicians, lawyers, and other citizens of the State of New York," asking for the appointment of a committee for the examination into the management of all institutions for the care of the insane in the State of New York. The petition consists of five pages of printed matter, to which is attached eleven separate pieces of paper pasted together, and containing two hundred and twenty-one names. The petition was given a wide notoriety before its transmission to the Legislature, by being published in the New York Herald, with an editorial, naming certain persons as signers and supporters. Among the names mentioned were those of F. A. P. Barnard, President of Columbia College, and Dr. Jno. W. Draper, of the University of New York. These gentlemen immediately addressed a note to the Hon. Hamilton Fish, Jr.,* member of the Legislature, stating that if their names were on such a petition they requested them withdrawn therefrom. Subsequently the committee received letters from a number of persons, requesting their names withdrawn from the petition. No applications to be heard being made, in view of the character of the petition and these facts, the committee resolved to make some inquiry, and, with that view, addressed a letter to each of the physicians on the petition, and to other prominent persons on the petition, appointing the 6th and 8th of May for the purpose of hearing their statements. They also notified the superintendents of all the State lunatic asylums, viz., Willard, Utica, Auburn, Middletown, Poughkeepsie, and those of Bloomingdale, and Ward's Island, and also the State Commissioner in Lunacy, of this hearing, and requested them to be present to answer any allegations.

Of the fourteen physicians, one minister, one lawyer, one banker, two brokers, one sculptor, one publisher, and three gentlemen of leisure, all

* See letter with report, page 50.

petitioners, whom the committee invited to be present on the sixth, two physicians wrote, withdrawing their names; the one asserting that he had signed under misapprehension; the other, that he had signed "no petition containing allegations of mal-administration either on the part of superintendents of lunatic asylums or the Commissioner of Lunacy, and knew of no facts that would sustain such allegations." Seven wrote that they had no personal knowledge of the asylums, or their management, or of the manner in which the Commissioner in Lunacy discharged his duties, and declined to appear before the committee. Four made no response to the letter of the committee. The minister stated that he had "no charges of any kind to make against the asylums; that he had no personal knowledge, and that he had signed under the representations of another." One broker, publisher, and attorney had no personal knowledge, and declined to appear. The others made no response. All the superintendents of the State asylums, and Dr. Chas. H. Nichols, of the Bloomingdale Asylum, Dr. A. E. Macdonald, of Ward's Island City Asylum, Dr. John Ordronaux, State Commissioner in Lunacy, Hon. Samuel Campbell, President of the Board of Managers of the Utica Asylum, and Hon. S. G. Hadley, President of the Board of Managers of Willard Asylum, were present, and severally made statements denying all the allegations of the petitioners, and stating that they were ready to answer or meet any statements these petitioners might attempt to substantiate; and that while they did not propose to offer any defense to mere assertions, they were also ready to waive all technicalities, and answer any questions the committee might propose bearing upon the general management and conduct of the various asylums. The committee then examined them at length.

Of the fifteen physicians, petitioners, whom the committee requested to appear before them on the eighth, three declined by letter to come before them; one requested his name withdrawn, as he had signed under misrepresentations; seven made no response; and four, namely, William A. Hammond, William J. Morton, E. C. Spitzka, and James G. Kiernan, wrote, saying they would appear. Drs. Hammond and Morton did appear, and the former said that he had seen the other two that morning, who said they would also come. The committee held the inquiry open the following day, but no others appeared. All the superintendents of asylums, and others mentioned as present on the sixth, were also there on the eighth, and some further statements were made. The committee subsequently receiving letters from Drs. Spitzka and Kiernan, still proposing to appear, the committee appointed the fifteenth for the hearing, when they were present and made their statements. These statements, together with those of Dr. Hammond and Dr. Morton, the statements of superintendents, and Commissioner in Lunacy, together with a letter of Professor Jno. C. Dalton, of New York, and a letter of Rev. William T. Gibson, D. D.,* form a part of, and are appended to this report, have been carefully considered by the committee.

From the statements of Drs. Hammond, Morton, Spitzka, and Kiernan, this petition had its origin in what they denominated the Neurological Society, of which Dr. Spitzka claimed that they were, with Dr. Seguin and Dr. McBride, the leading members, in getting up and circulating this petition.

Dr. Hammond pointed out to the committee the first thirteen signers, including himself, as having been procured by him. Two of this num-

ber have written, one saying that he "cannot be a party to such charges as they are entirely without his knowlege and belief;" the other, that he "signed the paper without reading it, and under a misapprehension as to its precise character." The next eleven signatures he said were secured by Dr. E. C. Seguin, one of these names being that of President Barnard, of Columbia College, to whom we have already alluded. Another wrote he had not signed such a petition. The committee had addressed an invitation to all these; and six, with Dr. Seguin, declined to appear, having no personal knowledge; three made no response to the invitation of the committee. Dr. Spitzka claimed to have secured the next seven names. To the invitation of the committee, three of these declined to appear, as they had no personal knowledge; two made no response to the invitation; while Drs. Spitzka and Kiernan appeared. The next seventeen names Dr. Kiernan claimed to have secured. Five of these have written, requesting the withdrawal of their names, as they had signed under misrepresentations; one that he had no personal knowledge, and had signed by request of another; another that he had no knowledge of the matters. Fifty-seven names were obtained in a single large mercantile establishment, the head of the establishment stating that the document which he had signed was of a different nature, and his name had been transferred to this petition without authorization. This gentleman, the head of the firm, stated to Dr. Macdonald that he had not signed any petition to the Legislature whatever; that he had signed a statement as to the character of one of his employes, saying that he had been seventeen years in his employ, and that any statement of his might be received as reliable; and that all these names secured in his establishment were subscribed to the same statement and not to this petition, and that the names had been transferred to this petition. In another mercantile establishment, twenty-two signers were obtained, all of whom have written to the committee requesting them to erase their names from the petition, as they had signed under a misapprehension of the facts and object sought for. Four wrote to the committee requesting the withdrawal of their names, as they had signed the petition under a misapprehension. Another requests the withdrawal of his name, saying that some months before he had signed a petition which he believed to favor a new street railway upon Broadway, but which he now believes was "to be directed against the management of insane asylums of the State." One requests his name withdrawn, as he had signed under a misapprehension. Another writes requesting the withdrawal of his name from the petition "to which I think it was surreptitiously affixed, reflecting on parties in management of asylums," etc. Another requests to withdraw because he believed the petition was changed from the one he had signed.

Of these two hundred and twenty-one petitioners, one hundred and ninety-four are from the city of New York, nineteen from Brooklyn, six from the State at large, and two from New Jersey. Of the 1,365 physicians whose names are contained in the Medical Register of New York city, the petition contains but twenty-five. Three others are put down with M. D., whose names are not found on the Medical Register. From the physicians of Brooklyn, registered as four hundred and seventeen, the petition contains but one name. From the entire State of New York, outside of these two cities, not one physician has appended his signature. Two lawyers and one minister are on the petition. The occupations of the remaining signers are: Professors two, importers one,

bankers and brokers eight, merchants seven, coal dealers one, sailmakers two, liquor dealers one, steward one, patent medicines one, dentist one, army officer one, conductor one, carpenter one, publisher one, hotel-keeper one, engineer one, stable-keeper one, grocer one, widow one, eating-house-keeper one, clerk one, dealer in buttons one, janitor one, policeman one, sculptor one, cutter one, paper-dealer one, plumber one, clerks and other employes in mercantile establishments, seventy-five, occupations not given, eight.

From the letters received by the committee, it would appear that the majority of the names on this petition were procured under misapprehension or misrepresentations. From these letters it is shown that ninety-four of the signatures obtained were through misapprehensions.

The general assertions of the petition are not substantiated by any facts. They are merely allegations of mismanagement and defects, and incompetency of officers. Not one of the petitioners, medical or lay, so far as the committee are aware, has ever been inside of the State institutions for several years past, and only some half-dozen have ever been in any of the wards of any of the asylums. Dr. Chapin, of the Willard Asylum, recognized the name of but one person on the petition who had ever visited that institution. Dr. Gray, of Utica, said that but two out of the whole number had ever visited the wards of that asylum, and neither of these for several years past. Dr. Cleveland, of Poughkeepsie, said that but four or five had ever visited that institution since its opening, and these not for several years. Dr. Hammond had never visited the Willard Asylum, had been at Utica but twice, twelve and eight years ago, at Poughkeepsie but a few times, and at Blackwell's Island before the incumbency of the present superintendent, and at Bloomingdale under a former superintendent. Dr. Morton had never visited any asylum except Ward's Island a few times. Dr. Spitzka had never been in any of the State institutions, and had no personal acquaintance of any of the officers, had never visited but one of the city asylums, and the same could be said of Dr. Kiernan.

The value of a petition gotten up by persons so wholly ignorant of the institutions, signed by persons with no knowledge on the subject, it requires but little to estimate.

In conclusion, the committee would say:

First. The petition is not substantiated in its allegations by any existing state of facts. The Governor in his last message to the Legislature has spoken of the satisfactory condition of the State asylums from personal visitation.

Second. The Board of State Charities, an official visiting body, has never suggested any such defects or mal-administration of any kind in their annual reports to the Legislature. A special committee of that board (President M. B. Anderson, of the Rochester University, and Mr. E. W. Foster), after examining the State asylums with reference to similar insinuations and allegations, reported on December 15, 1877, that "the community is justified in having entire confidence in the administration of these institutions."

Third. It appears from the archives of the State Commissioner in Lunacy, as well as from his personal statement before the committee, that since the creation of this office, no formal complaints have at any time been made or filed with him against the management or internal administration of any State asylum, and his reports and personal statements before the committee show that no occasions calling for special

criticism upon such management or administration have up to this time presented themselves.

Fourth. The insinuation of the petition that the superintendents of these State asylums are not thoroughly trained and thoroughly competent medical men, is too notoriously untrue to require denial.

Fifth. It is not true, as alleged in the petition, that undergraduates in medicine have been appointed as assistant physicians in State asylums. The charge is a reckless misrepresentation of these officers, and under examination the four persons appearing admitted this. From the statements of the superintendents of asylums, it appeared that in almost every instance assistants have received training in civil or military hospitals, and in other cases an equivalent in medical practice after graduation. Outside of the State asylums it appears that but one undergraduate is employed, and that he obtained his place by examination as to qualifications by the authorized medical examining committee of the institution in which he is employed.

Sixth. In the judgment of the committee, there is no necessity for investigation or examination into the management of any of the State lunatic asylums. This petition sets forth nothing new or valuable, and all the persons signing it, as far as the committee have been able to ascertain, have no personal knowledge of these institutions, or of the allegations made in the petition, and many of them are so obviously and grossly untrue that they would seem to be the offspring either of ignorance or malice. In either case they are unworthy of notice.

Seventh. The assertion that the pathological work done in the asylums is of little account, is sufficiently met by the following letter addressed to the committee by Professor John C. Dalton, of New York, who stands in the front rank of his profession as a representative of scientific research, and by the testimony of Dr. Bucknill:

NEW YORK, April 3, 1879.

Hon. A. T. GOODWIN:

DEAR SIR—Having seen, in the daily papers, a statement derogatory to the character of the pathological investigations carried on in our lunatic asylums, and presumably directed against those in the laboratory of the New York State Asylum, under the direction of Dr. Jno. P. Gray, I would ask the privilege of saying a word to you, as a member of the Senate committee on public health, in regard to that matter. The statement to which I refer reads as follows:

“The little pathological work which has been done in our asylums, at enormous cost, has been of the most elementary sort, and has been ridiculed at home and abroad.”

I have had some opportunity of seeing the pathological work done in the laboratory of the New York State Lunatic Asylum of late years, and have been much impressed with the accuracy and pains-taking character of the methods employed and the great value of the results attained. There is no question in my mind that they reflect the highest credit upon the institution, both from a scientific and practical point of view. I believe it would be a disaster for the interests of the State and of humanity, if the work, now carried on in so judicious a manner, should receive any interruption.

Yours, very truly,

JNO. C. DALTON, M. D.

Dr. Bucknill, of England, in his notes on American Asylums (1878, p. 36), after his return to Europe, says:

“The Lunatic Asylum for the State of New York, at Utica, which I visited after leaving Auburn, and where I spent some instructive and most agreeable days, is better known to the outside world than any other similar institution in the country. This, no doubt, is due, to some extent, to its being the asylum of the Empire State,

established in a part of the country long ago settled, and, in comparison to many other parts of the States, of almost ancient civilization. But to a far greater degree its reputation is due to the genius and enterprize of Dr. Jno. P. Gray, its well-known superintendent, who has for many years made it a brilliant school of psychology and of mental pathology. Dr. Gray, and his assistant physicians, edit the *American Journal of Insanity*, an enterprise which has been of the highest value in extending the knowledge of our science. One of his assistants, Dr. Theodore Deecke, devotes his time exclusively to pathological investigation, and is engaged at the present time in producing photographs of cerebral and spinal sections of wonderful size and accuracy. The positive and relative nature of drugs in the treatment of insanity is another subject which is systematically investigated at Utica, and altogether the utilization of the material for scientific inquiry which the institution affords, presents a remarkable similarity to the great school of mental science which has been founded in Yorkshire by Dr. Crichton Browne."

As Dr. Bucknill is an eminent authority on this whole subject, his judgment has practical value.

This attack by medical men on the scientific work of a State institution evinces an ignorance and a spirit of recklessness unworthy of a great liberal profession, and should be condemned by all who have the interests of science and humanity at heart.

The assailment of public officers and the great charities of the State in such a reckless manner, the committee believe should be exposed, not simply because it is a wicked use of the sacred right of petition to the injury of individuals, but it also creates public distrust in the administration of State charities, and fills, with unnecessary pain, the hearts of those who are obliged to commit their loved ones to the care of these institutions, and further because it tends to degrade the dignity of the State.

L. S. GOEBEL,
ALEXANDER T. GOODWIN,

Committee.

Dated ALBANY, *May 21, 1879.*

STATEMENTS TAKEN BEFORE THE COMMITTEE ON PUBLIC HEALTH ON PETITION ABOUT ASYLUMS, MAY 6, 1879.

The committee met on Tuesday the 6th, at half-past three P. M. There were present, besides the members of the committee (Senators Goebel and Goodwin), the following: Dr. John B. Chapin, of Willard Asylum; Dr. John P. Gray, of Utica Asylum; Dr. J. M. Cleaveland, of Hudson River Hospital; Dr. Carlos F. MacDonald, of Auburn Criminal Insane Asylum; Dr. C. H. Nichols, of Bloomingdale Asylum; Dr. A. E. Macdonald of the City Asylum, Ward's Island; Hon. Samuel Campbell, President Board of Managers Utica Asylum; Hon. S. G. Hadley, President Board of Managers Willard Asylum.

Chairman GOEBEL—We are here to-day in order to give hearing to certain petitioners who have made allegations in reference to the management of the lunatic asylums of the State. Several of these petitioners, some thirty or forty, have been invited to appear here and state what they know of the management, or control, of these institutions. If there are any persons here, who wish to appear, we are ready to hear them.

I would ask, in behalf of the committee, if there are any of the petitioners present?

No one rising, Senator GOODWIN said :

GENTLEMEN—My idea in regard to this petition is simply this : “ That this petition comes to us signed by a large number of people, in which they make charges of mal-administration and malfeasance in office, and while none of the petitioners are here to-day, some of them will probably appear on Thursday of this week. There are a number of superintendents of asylums present, and it is my private opinion that to obviate delay, and the trouble of going through the matter again on Thursday, that the gentlemen here might give what views they have upon this petition, and to answer the allegations contained in it. I only make this suggestion. Of course, you know this is simply voluntary on the part of everybody. The committee is simply seeking for information upon which they can make a proper report to the Senate, and it is for you to say whether any or all of you shall be heard on the subject.”

MR. CAMPBELL—I am one of the managers of the Utica Asylum. I understand that a petition has been given to this committee with a view to investigation. I come to learn the nature of these complaints. When they are made, then is the time to answer. We cannot anticipate to-day what they are to say on Thursday, and for us to pre-judge in any way and to maintain our integrity in this matter is premature in my judgment. If this is adjourned until Thursday, the parties called must be here. I do not see how this can go on at the present moment. The people who have made these allegations are not here ; wisely so, I think. Perhaps they will not come on Thursday. I do not think it is proper for us to state our innocence in this matter. It so looks to me.

Senator GOODWIN—Let me suggest one thing, Mr. Campbell. This petition was simply referred to this committee, not with a view of investigating into asylums, but simply to report what the judgment of this committee is to the Senate ; whether further action should be taken in the matter, or whether there is nothing of sufficient interest to demand the attention of the Senate. While I deem that it is better to hear the complaints of these petitioners, yet it is a very immaterial matter as to how this investigation is to be pursued. If it were a trial and investigation, that would be a different thing, but the petition is not in the nature of a complaint.

MR. CAMPBELL—Does it not state that there is malfeasance in office ? These petitioners should not make such a complaint unless there are grounds for so doing. It is for them to prove their charges, and then it is time enough for the others to speak when they are called upon. You might deny them all. I have read them, but don't recollect much about them. It seemed to my mind that the petitioners assumed to have a certain amount of information. That information wants to come from them, not from us.

Senator GOODWIN—This is not a question of sides—not a question of trying a matter. It is simply a question of information to this committee in regard to asylums. It is not a question of defense or proof. Here are matters contained in this petition, and here are superintendents of asylums competent to testify in reference to them, and it strikes me that it is our duty to hear them to-day.

Dr. ORDRONAU—It seems unnecessary to say at the outset that when a petition is presented to a law-making body, asking for relief, it should state some grievance for which there is no existing remedy, either under the common or statute law of the State. So long, therefore, as laws can be formed to redress alleged wrongs, there is no proper

ground upon which the Legislature can intervene. A petition has been sent here making statements of a general character and in the nature of allegations, and not upon the petitioners' own knowledge, but merely upon rumor. It begins as follows:

"There has lately sprung up a general and marked discontent in the public mind," etc. Rumor or general report may be used in evidence where the reputation of an individual is at stake, as for purposes of impeachment. But the asylums of the State are not subjects of rumor. They are subjects which come within the prescribed limits of investigation, and whenever these institutions make reports their reports are *prima facie* evidence of their workings. The State asylums are corporations. They are organized by the State, placed under the management of boards of managers, having franchises given them for the purpose of acting in official capacities. These institutions are required to, and do make full reports to the Legislature. The county institutions are off-shoots of the county themselves. In 1873 the Legislature created the office of State Commissioner in Lunacy. He was vested with the power of a visitor at common law, and his duties are to see that the statutes regulating asylums are complied with. Now, in looking over the petition presented to this committee, I find not a single person among the signers who has ever to me personally, either directly or indirectly, by oral or written communications, alleged a single wrong against the managers of a State lunatic asylum in this State. While the officer has waited with his doors open, ready to give hearing to any one who desired to make complaints against the administration of our State asylums, no one has yet come. Certainly, if the air was filled with rumors some one would have come to make complaint, or reference to them. And the fact that no evidence in support of such charges has been presented to the Commissioner, goes far to cast doubt upon the existence of any such evidence. The only asylum management which I have been called upon to investigate was that of the Kings County Asylum, at Flatbush, and a matter relating to a personal complaint against the administration of the Bloomingdale Asylum.

If you examine the language of this petition, you will find that it is indefinite, diffuse, and repetitious. It begins with a statement which is matter of opinion only with the author of it, thus:

"There has lately sprung up a general and marked discontent in the public mind with regard to the management of our insane asylums. From the nature of the case, the internal mechanism of these institutions, being more or less secluded from public scrutiny, it was not to be expected that the popular feeling could point to any special fault in the system or its cause."

This is not only erroneous, but it is unjust to the asylum superintendents to speak of these institutions as secluded from public scrutiny. My report for the year 1876 gives the number of visitations by the public, and if you will also take notice of the number of officials, persons who are authorized to visit these institutions, you may see whether they are presumably competent to detect any errors in administration. First, we have the managers of these institutions. The boards of managers are not made up of ornamental people. They are created by statute, and are the appointees of the Governor and Senate. They are reliable men, and I believe that they discharge their trusts with fidelity. Then, next to these boards of accredited managers, come the grand juries of the several counties, who, so far as they are concerned, make visits as often as they

are invited. This is frequently done in the county of New York. Next to the grand juries come the supervisors, next to them the superintendents of the poor, next the local visiting committee of the Board of State Charities, next the Board of State Charities, and then the State Commissioner in Lunacy. Here, gentlemen, are six distinct boards constantly visiting these institutions, and, therefore, capable of knowing whether or not they are properly executing their trusts. If we remember, in addition also to these boards of accredited officials, that the friends and relatives of patients visit them, we shall be able to judge how complete the supervision is. Then, too, there come the casual visitors, who are actuated either by good or improper motives—that is to say, either by curiosity or honest doubt which seeks to be enlightened. In one institution, near the city of New York, these visits last year aggregated from 10,000 to 13,000. Is it possible, gentlemen, that there can be a gross, concealed and habitual mal-administration under such multiplied observation?

Senator GOODWIN—You don't mean that a common visitor questions what goes on in the institution? These people are not allowed to form any estimate as to its condition?

Dr. ORDRONAUX—They are not, of course, allowed the same range as authorized and official visitors. But I mean that they are able to satisfy themselves as to whether undue numbers of persons are placed in restraint; whether patients are debarred from the use of the exercise grounds; whether or not the institution is cleanly; whether or not the food is wholesome. These relatives or friends do not always limit themselves to visiting hours. They see their friends at nearly all hours in the day, and sometimes come to the table with them. They can form some idea, therefore, of the shelter, clothing, food, and the general administration; and I presume that every one will admit that, wherever a patient's relatives visit him, the visitor's vigilance is awakened, and that he will be on the alert to see whether that patient, in whom he is particularly interested, is made happy and comfortable, and his cure promoted. The Governor has the power of investigation, as a matter of course.

“Is the superintendent consulted whenever forcible restraint is required, and is the duration, manner, and result of this mechanical restraint duly recorded in a book kept for the inspection of the Commissioner in Lunacy and the courts?”

I find that in every State asylum there are books of restraint kept, with the time in which the patient was placed in restraint, and the time in which he was released from restraint, together with the character of the restraint—all recorded. I have always made it my duty to inquire about this, and receive information of such a kind as leaves no doubt in my mind that the facts are true.

“How frequently does the superintendent avail himself, for the benefit of his patients, of consultations with general physicians and surgeons, and gentlemen eminent in the several departments of medicine?”

I am not able to answer that question as well as the superintendents present are.

“Do you ever employ the barbarous and inhuman means of restraint known as a crib?”

I have seen the covered bed, sometimes called a crib. It was pointed out to me in Paris, and spoken of as the most useful mode of restraint in certain cases; but the gentlemen present can best answer this question. I deem it both humane and proper.

“Does the Commissioner in Lunacy give any notice of his coming to the officials of an asylum he is about to inspect?”

It is never my habit to give notice of my coming. There may be occasions, however, when it is necessary to do so; but these occasions are so infrequent that they do not deserve to be mentioned as against the established rule.

Whenever a general visitation is contemplated no notice is ever given. When a particular patient is to be examined for judicial purposes, then notice is necessarily given.

“Has the Commissioner ever visited asylums at unusual hours, as in the middle of the night, or in the very early morning, in order to determine the usual condition of their wards?”

The first year I was in office I made some midnight visitations at Blackwell's Island, but caused so much disturbance in the wards by so doing that it seemed to me wrong to repeat the experiment without some preceding evidence of necessity to justify it.

In several instances I had reason to know that excitement was reawakened in patients who had been slowly recovering.

“Does the Commissioner ever go about an institution without company, or at any rate without a medical or other officer, whose presence can prevent free speaking on the part of the attendants or patients?”

I have visited and I do frequently visit an institution in this manner, and I may say this of the gentlemen who go with me, that they always have the good sense to retire when a patient desires to see me in private. I then go into the room of the patient, and he can see me by himself. I never go into the room of a female patient, however, unattended.

“How frequently are inspections made in the various asylums, and how many days in the year is the Commissioner in Lunacy engaged in private business not legitimately appertaining to his office?”

I have no private business, gentlemen. Occasionally a court puts me on a commission of lunacy when a criminal is concerned, and some particularly important business arises in the case. It happens so infrequently that it can hardly be called business. My time is wholly taken up in visiting asylums and in answering letters about these asylums, and giving opinions to officials upon the construction of our lunacy statutes, and I have no proper private business. The office which I have in New York city is a State office. It is not my office. I do not even put my name on the door.

“Does not the State, in paying the Commissioner a fair salary, make a contract for his whole time, customary vacation excepted?”

I will leave that for the committee to decide.

“Was the present Commissioner appointed in strict accordance with the law which requires the candidate for this position to have been a physician of experience?”

Inasmuch as I did not appoint myself, I take it that the Governor who selected, and the Senate which confirmed me, had had that question under consideration, and that they acted with due deliberation. All presumptions to the contrary would be an imputation upon either their intelligence or their honesty.

I deem it my duty to say that it was only after I understood that the name of President Barnard had been appended without authority to this petition, with a view of influencing legislation, that I thought myself justified in taking the first occasion which might offer itself to show that

this petition did not, in fact, represent anything more than rumors and insinuations. On this account, therefore, I have felt called upon to make these statements. It is noteworthy, also, that not one of these petitioners have ever spoken to me about wrongs in asylums, or called upon me officially to investigate these institutions. As soon as I was informed that Dr. Barnard's name was attached to this petition, I inquired of him whether he remembered signing a petition praying the Legislature to investigate our State asylums, and also the official record of the State Commissioner in Lunacy. He replied that the only petition he remembered signing, within the past two years, was a petition by Dr. Hammond, late Surgeon-General of the Army, asking Congress to have his case re-opened, and a new trial granted him. He was sure that that was the only one which he had signed. I then read the copy of this petition, as it appeared in the New York Herald of March 15th, 1879, and said: "Is it not possible that you may have forgotten signing this document?" He replied that he was very sure that he could not have read such a petition and signed it without remembering it. He was sure he said he had not signed it. The next day I received the following note from him, enclosing a copy of his letter to the Hon. Hamilton Fish, disavowing his signature. A copy of this letter I sent to Senator Pierce. I then went to the Astor Library, where I have been a frequent reader, and asked the gentlemen connected with the library, whose names appeared on the petition, if they remembered signing such a petition. They denied signing such a petition, or any one of similar length, and asserted that they would have remembered it if they had done so. They then signed and handed me the following paper:

ASTOR LIBRARY, *March 25, 1879.*

Notwithstanding that our names are affixed to a petition now before the Senate of this State, in which charges of gross mal-administration are severally made against our lunatic asylums; and, also, against the State Commissioner in Lunacy, we beg to say that we never saw, nor heard read, nor had explained to us, the contents of this petition before to-day. That some months ago we signed a paper at the solicitation of one Dr. Kiernan, an habitual reader in this library, solely upon his representation that it related to improvements, generally, in our lunatic asylums; but without further knowledge of its contents or purport. Being now, for the first time, informed of the same, we desire to withdraw our signatures, because, having no knowledge of the matters to which the petition relates, we should never, at the outset, have signed it, had its contents been truly represented to us, and because, also, we do not believe in the charges which it makes.

FREDERICK SANDERS, *Librarian.*

J. AUSTIN LEONARD, *Asst.*

OSCAR A. BIERSTADT, *Asst.*

As this is not a trial upon a complaint preferred, and specific charges made, there would seem to be no occasion for further remarks upon a petition which alleges no personal knowledge on the part of the signers, and prays for no other remedy than that of interrogation.

Judge HADLEY—Perhaps I may say here I have been a member of the board of trustees of the Willard Asylum since the board was created.

It has been my uniform custom to visit that institution at our regular meetings when I have been in the State. Besides this, I have been very frequently, almost once a week and sometimes twice a week, through the building. I have gone through the halls night and day, sometimes with Dr. Chapin, and sometimes with the assistants. I have seen visitors there almost every time I have been there from the county in which it is located and from the neighboring counties. It is a constant daily practice. I have met medical gentlemen there from all parts of the State. I have met there Gov. Dix and Gov. Hoffman. I failed to meet the present Governor there because I was away. Up to this time I have failed to detect mal-administration of any kind. I have endeavored to be watchful, and sometimes have been unreasonably so, knowing the feeling about institutions of this kind. I have, at the request of the board of trustees, asked for a committee from the Legislature to come and visit us. We have never had a committee to inquire into us. We are here to-day, upon the invitation of this committee, to answer all questions in relation to these institutions. Dr. Chapin, who has been the Superintendent of the Willard Asylum since its opening, is also here, and you may ask whatever questions of him you may desire. It has seemed proper to me that the gentlemen here could, with propriety, answer any questions suggested in the petition.

Dr. NICHOLS—It does not occur to me, Mr. Chairman, that I need to make any statement, but I shall be glad to answer any question that you may put to me touching the inquiries propounded in that petition. I have been Superintendent of the Bloomingdale Asylum since 1877; I was superintendent of that asylum once before; I never saw a copy of this petition; I have never seen any of the names; I know Dr. Wm. A. Hammond; I have not met him since the war; he has not been in the Bloomingdale Asylum; I know a Dr. Spitzka; I remember to have seen him at the asylum; once this person called upon me and made some inquiry in relation to becoming connected with an institution for the insane; he did not visit the wards; he made no inquiries in regard to its management; I do not know Dr. Kiernan; he never visited me to my knowledge; I know Dr. Seguin; I am sure he has been at the asylum once within the last two years, and he may have been there twice; he has never been through the institution; I know Dr. Clymer; I think he has been at the asylum twice; he has never been through the institution; once he did not enter into any of the wards; at another time he came to see a particular patient, and went into the ward in which the patient's room was situated, and saw him; I do not know Dr. Morton; I never had any letters from the gentlemen I have named; no letters or complaints of any kind; it does not seem to me to be my duty to make any remarks in regard to the allegations; I have no personal desire to do so; the average number of our patients is 175; the number of assistants, two; there is ample medical attendance; I have no undergraduates in my employ.

Dr. A. E. MACDONALD—I should like to make a general denial of the allegations; the present number of patients in our asylum is 1,020; I have an undergraduate as assistant; ours is a city hospital, however, where no salaries are paid; I do not know Dr. Hammond personally; he has never been in our institution; I have been there five years; I know Dr. Spitzka; he has been in the asylum half a dozen times to my knowledge; he has come there to visit a friend; he has been in the wards of the asylum—I cannot say how thoroughly; I know Dr.

Seguin ; he has not been a visitor to the asylum ; I do not believe Dr. Clymer has been there ; Dr. Morton has been there two or three times ; I have never heard any expression of opinion about the institution from any of these gentlemen except Dr. Morton, and his opinion was favorable to the asylum ; I know Dr. Kiernan, have known him five years and a half ; he was employed as apothecary at our institution for about three and a half years ; he was dismissed upon my complaint ; I have seen the list of names ; I recollect seeing the names of several personal friends ; I have conversed with some of them about the petition ; one of them told me that he signed the petition thinking it was for a new street railroad ; that was Mr. — ; he said that he was conversing with some gentlemen about this railroad when some one drew out a paper and remarked, “ Here, gentlemen, is something we all want to sign ; ” upon the strength of that several persons appended their names, thinking it related to the street railroad in question ; they have all since withdrawn ; Dr. Pardee is one of the signers ; I have since asked him about it ; he told me that Dr. Hammond replied in answer to the question if it related in any manner to my institution, that it did not ; so he signed it ; Mr. Webb, of 340 Broadway, also signed it under misrepresentations made to him ; Dr. Spitzka was an applicant for a position in my asylum, also, and was rejected upon my recommendation.

Senator GOODWIN—Do you think you have sufficient medical assistance in your asylum ?

Dr. MACDONALD—Well, we are overworked, but the work is done ; there is no suffering from want of care ; I do not know that the Commissioner has ever given notice of his coming ; I do not know of any inexperienced or untrained physicians who have been appointed superintendents ; on the contrary, they are all physicians of much experience ; the undergraduate in my institution has passed more of an examination than a great many graduates have ; I never heard it stated that superintendents were not versed in the anatomy of the nervous system, except in this petition and the newspaper comments upon it.

Senator GOODWIN—Dr. Nichols, are you acquainted with the other asylums of the State ?

Dr. NICHOLS—I am very well acquainted with Utica, where I was assistant for two years, and have visited a number of times ; I have visited Willard ; I never visited Poughkeepsie ; I am very well acquainted with the Blackwell Island Asylum ; I know every superintendent in the State ; I am not acquainted with the majority of assistants ; I know the leading assistants, those who have been in service for a long term of years ; I consider the superintendents eminently qualified to hold the positions which they do, both professionally and morally ; I think that the superintendents of insane asylums in the State of New York are at least equal to those of any other State ; I am unable to state what the number of my visitations is ; I am generally at home and always at work when at home.

Senator GOODWIN—Can you give the number of days in the year that you have been away from the asylum in attending courts without subpoenas ?

No, sir ; I could not answer that question accurately ; I think that every superintendent earns his salary ; I think I see my patients every other day ; I average that at least ; there is some irregularity ; there are no patients in the asylum who are seen but once a month ; I frequently make unexpected visits to wards ; these visits are usually

occasioned by the necessities of recent cases ; I make it a point to observe the management of the wards whenever I make unexpected visits and go into the wards at unusual hours ; all the patients that are under medical treatment are under the superintendent's medical treatment ; I examine every new case immediately after admission ; I am responsible for the registered diagnosis ; feeding by force is always done by a medical officer ; perhaps that question should be qualified ; in feeding forcibly, and especially with a tube, all that is necessary is to introduce the food into the stomach ; that I think should always be done by a medical man ; patients also require at times a slight pressure ; this might properly be done by the supervisor.

Senator GOODWIN—How frequently does the superintendent avail himself, for the benefit of his patients, of consultations with general physicians and surgeons, and gentlemen eminent in the several departments of medicines ?

Dr. NICHOLS—I am not able to answer this question. The patients at the Bloomingdale Asylum are all private patients. Their friends more frequently suggest consultations than friends of patients in the other institutions in the State, and are more frequently able to pay for them. I always have a consultation when the friends desire it. I always have a consultation when I feel any doubt myself in regard to the nature of a case or the treatment. Perhaps it is over-confidence in me, but I do not very often suggest a consultation for my own satisfaction—that is, on account of mental disease ; but I do somewhat more frequently on account of certain physical complications—as in the case of females suffering from uterine complications.

I do not use the crib at Bloomingdale. I do not consider it a barbarous method of restraint. It was in use at Utica when I was an assistant there ; and, therefore, I have had some personal knowledge of it. I think there are some patients who can be restrained in a horizontal position, and their rest and sleep obtained better by its instrumentality than by any other means.

Senator GOODWIN—Do you know something about the pathological work done in the asylums of this State ?

Dr. NICHOLS—I do.

Senator GOODWIN—Do you think it has been beneficial ?

Dr. NICHOLS—I think so.

Senator GOODWIN—Has it been ridiculed at home or abroad to your knowledge ?

Dr. NICHOLS—Not to my knowledge. Perhaps a little hesitation in answering these questions makes it proper for me to state that the pathological work that has been done in this country, either in this State or elsewhere, has led to little practical result ; but yet I consider it beneficial, because there is but little of human knowledge that does not become finally of practical service, and I have no doubt that this work will finally become of practical use.

Dr. ORDRONAUX—I would like to ask Dr. Nichols a question. Here is an extract from a paper* giving an interview with Dr. Hammond, which contains the following :

“REPORTER—Can you give me an example of the confinement of a patient in a crib having ended fatally ?

“Dr. HAMMOND—A very recent one. A patient was sent to the Bloomingdale asylum by a very distinguished physician of this city. Do not

* Cincinnati Daily Inquirer, November 18th, 1878.

mention his name; but in case this statement is called in question, he is ready to come forward and support it publicly. The patient was put into a crib the same night that he entered the asylum, and the same night he died—died in the crib.

“REPORTER—What was the predisposing cause of his death?”

“Dr. HAMMOND—Congestion of the brain; you know very well, or you did know when you were a boy, that if you stoop down with your head between your legs your head feels dull. How much greater must be the compression if a man's head is already congested, and he is compelled to remain in a recumbent position? It is simply a question of mechanics.”

Dr. Nichols, have you known of the case here described?

Dr. NICHOLS—No such case has occurred since the institution has been under my charge.

Dr. CHAPIN, being called, said: I am the Superintendent of the Willard Asylum; have been since its opening, some ten years since.

Senator GOODWIN—Do you know these gentlemen, whose names are affixed to this petition, Drs. Hammond, Spitzka, Seguin and others?

Dr. CHAPIN—I have never met them; know them by reputation; no one of them has ever visited our asylum; none of them have written to me in relation to the institution, or its management.

Q. Will you please state to the committee the system which governs yourself and associates in your asylum?

A. I am the superintendent and also physician of the asylum; I have the general supervision of the professional department, and also of the business affairs; there is a great amount of detail connected with its administration; there are 1,420 patients; there are 275 attendants and employes; I direct, in a general way, the duties of these persons; there are five assistant physicians, one assistant on an average visiting from 250 to 500 patients daily; every patient is visited every morning by one of the doctors; the assistant physicians make their visits through the wards in the forenoon; they then enter into a day book a report of the condition of the sick, and any special incidents that have occurred during the preceding twenty-four hours, and also the condition of their departments; these reports are matters of record; I always require that the sick should be carefully looked after, and that every person taken sick should be noted; in regard to the other methods that prevail, at eight o'clock, the farmer comes to the office; the steward is also present at that hour; I can transact whatever business is necessary with them in fifteen minutes; the farmer has little to do with the patients; the gardener also comes at that hour; I also receive visits in the morning from each of the supervisors; we have in the outside wards four supervisors; these supervisors make every morning a report of the food inspected by them and issued on the preceding day; then we have what are called the day attendants' reports; we have forty-three wards altogether; these attendants' reports contain the names of patients who have been dirty in their habits, the number under restraint, the cause of restraint, the duration of restraint, etc., and they also contain the record of casualties or anything unusual that may have occurred; these are given to the apothecary and entered into a book kept for that purpose; I make it a rule to get to my office at eight o'clock in the morning; it is sometimes one and after one o'clock when I am able to rise from my chair; I hear about the grievances of patients sometimes; in regard to

the visitation of the wards there is not a month, a week, or a day but what a patient may have access to me if he so desires; I may be in the wards for two or three days at a time, and then I may be absent for a week or two weeks; patients, however, have access to me at any time; I am always ready to consult with the assistant physicians; I do not think, as a rule, that chronic patients require the personal and constant observation which is usually given to acute cases; we consider that our organization is quite similar to other institutions; I am acquainted with all the superintendents of asylums in the State except Dr. Talcott; I have known Dr. Gray and Dr. Cleaveland for twenty-eight years; I think I am acquainted with the majority of assistants; I consider the superintendents morally and professionally able to discharge their duties; I never heard any allegations of this nature before my attention was called to this petition; I did not see this petition until after it was published in the New York Herald; I have never had an undergraduate employed as an assistant in the asylum.

Dr. CHAPIN—We have not introduced the crib into the asylum; I do not consider it a barbarous means of restraint; we have as substitute what is known as the Wyman bed strap; I do not think there is much objection to the crib for patients who are much debilitated; it is mostly used in acute cases in my experience; the average death rate in the asylum is six per cent; restraint has always been more necessary for men than women; the record of restraint upon the day of my leaving home was for the previous twenty-four hours, five women among 754; the number of men restrained was twenty-seven among 655; I have always thought it a good principle that patients should be clothed every day, and properly prepared to be placed upon the hall, where they could be observed by every person inspecting the asylum; the amount of restraint, I think, has been very much reduced by having a daily report made of it, by inquiring of attendants, and noticing the daily report; the restraint used in our asylum is the muff and the camisole; the camisole is a jacket made of endless sleeves; the muff is a leather instrument with two bands, encircling the wrist, from which the patient is unable to withdraw his hands; we have eight members of our board of managers, two physicians among them; they are in the habit of visiting and investigating whenever and wherever they please; the visits during the summer and spring are more frequent; this is due to building going on; they go through the wards alone sometimes, sometimes with the assistants, sometimes with the attendants.

Q. Do you concur in what these gentlemen have stated?

A. I do.

Dr. C. F. MACDONALD—Besides putting in a general denial, I want to make a statement in regard to some of the signers of the petition, particularly Dr. Willard Parker; I think a great deal of stress has been laid upon his name; I met Dr. Willard Parker not long since, and in conversation with him about it, he said that he had not signed a petition making such allegations; having a copy of the petition, Dr. Wey, of Elmira, read it to him, and then he said, "I never signed that petition;" in reference to the visits of the Commissioner in Lunacy, he has come announced and unannounced; he has made night inspections and early morning inspections, has visited the wards when the meals were served, and has examined into the complaints of patients—heard their complaints alone, sometimes for an hour at a time.

Dr. A. E. MACDONALD re-called—The death rate at my asylum last year was about fourteen per cent; I use the crib; I do not consider it barbarous; I use it whenever it is necessary; I am under the city department.

Dr. S. H. TALCOTT—I represent the Middletown Asylum; the rules are very much like those which govern the asylum at Utica; both of my assistants are graduates of classical colleges, and have been educated not only in this country, but also abroad; we have a woman employed at the asylum who makes special examinations of the female patients; she is a student of medicine, but she never has the control of the patients in any way; as far as these allegations go, I do not understand how any of them concern the asylum at Middletown; we had, until recently, three physicians on the board of managers; it is the duty of these to visit the asylum once a month; I have often consulted with them in regard to particular cases; as far as prescribing is concerned, I prescribe for every patient myself; the assistants make up the records, and keep the general run of the wards; restraint has never been used except at the instance of myself or one of the assistant physicians; we have 171 patients; we have the restraint or crib bed; we have, at the present time, a patient who sleeps in one of these beds; I do not consider it as barbarous or inhuman; I consider it as an exceedingly proper thing to use in some cases where patients would be likely to destroy themselves; the Commissioner of Lunacy has visited the asylum a number of times; he has occasionally notified me when he wished to consult in regard to a criminal case or two, of which I had charge; he has been of great assistance to me in many cases; he has been upon the wards at all hours of the day, sometimes with the assistants, sometimes with myself; whenever a patient has expressed a desire to see him he has gone into the patient's room, and heard his complaints privately; I saw only the name of one person who has visited my asylum on this petition, that of a young man who was a student of medicine.

Dr. J. ORDRONAUX—One question touching the Homœopathic Asylum. If the statute had been critically applied, it would have at first excluded that asylum in regard to the superintendents having had previous hospital training. Dr. Talcott has the advantage of Dr. Stiles, however, as he had been in the Ward's Island Hospital. The Middletown Asylum now fills the requirements of law.

Dr. J. M. CLEVELAND—I have been in charge of the Poughkeepsie Asylum since 1871; I know Dr. Hammod; I have met Dr. Hammond, Dr. Clymer, and Dr. Seguin; all these gentlemen, with the exception of Dr. Seguin, have visited the Poughkeepsie Asylum since its opening; Dr. Hammond has visited the institution on one or two occasions; it must have been three or four years ago; he passed the Sunday about the place; both he and Dr. Clymer spoke highly of the institution; we have not used the crib within a year; we dispensed with it, owing to the prejudice which seemed to be increasing in the community against its use; I think it is a form of restraint which should be used at times, but I think it should be used very cautiously; I think some patients would be seriously injured by its use; I think it is the most humane form of restraint possible for patients who are constantly out of bed, who would not sleep, and who would exhaust themselves; I have been acquainted

with the superintendents at Utica, Willard, and Bloomingdale; these are the only ones I have met; Dr. Ordronaux has sometimes given notice of his coming; sometimes not.

Q. Did Dr. Lockhart Robertson visit your asylum in company with Dr. Hammond?

A. No, not in company with Dr. Hammond.

Dr. GRAY—I do not think I have anything special to say in regard to the general management of the institution, but I call the attention of the committee to the fact that the duties of the superintendents and assistants, and all other officers and employees, are prescribed by the statutes, by-laws, and the rules and regulations which are directed to be framed by the managers of asylums under the statutes; the statutes by-laws, etc., are all before the committee; the assistant physicians are required by these to visit daily and report to the superintendent; I am in constant communication and consultation with my assistants; the records have always been kept by them; restraint is only applied, by order of the physicians; the restraints we use are the camisole, restraint belt; and occasionally the muff; these have all been described in the annual reports of the asylum made to the Legislature, and their uses fully explained; in regard to the crib, I found it in use when I went to Utica, having been introduced by Dr. Brigham in 1846, who was then superintendent; it was not at that time as comfortable as now; the only thing I did was to make it more comfortable and easy for sick patients, and I have always believed it to be a very humane method of treatment for certain cases who are feeble and anæmic, in securing a horizontal position, and for feeble persons who would get up at night and stand till exhausted, or put their heads out of the windows and expose themselves; it is a long time since we have used what Dr. Chapin has described as the bed-straps; it was a question with me whether to use the bed-strap or the crib; in my judgment, from the use of both, I incline to the use of the crib; this should always be prescribed by a medical officer, and it is—just as the medicines are; in reference to forcible feeding, no one who had any familiarity with the asylums would suggest such a question; I have been called frequently before courts as an expert; I never received an order from the Attorney-General in my life; but have been requested by that officer and by the Governor to examine certain criminal cases with reference to their sanity; I see every case and consider myself responsible for the registered diagnosis; if any one of these petitioners would consult the statutes and regulations, they would see that they require that the superintendent shall have the general medical direction and charge, and that the assistant physicians shall act under him; I have looked over the petition before the committee carefully; I recognize in that whole list the names of but two persons who have ever been inside the wards of the asylum, and those not for many years; I never had a letter of inquiry directed to me by any petitioner on that whole list, touching the institution, its management, or any special case in the asylum; never had any letters of complaint; I know but few of the petitioners; in regard to the visits of the State Commissioner in Lunacy he has come unannounced sometimes, and at other times has given notification; sometimes I have requested it in order to be able to consult with him in regard to criminal cases in the asylum; as regards his seeing patients privately, I have generally given him the keys, and he has gone through the wards alone, or with the assistants, and occasionally with me; I have never felt any

concealment or any preparation of any kind necessary for him or any one else; whenever a patient has desired to see the Commissioner he has been able to do so; I also send all letters to the State Commissioner which any patient has desired to have sent him. Of the allegations, some eight or nine in number, every one is absolutely untrue, and has always been so in regard to the State Lunatic Asylum at Utica; there has never been an assistant there who has not had experience either in civil or military hospitals, in the twenty-five years that I have been superintendent, with the exception of two, and one of those had had several years of general practice; in that whole period only one had no experience after graduating, and the rule departed from in this case has never been violated since; my present staff have all had hospital experience.

Senator GOODWIN—Will you explain, doctor, about your lecturing at Bellevue Hospital Medical College?

Dr. GRAY—Certainly; I never sought the position; I received a letter requesting me to accept the appointment of lecturer which had been made; I had not before heard of it, and no friend of mine had said anything to me about it; I submitted the question to the board of managers of the asylum and after due deliberation they advised me to accept the appointment and deliver the lectures. This was in 1875, and the next year I was appointed "Professor of Psychological Medicine and Medical Jurisprudence," which I still hold. The board of managers, at Utica, to whom I referred the matter, as well as others whom I consulted, thought it the proper thing for me to do, and that I ought to thus impart whatever information and experience I was able to give to the medical profession.

Dr. ORDRONAUX—I will add a few remarks upon that subject. Early in my administration I took occasion to speak upon this subject, as to whether or not it was an infraction of duty on the part of Dr. Gray to absent himself. When speaking with Judge Alexander S. Johnson, he took the ground that though Dr. Gray was a public officer, the experience of his twenty-five years, which knowledge had been recognized in courts by the very frequent calling of Dr. Gray as an expert, etc., rendered that knowledge more than personal property for him, and it was right to give him the privilege of transferring to others the knowledge which he held, and said the managers had urged him to accept. In view of the fact also, that there had been no lectures annually delivered upon the large subject of insanity, no regular and systematic course, the managers took the ground that if they could in any degree add to the value of a medical course of instruction by introducing this hitherto neglected branch, they would do so.

STATEMENTS TAKEN BEFORE THE COMMITTEE ON PUBLIC HEALTH ON PETITION ABOUT ASYLUMS, MAY 8, 1879.

The committee reassembled on Thursday, May 8.

There were present the State Commissioner in Lunacy, Dr. Jno. Ordranax; Drs. John P. Gray, John B. Chapin, J. M. Cleveland, A. E. Macdonald, Selden H. Talcott, Carlos F. Macdonald, C. H. Nichols, superintendents of various asylums of the State, and other persons.

Chairman GOEBEL—If there are present here any gentlemen whose names appear upon this petition, the committee will take their names.

I am one; I am Dr. Wm. A. Hammond.

I am one, also; I am Dr. Win. J. Morton.

Dr. HAMMOND—I may say, sir, that there was to be a number of others here to-day, but there was a misunderstanding about appearing. These gentlemen will certainly appear here another day. I am ready to go on to-day.

Senator GOODWIN—Doctor, it will, perhaps, be as well to state that this examination is not in pursuance of any resolution of the Senate, but simply in regard to this petition referred to this committee, and the committee are unable, of course, to make any report to the Senate without some information in regard to the allegations contained in the petition, and it occurred to the committee that they would invite the most prominent gentlemen upon this petition to come before us, if it was convenient to do so, and give us whatever information they had upon the subject of this petition. I would say that the object of the committee is to obtain facts upon which, in their judgment, they could base some opinion to be submitted to the Senate. With that view, I will ask you a few questions in reference to this petition. We are not desirous of considering the theories which are contained in it; but simply want to consider the allegations. You are a practicing physician and surgeon, and reside in the city of New York?

Dr. HAMMOND—Yes, sir.

Senator GOODWIN—You have signed the petition which is now before the committee?

Dr. HAMMOND—Yes, sir; that is my signature.

Senator GOODWIN—Had you anything to do with the getting up of this petition, doctor?

Dr. HAMMOND—Nothing whatever; I never saw the petition until it was printed; I was not on the committee of Neurological Society, which prepared the petition; the reason my name appears first is that, in this copy, all the signatures that I got are on that sheet (pointing to the first), and the others were appended by me, so as to make them come after this sheet.

Q. Did you obtain signatures to the petition?

A. Yes, sir; beginning with my own name, and leaving off at Dr. Morton's; I am responsible from my own name down to Dr. Seguin's.

Q. Were all the additional petitions handed you?

A. They were.

Q. Were all the papers handed to you similar to the printed one heading this petition?

A. Yes, sir; they all contained that heading, printed as this is.

Q. Do you remember how many were sent you?

A. I cannot state exactly; I think there were about half a dozen; they were sent to me because I was understood to be in correspondence with Senator McCarthy upon the subject; that was the only reason; Dr. Seguin obtained the names down as far as here (down as far as the name of Edward C. Spitzka); they were pieces of paper that were headed with this petition, and which I posted on my memorial.

Q. We want to know if this printed memorial, which is appended to this petition, as it is now before the committee, was attached to the various petitions?

A. Not upon the copy which I had, but each had a similar copy to this, and I cut them off and pasted them together.

Q. But these names were appended to one or another of copies like that (presenting the printed heading of the petition).

A. Yes, sir.

Q. You had no consultation with any one in reference to this?

A. No, sir.

Q. Who sent you the petition originally?

A. I think it was sent me by Dr. McBride; he was the chairman of the committee of the Neurological Society, which drew up the petition; Dr. Seguin was present when the petition was drawn up.

Q. Doctor, have you ever visited any of the insane asylums of this State?

A. Yes, sir.

Q. Which ones?

A. I have visited the one at Utica, the one at Poughkeepsie, the one at Blackwell's Island, the one at Bloomingdale, and a public institution at Flatbush.

Q. When did you visit the asylum at Utica?

A. The last time I was at the asylum at Utica was about eight years ago.

Q. How many times were you there before your last visit?

A. I think I have been there three times—it may have been twice; I am not sure but I stopped there once with Dr. Gray as we were coming down from Rochester; I hardly think I stopped there then.

Q. Previous to your last visit, about what time was that?

A. A few years before.

Q. How often have you visited Poughkeepsie?

A. Five or six times.

Q. When were you there last?

A. About four years ago; it may have been less than four years ago.

Q. Was the asylum in operation then?

A. Yes, sir, patients were received there.

Q. How long before your last visit were you there?

A. I went up there frequently at short intervals, two or three times in one summer; I know the officers there very well, and I was a friend of Dr. Kellogg, one of the assistants; have stayed over night with him on some occasions.

Q. When did you last visit Blackwell's Island Asylum?

A. Some time during Dr. Parsons' administration; probably one and a half or two years ago; I have not visited there since the present incumbent has been in office; I do not remember how many times I have visited that asylum; very frequently.

Q. How often have you visited Bloomingdale Asylum?

A. I have not visited there since Dr. Nichols has been in charge; previous to his coming I had been in the asylum many times; during Dr. Brown's administration I visited there very often; the last time was about three years ago.

Q. Have you visited Flushing?

A. I have been at Flushing very often; I have been there within a year or two.

Q. You have never visited Dr. Chapin or the Willard Asylum?

A. No, sir.

Q. Is there any other asylum which you have not visited?

A. I have never been in the Ward's Island Asylum, nor in the one at Buffalo; I never was in the Canandaigua Asylum.

Q. Have you ever addressed letters and communications of any kind to the superintendents of these asylums in reference to the treatment of the insane?

A. Not of a general character; I may have done so in the case of particular persons or patients whom I sent to an asylum.

Q. Have you had any communication with them upon the subject, either verbally or in writing?

A. Not formally—no, sir; I have talked with several superintendents in the matter, but no formal communications; nothing in the way of formal protests or formal expression of opinion, although I have given my opinion when asked.

Q. Have you ever seen this petition in print before this year—before 1879?

A. No, sir.

Q. Do you remember a petition relating to asylums being sent to the Legislature last year?

A. I do, sir.

Q. Was not that petition substantially the same as this?

A. No, sir; it was entirely different; that petition related solely to restraint in asylums; while this also relates to restraint, that one related to restraint alone; I think there were some things in it regarding the Utica Asylum.

Q. Has this petition been published in any medical journal since it appeared in the public press?

A. Yes, sir.

Q. In what journal; do you remember?

A. It has only been published in any journal within the last few weeks; it was published in the Chicago Journal, the Journal of Mental Diseases, and the Journal which I edit, as a neurological contribution.

Q. Are you connected with the Chicago Journal?

A. I have a nominal connection with it; I have no interest in it whatever.

Q. It says on page four of this memorial: "The petitioners believe the following statements to be well founded. * * * Superintendents of insane asylums are, nearly without exception, not chosen from among medical men who have pursued special studies in neurology at home and abroad, and who are well-trained physicians, but from assistant physicians of asylums, who, having been badly chosen (*vide infra*), have passed a number of years immured in an institution." Will you state what you know in reference to that allegation?

A. I know of one fact which bears upon this allegation, that the superintendents are not chosen from medical men who have ever pursued special studies in neurology; a most glaring instance is Dr. Strew, of Blackwell's Island Asylum, and whom I know had never pursued the study of neurology before his appointment as superintendent; he has been appointed within two years; he is still superintendent there.

Q. Do you know of any other instance?

A. I do not know of any other instance in this State; I do not recollect any at the present moment; the superintendents at Utica, at Willard, and at Poughkeepsie, I believe to be all competent men; in another case, however, I think there is reason to believe that the superintendent had no previous experience in the treatment of insanity; I allude to the Superintendent of the Ward's Island Asylum, Dr. Macdonald.

Q. Do you consider Dr. Strew a well-trained physician, independent of his experience, in the treatment of insanity?

A. I should not like to express an opinion upon that point; I was only speaking of his neurological knowledge.

Q. Is he a regular physician in good standing?

A. Yes, sir.

Q. We will go to the second paragraph, which reads—I suppose the *vide infra* in the preceding paragraph refers to this one.

A. Yes, sir.

“Assistant physicians of asylums (future candidates for the position of superintendent), are nearly always men just issued from our too elementary, medical schools; men who have not served in civil hospitals (which can be entered only by severe competitive examination), —.”

Q. Have you any acquaintance with assistant physicians in asylums in this State?

A. Yes, sir; I know them by general repute, and my general knowledge of them, and I have known a number personally who are probably not connected with institutions now.

Q. What asylums, doctor, if any, are there in the State who have assistant physicians who are just out of the “too elementary, medical schools?”

A. The Blackwell's Island Asylum is one, and in support of that assertion I would refer you to the last report of the Board of State Charities, which states that that asylum has had eighteen assistants within the last two years; not living in asylums, I am not cognizant of all things contained in this petition; but I am prepared to establish this in regard to Blackwell's Island; I do not know of my own knowledge that this exists in any other asylum of the State; this asylum (Blackwell's) is the one which I have been most accustomed to visiting; I believe the contrary to exist in asylums in other parts of the State—at Willard, Utica, and Poughkeepsie.

Q. Do you know of any institutions in the State which has physicians serving upon its staff who have not had previous hospital training?

A. I know there are such physicians at Blackwell's Island; not anywhere else to my knowledge.

Q. Do you know of any institution in this State which does not furnish the means of study, such as medical journals, books, and instruments?

A. I do; that is, they had not had them at the time I visited them; they did not have them at either Poughkeepsie, Utica, or Blackwell's Island; they did not have them eight years ago at Utica; since then they may have procured them; I understand they have procured them at Poughkeepsie since this petition was signed; Utica probably had them long ago; I may say, in correction of my former remark, that although they may not have procured them, they have ordered them to my knowledge at Poughkeepsie.

Q. Is it not true that the superintendents of these asylums are men who have been assistants?

A. I suppose the majority of them have been; that paragraph does wholly apply to asylums of this State; I think it applies to some extent.

Q. What assistant physician, to your knowledge, has been overworked and wretchedly paid?

A. I think they all are; I think the assistants at Poughkeepsie are all greatly overworked and wretchedly paid; and I believe the physicians on the Island asylums have not been paid at all.

Q. What is your knowledge of the time of the assistant physicians being taken up in writing useless histories of cases, receiving visitors, etc.

A. I have reference to no particular institution in saying this; I think it exists certainly at Blackwell's Island, and to a considerable extent at Poughkeepsie.

Q. At the time you visited these institutions—say at Utica—how long did you stay there?

A. I don't think that I should be warranted in making any observations upon that institution; I went through the wards upon one occasion while there, went through very thoroughly; upon another occasion I spent a considerable period with Dr. Kellogg there, but as to the exact time I could not state; I never was there over a part of the day.

Q. Did you make a thorough investigation of the workings of the asylum?

A. As far as externals go, I saw the routine of service, etc.

Q. From what you saw there upon that occasion, did you notice that the time of the assistant physicians was taken up more with writing up histories of cases and receiving visitors than in attending patients?

A. I should not like to say that positively; recollect these are general assertions which are based upon personal knowledge and hearsay evidence; it is scarcely fair to tie me down to making this allegation against one institution.

Senator GOODWIN—We are not trying to do so; we speak of Utica first, because it comes first on the list.

Dr. HAMMOND—I can say that the assistant physicians of my knowledge are wretchedly overworked and paid, and the time of a great many of them is taken up with such work; I have seen it and know it to be a fact.

Q. I speak about Utica, because—

Dr. HAMMOND—That is the asylum that I know the least about.

Q. I understand you to say, that you came to this conclusion about the time of assistants being taken up, etc., at the time you were at Utica?

A. No, sir; I have come to the conclusion since from what then took place.

Q. Now, what other asylums have you come to the same conclusion about?

A. At Bloomingdale I have seen it over and over again; within two or three years; while Dr. Brown was in charge of the institution.

Q. This allegation, then, so far as Bloomingdale is concerned, is made upon your own personal inspection?

A. My personal knowledge from visits there is better.

Q. You think, doctor, that the largest asylum in this State has four assistants, and that this number is too small?

A. I certainly do.

Senator GOODWIN—Well, I think you are right there.

Q. Do you take this to be the fault of the boards of management?

A. It is the fault of somebody; I do not think it should be charged upon the boards of managers; it is a fault that should be rectified by the Legislature.

Q. You say that the "insane asylums, in spite of enormous outlays of money, are indifferently officered;" do you mean by that that the officers are incompetent, or that there is not a sufficient number of them?

A. There is not a sufficient number of them, and they are incompetent in some cases.

Q. Which ones do you consider incompetent ?

A. I think they are incompetent at the city hospitals in New York city ; I do not know of it being the case anywhere else.

Q. Are you acquainted with the superintendents of asylums of this State ?

A. I think I know them all, except the one at Buffalo.

Q. Do you know any of them who are not versed in "the anatomy and physiology of the nervous system, the part chiefly concerned in insanity?"

A. I do not believe any of them are ; that is a matter, however, which I could not know about personally without examining them ; such is my opinion, however.

Q. Is it your opinion "that superintendents and their assistants are, with hardly an exception, not skilled in the modern methods of diagnosis and of post-mortem examinations?"

A. Yes, sir, in regard to the brain.

Q. Give us your reasons for believing these superintendents and assistants to be unskilled in this department.

A. I believe it from their habits—from what they write ; these gentlemen have never written anything which would show that they know anything of these branches, that they have not been trained in modern methods ; I believe this to be true of the majority of them ; I form this opinion, because none of them, with the exception of Dr. Gray and Dr. Shaw, have ever written upon the subject.

Q. Does the fact of their not writing upon a subject prove that they know nothing about that subject? You think that if a man knew anything about it, he would write ?

A. I could prove it also by conversations which I have had with some of them ; by what I have heard of their teachings in medical colleges and lectures ; I do not profess to know about all of them.

Q. Doctor, how many of the superintendents of asylums in this State have taught in the medical colleges ?

A. Certainly three ; Dr. Gray, Dr. Macdonald, and I think Dr. Shaw has lectured.

Q. Do you know any of the superintendents of the asylums in this State who are not able to read French or German ?

A. I think I know a great many of them who cannot read German.

Q. Can you state who they are ?

A. Yes, sir ; Dr. Strew cannot read German ; if you will let me express my belief in the matter, I shall be very explicit.

Senator Goodwin—I would rather have your knowledge upon the subject. Can you state anybody else besides the gentleman you have named, who cannot read French or German? Do you know any one else who cannot read these articles referred to in this paragraph (pointing to memorial)?

A. I think that several of the superintendents can read French, but very few can read German ; I am very confident that Dr. Strew can neither read French nor German.

Q. Do you consider a man incompetent for the office of superintendent or assistant who cannot read French or German ?

A. No, sir.

Q. He may be competent without these ?

A. Yes, sir.

Q. Doctor, what do you know about the pathological work done in the asylums of the State?

A. There has been none done that we know anything about, except at Utica; I do not think there has been anything done except at Utica, unless we mention a few observations made at Ward's Island Asylum by one or two of the assistants.

Q. This paragraph says: "The little pathological work which has been done in our asylums at enormous cost, has been of the most elementary sort, and has been ridiculed at home and abroad." Does this refer to the Utica Asylum?

A. Yes, sir; I do not think the work is worth much.

Q. Do you know of any journals, foreign journals or others, in which this work has been ridiculed?

A. I do not know that of my own knowledge; one of the committee which drew up the petition told me this.

Q. Have you seen the work ridiculed in any established medical journals?

A. No, sir; I will take that back; I have seen it severely criticised in the Chicago Journal of Nervous Diseases.

Q. Can you state who was the author of the article in reference to that work?

A. Yes, sir; it was written by a very skillful physician; a man who probably knows more about the subject than any of us.

Q. Will you state his name?

A. Dr. Spitzka.

Q. Have you seen any notice of the pathological work in any foreign journal?

A. I have never seen it alluded to, and that is one reason to believe that it is of little importance.

Q. Dr. Bucknill is a physician of high standing, is he not?

A. He is of eminence in psychology, but not in pathology; I think he is familiar with its mode of thought and expression; I have great respect for him.

Q. A criticism is made upon our asylums failing to compete for the Tuke prize. Is that any evidence of demoralization?

A. I think it is; yes, sir; with the immense amount of material at their disposal and the great quantity of apparatus, they ought to have taken that prize, instead of allowing it to be taken by a gentleman who has no connection with an asylum.

Q. Do you think that the time of the superintendents should be occupied in preparing and delivering essays?

A. Yes, sir, I do; I think that is just as important as doing many other things.

Q. Did you ever make any personal examination of the pathological work done at Utica?

A. I have seen some of the results; have seen some of the specimens; I do not base my opinion of the work upon an examination of these specimens; they were remarkably well done; I base my opinion upon the fact that the work is not accepted by medical journals.

Q. Do you know of any undergraduates, who are acting as assistant physicians in any of the asylums of this State?

A. I understand that to exist in reference to Blackwell's Island.

Senator GOODWIN—I have made inquiries in the matter and find that to be true.

Dr. HAMMOND—I do not think it exists in other institutions except, perhaps, at Flatbush; I am very confident that it does not exist at Poughkeepsie, Willard, or Utica; I can remember when it was done at Blackwell's Island; not within seven or eight years; I knew it to exist then; I have heard that it has been done there quite recently; they were not paid assistants, but they had the care and responsibility of the insane; they prescribed for the sick; to my own knowledge I have not known of a case in seven or eight years, but I believe it has existed there.

Q. Doctor, would you think that a layman in reading this seventh paragraph: "In some of our asylums the pernicious practice of allowing undergraduates accepted without *bona fide* examination, to act as assistant physicians is tolerated," would imply that it was only one case, and that it had existed seven or eight years ago, or that it was in practice at the present time?

A. That is not a legal question; I did not, however, write that paragraph; I was not cognizant of it in fact; the person who wrote the paragraph may have more extensive information than I have on the subject.

Q. Who did write that?

A. Dr. Spitzka wrote that; I may say that I have got through about all I care to say to-day; these are allegations which are not made by me; they are things which require investigation I believe; I had nothing to do with the preparing of the petition in any single sense.

Q. Look at paragraph ten, which asks: "Is feeding by force always done by a medical officer, or in his presence, as it should be?" Do you know of any asylum in the State where feeding by force is not done by a physician or in his presence?

A. I know it is not done so in Bloomingdale; to my own knowledge attendants have been allowed to feed by force there; at no other asylum to my knowledge, but from the statements of those who do know—Dr. Kiernan among them—I believe it has been done at Ward's Island; I believe Dr. Kiernan knows it as to Ward's Island; I know it as regards Bloomingdale; I do not charge that it is done at Blackwell's Island, but I have an immense amount of belief on the subject; my opinion is formed upon analogy.

Q. Look, doctor, at the eleventh paragraph, which reads: "Is the superintendent consulted whenever forcible restraint is required, and is the duration, manner, and result of this mechanical restraint duly recorded in a book kept for the inspection of the Commissioner in Lunacy and of the courts?" Do you know of any asylums in which the superintendent is not consulted?

A. I know he is not at Bloomingdale; I know it is not so at Ward's Island; nowhere else of my own knowledge.

Q. The thirteenth paragraph reads: "Do you ever employ the barbarous and injurious means of restraint known as a crib?" What do you know of that matter?

A. I know the crib is employed in a number of institutions.

Q. Do you consider it a "barbarous and inhuman means of restraint?"

A. I most certainly do.

Q. Is it considered, by the medical profession, to be a barbarous and inhuman means of restraint?

A. Yes, sir.

Q. By the medical profession as a whole?

A. I think so, sir.

Q. Do you know, as a matter of fact, that there is not an asylum superintendent in this State who considers it as "barbarous and inhuman?"

A. I think they consider it quite the contrary, and there is where they are wrong; I think the medical profession generally is opposed to them on this subject.

Q. Is it your opinion that the majority of medical experts in this country consider the use of the crib bed as "barbarous and inhuman?"

A. Most decidedly; of course, you know, it is quite impossible to obtain the number of medical men who are, or who are not, in favor of it; you might, perhaps, get a hundred to say that it was not cruel, and I could get a hundred on the other side.

Q. You seem to use this expression: "Do you ever employ the barbarous and inhuman method of restraint known as a crib," as if the medical profession and the public generally so regarded it?

A. I never mentioned the subject of the use of this restraint to a physician, outside of a lunatic asylum, who did not disapprove of it; not only is this true, but it has been condemned by some of the most eminent alienists of the world; I do not believe the superintendents use it from any purpose to be inhuman.

Q. Do you think you could obtain, from any conscientious superintendent using the crib, an affirmative answer to the question: "Is the crib barbarous and inhuman?"

A. I think, if I employed it, I would hardly say it was barbarous or inhuman; I think myself that that paragraph is too strongly worded; so far as the idea is concerned, I fully indorse it; I do not mean to say that these gentlemen use it from any idea of being barbarous or inhuman.

Q. Would you not consider it a fair conclusion by a layman, in reading this paragraph, that the use of the crib was barbarous and inhuman?

A. I could not say about that.

Q. Did you ever see a patient restrained by a crib?

A. Yes, sir.

Q. How many times?

A. Two or three times.

Q. Did you know anything about the condition of the patients who were restrained?

A. No; but I know pretty positively, as well as I know anything else, that a patient died in a crib, in an asylum not far from New York city.

Q. Did you know anything of the antecedents of the case?

A. No, sir; but I know, from my knowledge of humanity, that the crib is a barbarous and inhuman mode of treatment; have you ever seen the crib?

Senator GOODWIN—I have.

Dr. HAMMOND—Then you have seen its dimensions; it is not as big as a wild-cat's cage; perhaps as wide as this table, about two feet six inches high, and shut in at the top with iron bars, with a spring lock attached; in this the patient is put upon his back; he cannot rise to a sitting posture; I know that nothing can be more injurious than that for an acute case; this is exactly what allows congestion of the brain to take place with the utmost facility; it is like a child's crib, except that the patient is locked up in it.

Q. Is there any great difference between the use of the bed-strap and the use of the crib? Can a person rise who is confined to bed with straps?

A. Probably not; no, sir; I think that is just as bad, or almost as bad, as the crib; there is this difference: you may strap a man in bed in a sitting posture; in the crib, no matter how much blood there is in the patient's head, he is obliged to lie down.

Q. You say that the crib is "barbarous and inhuman." Is that not simply a difference of opinion? Do you take the fact of its being used as an evidence of mismanagement in an asylum?

A. I should not like to say that it was; it is an evidence of a bad practice and bad management, but not mismanagement.

Q. Any system, then, that is practiced in an asylum, which does not coincide with your views on the management of insane, you regard as a bad practice?

A. I do.

Q. Would you consider the fact of a difference of opinion existing in regard to the use of restraint to be a subject-matter for a memorial to the Legislature?

A. Decidedly so; the practice should be restrained by law.

Q. Do you think that a legislative committee composed of laymen would be a proper body to determine the question as to whether a certain system should or should not be adopted in asylums?

A. No, sir; they would not be a competent body to say whether or not the crib should be used; the Legislature should appoint a committee to investigate the management of the asylums of the State of New York; if they find, after receiving the evidence of medical men, it is not a good thing, let them do away with it; I do not think that any of these gentlemen would be competent to advise the Legislature in this matter; if this committee had the power to act upon the matter, I should know better what opinions to express; if this committee was the one which was charged with the duty of investigating asylums—

Senator GOODWIN—We are not, doctor. The object of this investigation is simply to have the committee form an opinion—as to what recommendations shall be made to the Senate in the matter, and if it demanded further action.

Q. The petition says: "In view of the above numerous reasons for believing that there exists gross mismanagement in the medical administration of insane asylums in this State, your petitioners do respectfully request that your honorable body appoint a committee for the examination of the management of all institutions for the care of the insane in the State of New York." What reasons are there for believing that there is gross mismanagement in the asylums of this State?

A. I have gone over them for the past hour, sir.

Q. Are these your reasons?

A. Yes, sir; I want to say one thing of the points in page three of the petition; I have no knowledge of them myself; I simply have the information from very straight evidence, and I signed the petition after making some inquiries, and reading it over carefully, but of my own knowledge I do not know anything of these points; but there is a gentleman who will come here another day who says he can testify in reference to those points; in regard to the sixth paragraph: "Was the present Commissioner appointed in strict accordance with the law which requires the candidate for this position to have been a physician of experience," I would like to say that I have understood that the present Commissioner has never practiced medicine; I do not know how true this is; I do not think it is necessary that he should have had practiced

medicine in order to have made a good Commissioner; so far as he is concerned, I know very little.

Q. Have you stated anything which has occurred to your knowledge about the Utica Asylum within eight years?

A. I have not stated anything in regard to Utica except as to the number of physicians and the pathological work.

Q. Have you stated anything that has occurred within the last three years at Bloomingdale?

A. Not to my knowledge.

Q. Have you stated anything that has occurred at Blackwell's Island since the present superintendent has been in office?

A. I know nothing of that institution, but I know the superintendent.

Q. Do you base your allegations upon your knowledge of the superintendent?

A. Yes, sir, within the last three years I do; I know if I have a bad cook that I shall have a bad dinner.

Q. Are you on friendly terms with the Blackwell's Island superintendent?

A. On perfectly good terms; unless, perhaps, after this examination we should not be.

Q. Are you friendly with all the superintendents?

A. Not with all of them; the ones I am least friendly with I have said the least about.

Q. Would you have any objection to their asking you a few questions?

A. Yes, sir; I would object to it at present; if these gentlemen withdraw their opposition to an investigation I would have no objection to their questions.

Senator GOODWIN—We are entirely disinterested in the matter, gentlemen. We propose to do our duty, and if there is any probable cause for an investigation we propose to bring it about.

Dr. HAMMOND—I hope it will be brought about; it should be, for the interest of our State; if one-tenth of these allegations are true, there should be an investigation.

Q. Would you desire, Dr. Hammond, that investigation should be made entirely upon rumor?

A. You can bring others to testify besides the signers of this petition; inmates of asylums, persons who have been attendants, visitors of hospitals, etc.

Q. Would you advise an investigation founded solely upon complaints of persons who had been insane?

A. If you use the word "solely," no, sir; as corroboratory evidence, their testimony is of great importance; as to forcible feeding, I saw myself the throat of a lady who had been a patient at Bloomingdale, and who had been forcibly fed by one of the nurses; the larynx gave evidence of it, the tonsils were injured; I saw that myself; the lady came to my office and I examined her throat.

Q. Suppose that an insane woman, who had been confined in an insane asylum, after she had been liberated, either cured or otherwise, would state to you as a physician, that certain wounds which you could see were caused by the treatment of a physician in that asylum, a man whom you had known to be a gentleman of probity and worth, would you consider that a subject of legislative inquiry?

A. No, and I should not make it so.

Q. Would you object to some questions being asked by the President of the State Board of Charities?

A. A great deal depends upon the time; I am going away at half-past five; I would like to state here that the case of forcible feeding at Bloomingdale did not occur under the present superintendent.

Mr. Letchworth, the President of the State Board of Charities, stated that he did not care to put any questions to Dr. Hammond.

Senator GOODWIN—Did you ever recommend Dr. Shaw for a position in any of the asylums of this State?

A. Yes, sir; I recommended him for the position of superintendent at Flatbush.

Q. Did he have any previous experience in the treatment of the insane?

A. He was a skilled neurologist; he had made a specialty of this branch; he had no experience except in private practice.

Q. Have you anything further to state?

A. I have nothing further.

Dr. W. J. MORTON was next called, and stated—I am a petitioner on this petition; I have read the petition—read it when I signed it; I did not circulate it.

Q. Upon whose suggestion did you sign this petition?

A. I belong to the Neurological Society from which the committee was appointed to frame the petition; I was interested in it at that time; I signed upon nobody's solicitation; Dr. Shaw was the President of the Society; I am unwilling to make any allegations against any of the asylums; I thought from what I had seen and heard of the asylums that an investigation would certainly do them no harm, and be productive of good; I have no special allegation to make; I never signed anything except the first sheet; I have been a physician for seven years; I have visited Ward's Island and Blackwell's Island; no other asylum; have never written to any of the superintendents; I have been a visitor, under the State Aid Association, to Ward's Island and Blackwell's Island; I know nothing of any of the asylums of the State, except the two mentioned; as to the special management of Ward's Island, I know almost nothing; I think it is conducted in an excellent manner, as to the whole institution; but as to the principle or manner of caring for patients, on such a crowded scale, I have most decided objections; I make a special point, in regard to the Superintendent of Ward's Island, that he has done all that he could; I have not the slightest complaint, except as to the crowding; I have never been employed as a physician in an asylum; I have never had much experience of the insane; I have been interested for many years in the study of neurology; I have no complaint against Blackwell's Island, except its overcrowded and filthy condition; I only know personally of Ward's Island; have had knowledge of that asylum for about a year and a half.

Q. Do you mean to say that "superintendents of insane asylums are, nearly without exception, not chosen from among medical men who have pursued special studies in neurology, at home and abroad, and who are well-trained physicians, but from among assistant physicians of asylums who, after being badly chosen, have passed a number of years immured in an institution?"

A. I know nothing about that; have not the slightest information.

Q. Do you know anything of the matters contained in pages four and five of this petition?

A. I have conversed with a number of assistant physicians in asylums who feel that they are extremely overworked, and that their positions are very wretched ones; my own common sense has told me that four physicians could not possibly do the work of looking after 1,000 patients; I think the physicians are too few; I know this to be the fact at Ward's Island and Blackwell's Island; I do not know of any others.

Q. Is there anything else you would like to speak about?

A. The only points I would, are paragraphs eleven and thirteen; I think restraint is applied without the consultation of the Superintendent at Ward's Island; nowhere else, to my knowledge; I also think the use of the crib is barbarous and inhuman.

Q. Doctor, if it was sworn to by every one of the superintendents of insane asylums in this State, whose experience ranged from twenty-five years to five, that, in their judgment, the use of the crib was not barbarous or inhuman, would it have any effect upon your mind?

A. Not the slightest.

Q. Suppose these physicians were to tell you that this crib was the best mode of bringing about a certain, desirable condition of mind and body in the patient, and that this was their experience after a study of some twenty-five years, would that make any impression upon your mind?

A. I should prefer to take my own judgment.

Q. Where there is a difference of opinion in the profession, upon a point like this, would you consider it as a matter of legislative inquiry?

A. I think this is more than a difference of opinion; I think that the majority of physicians are opposed to this violent means of restraint.

Q. Have you ever talked with any physician connected with a lunatic asylum of the State upon the use of the crib?

A. It has been spoken of between Dr. Macdonald and myself while in the wards; with no one else; I never have spoken to a physician out of the State.

Q. Your opinion, then, is formed upon your own idea?

A. From what I have seen; one case is as good as a dozen.

Q. Have you any reason to believe that any of the superintendents have neglected their duty?

A. No, sir; I have some reason to believe so from hearing people say so; it is like any rumor; my belief is formed upon rumor; I considered the information which I heard as passably reliable; had no great confidence in it; I have been told it by gentlemen who have been in asylums, whose names are upon the petition; the information has been founded upon what has been said by two of the signers; these gentlemen will come before the committee; I should prefer not to name them; I wish to state that I have no grounds upon which to make allegations, but I think the whole thing should be investigated.

Q. I will ask you one question. Would you, as a professional man, advise the Legislature of this State to make investigation of charges founded simply upon rumor, upon which the whole management of insane asylums is involved?

A. No; but I think there is a great deal besides rumor in it; because there are men who avow these things to every person they meet; if these men should not come before the committee, I should think there was no reason for investigation; I merely came here to substantiate my name upon the petition.

Q. Are these two institutions you have mentioned here under the control of the charities of New York city ?

A. I believe they are ; my personal views do not concern any of the State asylums ; I only believe in a general way that this matter should be investigated ; if I were superintendent of an insane asylum and any question of this kind arose, I should invite an investigation by a legislative committee ; I think these charges can be substantiated ; I think Dr. Kiernan has said a great deal about the institutions ; Dr. Spitzka and Dr. Seguin have very strong opinions regarding restraint.

Q. Do you know that Dr. Kiernan is a dismissed employe from Ward's Island ?

A. I did not.

Q. Would you still have the same confidence in his opinion, if you were aware of this fact ?

A. I think I would if he came here and stated his evidence to the committee ; Dr. Hammond also mentioned people who are living in asylums, attendants, assistants, patients, and so on.

Q. Do you think that the fact of a patient's confinement in an asylum would have any effect upon his judgment as to the proper mode of treatment ?

A. It certainly would affect his judgment in prejudice of the asylum ; but it would help other's testimony.

Q. If you understood that Dr. Kiernan had written an anonymous, threatening letter to the Ward's Island superintendent in reference to this matter of investigation, you would still have the same respect for his opinion ?

A. Any anonymous communication written by a person would serve to weaken my respect for him ; I think I would have a great lack of respect for any man who would write anonymous letters.

(Dr. Macdonald offered an anonymous letter by Dr. Kiernan.)

Q. Do you know that Dr. Kiernan publicly stated that the object he wished to accomplish for himself by this petition was an appointment in an asylum ?

A. Any personal motive of that kind would weaken my respect in a man, or in his testimony ; I trusted that Dr. Kiernan's motives were pure.

Dr. A. E. MACDONALD—I took occasion, yesterday, while in New York, to ascertain as to some of the signers of this petition ; I am very sorry I did not have an opportunity to say this before Dr. Hammond ; I have here the withdrawal, in writing, of the city chamberlain, Mr. Tappan ; Mr. Tappan stated to me that a petition was passed around the club (the New York club) quite late at night, and was signed by himself and thirteen others, with the idea that it was a club paper ; he had no knowledge that it concerned lunatic asylums ; here, also, is the letter of withdrawal of Dr. Smith ; he was an assistant with me six or eight months ; I asked him how his name came there ; he stated that Dr. Kiernan presented this petition to him without a word of printed matter at the top, and only this heading : "The undersigned cordially indorse Dr. Kiernan's petition." Dr. Kiernan presented it saying : "It will probably get me an appointment in an asylum ;" both of these gentlemen stated that there was no such heading on the paper as is now on it ; Dr. Morton is a regularly authorized visitor to the asylum, under appointment of the State Aid Association, and has visited it professionally ; Dr. Hammond has never been in the asylum.

Dr. MORTON, returning, said—I think I heard Dr. Macdonald say something about names being falsely signed to this petition; I intended to mention the case of Dr. Barnard, I heard Dr. Seguin say that he personally secured the name of this Professor Barnard, that he not only did this, but that he afterwards received a note from Prof. Barnard, saying that he fully indorsed everything in the petition; he has that letter on file; as far as that would go, it would place Professor Barnard in a very curious position.

Dr. A. E. MACDONALD—I would like to say one thing more; I was an assistant once at Bloomingdale, and was also an assistant in the asylum of which I am now superintendent; I was chief of the Charity Hospital three years; I have been in my present position now five years.

Dr. GRAY—I would like to say a word in correction of a statement made by Dr. Hammond, which is contrary to my recollection and belief; it is in regard to his visits in Utica; he has never been at the institution but twice; once, about twelve years ago, when he came to the city to see a sick person; he came to the asylum and spent, I think, not over half an hour in the office and in going through two or three of the wards; he went in these wards on the men's side, asking me if I would show him some general paretics in the various stages of the disease; he said he had but a short time to stay, and that he would like to see some of that class; I had some brought to the third ward, which is convenient to the office, and we walked through the first and second wards, looked at the patients and then came out; Dr. Cleveland was then my first assistant; Dr. Hammond states that there was a lack of instruments and library; in this he is quite mistaken; we had a full supply of instruments for professional use, and a library then of at least 2,000 volumes; he never looked at the library, or asked about books or instruments; he never asked a question regarding any of these things; he thought he was there coming down from Rochester after the Montgomery trial; we came from Rochester together, leaving Rochester at five o'clock, passed Utica at ten o'clock at night, and he did not stop there; the only other time he was there was when he came up, under an arrangement with a lawyer to see a private patient in the asylum; this lawyer came to me a few hours before Dr. Hammond's arrival, and said that he had employed Dr. Hammond on his own responsibility to examine and see this patient, and see if he could not get him out; I told the lawyer that no person could examine any patient in the asylum without a letter or request from the friends, or an order from a court, and that without one of these it could not be permitted; I then consulted Senator Kernan, who was a member of the board of managers, and Mr. J. Watson Williams, also a member of the board—both attorneys; they told me under no circumstances to permit such a thing to be done; I waited at the asylum some time for Dr. Hammond to come up, but he did not come; I was obliged to be absent, and I left word that if he should appear in my absence the message should be given him; he did come and the message was given him; he did not go into the wards of the asylum or anywhere else about the institution, beyond the office and the parlor, as I was informed on my return.

Adjourned to Thursday, May 15th.

The committee reassembled on Thursday, May 15th, at 3.30 p. m. Senators Goebel and Goodwin present. Several of the asylum superintendents and others were present, and Dr. E. C. Spitzka and Dr. James G. Kiernan petitioners.

Senator GOODWIN—Gentlemen, we are here upon a petition which was presented to the Senate, and referred to the Committee on Public Health, and it was thought advisable to invite a number of prominent gentlemen, whose names are attached to this petition, to come before us, and throw whatever light upon the subject-matter of the petition they might have. According to the plan laid down by this committee, we desire facts upon the allegations. With that view, I will ask you, Dr. Spitzka, a few questions.

You are a practicing physician?

Dr. SPITZKA—Yes, sir; have been so for five or six years; I graduated in 1873; I have had asylum experience in Vienna; held no formal position in an asylum; studied under the leading physician of an asylum and professor of the university of Vienna; have not had charge of patients; was there in no official capacity; called myself a student there; was there one and a half years; have no other asylum experience; I am practicing in New York; I devote my whole time to my profession; I am engaged in no other business, and never was engaged in any other profession but the medical profession; I was the writer of the paper which was the beginning of the movement for this petition; the paper was read before the Neurological Society of New York city, composed of specialists treating mental and nervous diseases; I am the responsible instigator of some of the charges implied; there are no formal charges; I do not lay any stress upon the fourth; the ninth; not upon the twelfth; I am not responsible for the statement that "assistant physicians are employed in writing useless histories," etc.; those are points for which I do not consider myself responsible; I consider myself as responsible for all the others; by that I mean that I am willing to be publicly stultified, if I cannot prove that there is good reason for making these charges; the committee of the society, which sent the petition to you, assisted me in preparing it; Dr. E. C. Seguin, Professor of Nervous Diseases, at Columbia College; Dr. Harwood, of New York; Dr. Langdon C. Gray, Dr. James G. Kiernan; Dr. Hammond was a member of the committee, but was not engaged in drawing the paper up; these gentlemen are all I can think of at this moment; Dr. Hammond got many of the signatures to the petition; he saw the petition before it was circulated, and before it was given to the society; it was sent to him by mail; I had some conversation with Dr. Hammond before it was circulated; no suggestions were made to him; it was printed when I had the conversation with him; it was sent to him in manuscript; I do not know whether he returned it to any one or not; I have a copy of the petition with me; I know some of the superintendents of asylums; I am acquainted with the Superintendent of Ward's Island, and with the late Superintendent of Blackwell's Island—that is all; I have never visited any of the State asylums; I have never written any of the superintendents of asylums in reference to hospital treatment, but I have challenged them to meet me; I have not written them in any way.

Q. State, if you please, who among the superintendents of insane asylums in this State have not pursued any special studies in neurology at home and abroad.

A. Dr. A. E. Macdonald, Superintendent of the Ward's Island

Asylum, has not pursued them abroad, and his whole qualifications for the position which he now holds were those of a quasi-attendant at the Bloomingdale Asylum; Dr. John P. Gray, of the Utica Asylum, was not qualified by studies in Europe; I do not consider that an essential requisite, by the way; they may be as competent by studying here as anywhere else; the Superintendent of the Buffalo Asylum, if I understand that there is a superintendent, has not studied in Europe; I do not know that he is a superintendent yet; he is a Dr. Andrews; I believe he was to be the superintendent; these are all of whom I have any personal knowledge as not studying abroad; others may have pursued special studies in neurology, but they do not show it—there is no evidence of it; in the sense in which that paragraph is written, there is not one superintendent who has made special study of neurology; the word “study,” as I understand it, means not only to study but to assimilate a subject.

Q. Do you consider that a man cannot be competent to be a superintendent of an insane asylum unless he has pursued special studies in neurology at home and abroad?

A. If he has studied properly at home, he will be competent most assuredly.

Q. You say that no superintendent of an asylum in this State is a skilled neurologist?

A. Not a scientific neurologist—that is what I mean.

Q. Do you know of any superintendent of an asylum in this State who is not well-trained?

A. Yes, sir; the Superintendent at Ward’s Island is one, and the Superintendent at Utica is another; these are two instances; I do not believe any of them to be well-trained; I certainly except Dr. Chapin from this, however.

Q. What is a well-trained physician?

A. It would take me more than this week to explain that to *you*, sir.

Q. Is that your answer to the question?

A. Yes, sir, that is my answer.

Senator GOODWIN—Well, perhaps my comprehension is *not* as quick as some other people’s?

Dr. SPITZKA—I do not mean that, sir; you are a layman, and it would be very difficult for me to explain—

Q. Well, suppose that I was a physician, how long would it take then?

A. I would give you an instance showing that these men were not competent.

Q. I ask you now what you consider a well-trained physician?

A. A man who, in the first place, is well versed in the neurological science of the brain; and in the second place, who knows the actual value of drugs in the treatment of this disease.

Q. Do you consider yourself a well-trained physician?

A. I should not be here, if I did not consider myself a well-trained physician.

Q. How long have you been a physician?

A. For five years.

Q. Do not some of these gentlemen, these superintendents of asylums, have some reputation in the profession?

A. You know how reputations are acquired—

Q. I ask you that question.

A. No reputation worth having ; I mean in the medical profession, of course.

Q. How do you arrive at that broad proposition ? It is a very startling one to me that none of these gentlemen have any reputation worth speaking of after their long medical experience ?

A. Because I know every specialist, or the majority, who are impartial critics, who agree with me in this assertion ; all the eminent specialists out of asylums who treat of nervous diseases ; the foremost medical journal in this country indorses this petition.

Q. Do I understand you to say, that persons who do not agree with you upon a medical question are all in the wrong ?

A. That is not implied ; no, sir.

Q. What other reasons have you for saying that superintendents are not well trained ?

A. My own opinion, based upon their writings and their annual reports.

Q. Please state what "assistant physicians of asylums, who after having been badly chosen, and who, after having passed many years immured in institutions," have been made superintendents ?

A. Dr. John P. Gray was an assistant in an asylum ; he was badly chosen, as the result shows.

Q. Who else ?

A. I presume assistant superintendents are also superintendents ?

Q. Not in this sense.

A. I have only a definite knowledge of one or two.

Q. In the second paragraph you state that "assistant physicians of asylums are nearly always men just issued from our too elementary medical schools," will you name some of them ?

A. Dr. James G. Kiernan ; he became an assistant right away after graduation ; a certain Mr. Washburn, who passed into an asylum without having graduated ; a certain Mr. Pitkin—I object to the names being put in the paper ; I believe my communications are privileged.

Senator GOODWIN—Of course, we do not desire to have you state anything you don't want to state ; but anything you do say is at the disposal of the committee.

Q. This Mr. Washburn, what asylum was he in ?

A. Ward's Island.

Q. What year was it ?

A. I cannot tell exactly ; I think it was in 1875.

Q. Who was the superintendent ?

A. A. E. Macdonald, the present superintendent.

Q. Do you know anything about how he came there, this Mr. Washburn ?

A. He simply was appointed in the ordinary course of things ; I don't know by whom ; I did not inquire.

Dr. A. E. MACDONALD—Will the committee permit me to ask Dr. Spitzka whether or no, the gentlemen of whom he has spoken were not first examined by a proper committee ?

Dr. SPITZKA—I object to every question put by a superintendent of an asylum.

Senator GOODWIN—I will ask that question as coming from the committee.

A. I evade the question ; I refuse to answer that question on the ground that it was a question submitted by a superintendent.

Senator GOODWIN—You are not obliged to answer any question.

These questions are simply for the purpose of getting information for a report to the Senate. There is no legal, moral, or any other obligation to answer any question that you want to refuse. It is not a committee of investigation.

You say in the petition the "qualifications of assistant physicians are not submitted to any medical test." Do you know of any assistants who have not been tested?

A. Tested in the medical sense of the term—that is, all these appointees of the two asylums, on Blackwell's and Ward's Islands, pass through a farce of an examination; that is not only shown by the examination, but by the acquirements which they have exhibited after passing the ordeal; to the best of my knowledge and belief, they are appointed by laymen, and not by medical men, and they are frequently appointed upon the suggestion of local politicians.

Q. Will you state an instance where an assistant has been appointed upon the suggestion of local politicians?

A. I will state no instance, because I know of none that I wish to state.

Q. What is your information and belief; where does the information come from?

A. I have that opinion because more than thirty parties have said so, and because this so exactly coincides with what I believe; I refuse to give the names of the parties; I refuse to give the information which I have received.

Q. What asylums, if any, to your knowledge, are not possessed of the proper "books and instruments" for use?

A. The asylums on Ward's Island, Blackwell's Island, and at Poughkeepsie; they did not have them until this petition was circulated, and then they bought them; those were the only ones I knew of.

Q. What assistant physicians, if any, to your knowledge, have forgotten "what general medicine they knew on graduating?"

A. I won't give any special name; if it is the serious intention of this committee to investigate, I would like to understand it; I do not like little quibbling, nor anything of that kind.

Senator GOODWIN—You must excuse me, but the committee will choose its own way of proceeding with this matter.

Dr. SPITZKA—The physicians who have signed this petition will carefully watch the progress of this bill in the Legislature—Dr. Seguin, Dr. Hammond, Dr. McBride and others.

Q. Do you know of any superintendent whose name you would be willing to give who has forgotten what he knew?

A. I have known of all the superintendents who have written anything; their writings prove that they are not competent alienists; I have criticised them in print myself, and have never received the slightest response from them, although they were present in the city at the time.

Q. In your experience as a physician, have you ever known communications to be made, in either newspapers or medical journals, which some persons did not think were worth noticing?

A. I have met such, certainly.

Q. And you think that a person who does not answer an attack or communication made, that therefore they are incompetent to answer?

A. If a document is worth noticing by all the eminent medical men of the country, it is certainly worth the attention of these superintendents.

Q. What "assistant physicians, (to your knowledge), are overworked and wretchedly paid," as stated in the petition?

A. I simply know of this matter from persons who have been through asylums; I know that some are overworked and not paid at all.

Senator GOODWIN—From your description of the assistant physicians it would be hard to find any who were worth any salary, or worthy of the position which they possess.

Dr. SPITZKA—I did not say that they are all unfit.

Q. I will ask you if you know of any medical men, attached to an asylum in the State, who is qualified for the position which he occupies?

A. For all the administrative duties, certainly—Dr. Chapin, to the best of my knowledge, is one; I do not know about his medical knowledge; if he had written anything, any special article, I might be able to judge of this.

Q. You test their knowledge by their medical contributions?

A. By their medical and scientific contributions; yes, sir; if I cannot examine them personally, I judge by this; if they do not write anything, I do not form an opinion.

Q. Do you know of any assistant whose time is taken up in "writing interminable useless histories of cases," receiving visitors, etc.? (I read from the petition.)

A. All the assistant physicians I have seen on Ward's Island—five or six of them in number—I have seen taking histories that were not of any great value, and I have seen them talking with visitors by the two hours instead of treating their patients.

Q. Have you seen it in any other asylum?

A. No, I have not seen it in any other asylum.

Q. Your petition says "superintendents and their assistants, hardly with an exception, are not versed in the new anatomy and physiology of the nervous system;" will you please explain what is meant by the new anatomy?

A. Well, you perhaps know that science is progressing; very often, then, science within the short space of ten years becomes entirely altered, and puts on an entirely different aspect; this is the case with regard to the study of the brain and spinal cord, the part with which alienists are most concerned; the new anatomy is that which we have arrived at today; I call the old anatomy crude and erroneous—that is, regarding the brain and nervous system.

Q. What superintendents or assistants are not versed in the new anatomy?

A. The Superintendent of the Ward's Island Asylum, and the Superintendent of the Asylum at Utica; those are all the superintendents of whom I have any positive knowledge; I know of an assistant who not only knows nothing of the new anatomy of the brain, but is even so wretchedly educated in general, that he once insisted that the Italian language was written backwards; that is a point in his general education, and his medical knowledge is still more wretched; I will not name him.

Q. What superintendents or assistants are not believed to be versed "in the modern methods of diagnosis?"

A. I decline to mention names of institutions here.

Q. What superintendents and assistants, of your own knowledge, are unable to read German?

A. I am not responsible for that, sir; I would not insist upon that; a

man could be versed in only one language and yet be a competent alienist.

Q. Upon what is your knowledge founded when you state that there are superintendents and assistants in this State who are not skilled in the methods of conducting post-mortems?

A. Sir, I believe that a superintendent, holding that high position, should be interested enough in this work to attend some of the autopsies which are made in the asylum, and investigate this subject thoroughly; I know of one superintendent at whose asylum I assisted in making forty or fifty autopsies, and who was not present at one of them, and I have been told by an assistant, who has been there since, that he has not attended any since that time, except once, and that was when they had a coroner's jury there; I decline to mention the asylum; if this were a privileged communication, I would do so; I might prove this statement, that this superintendent, during the year and a half in which I made these autopsies, was not present upon a single occasion; I decline to give the superintendent's name.

Q. Turn to the sixth paragraph; you say there that the pathological work done in the asylums has been ridiculed at home and abroad. Where has it been ridiculed abroad?

A. In the Jahresbericht, the Retrospect of Mental Science, which is published in Germany, and edited by Virchow and Hirsh, and by Westphal; I think it was the year 1874; I am not prepared to give minute information; I can give it to you in writing; I have it somewhere; Westphal, who is the professor at Berlin, states that the micro-photographs, which are made at so much expense, and with much halloo, at Utica, under the term of pathology, show no relation to insanity; the work being ridiculed at home, refers to reviews which I have written for the Journal of Mental Diseases, published in Chicago.

Q. Is the fact that you have written articles against this pathological work proof that it has been ridiculed in this country?

A. If it happens to coincide with the writings of eminent authorities abroad, certainly.

Q. Have you examined any of this pathological work done at Utica?

A. I have examined the publications and the photographs; I have never been in the Utica Asylum; that is not necessary; the work speaks for itself.

Q. You seem to find fault with this pathological work because it did not compete for the Tuke prizes?

Dr. SPITZKA—I objected to having that inserted in the petition; this was a prize offered in England; I know nothing about the number of competitors; I know nothing about it; I know, however, that it was advertised by the American Journal of Insanity, and that all Americans were urged to compete strenuously for it.

Q. In paragraph seven of the petition, you say "the pernicious practice of allowing undergraduates to act as assistant physicians," has been permitted; name one asylum?

A. The city asylum on Ward's Island, that is the one I have formed my opinion on; I know indirectly of others; I have seen the published reports of other asylums in which the names of undergraduates are given as belonging to the staff; the asylum upon Blackwell's Island is one of these.

Q. What is the name of the undergraduate?

A. I refuse to give the name.

Q. Is it not published ?

A. I do not propose to direct attention to a man who has committed no greater crime than that of entering our wretched asylums; this thing happened, however, throughout the whole of four years; there has always been one man who has not been a graduate there; I can give you the names of four men who have served before they had graduated.

Senator GOODWIN—That has been denied before this committee.

A. Then it is a downright falsehood and a lie; I am willing to testify before a committee of investigation upon this point; I am responsible for that.

Q. You refuse to give the asylums in which these persons were appointed ?

A. The city asylum on Ward's Island—that is one to my positive knowledge; I have inferential knowledge about the others; I have formed my opinion about them, and I am not such an idiot as to form my opinion upon nothing; obviously these questions are prompted by the superintendents, from first to last.

Senator GOODWIN—Dr. Spitzka, this examination is supposed to be conducted and the questions put to you by gentlemen, and I shall be obliged to you if you will be as careful as possible in your replies to questions. That is all I have to say to you on that point.

Dr. SPITZKA—I am simply insisting upon the quality of my privilege.

Q. Did you circulate this petition ?

A. I did.

Q. Was the petition you circulated in this form ?

A. Yes, sir.

Q. With the same heading ?

A. Yes, sir.

Q. How far did you get these names ?

A. As far as from the name of Mary Putnam Jacobi down to Alexander Hadden.

Q. Did you read the petition to the persons who signed it ?

A. I either read it to them or left it at their houses; I either read it to them or gave them the main points in it; I gave the main points to Mrs. Jacobi; my recollection about the rest is a little imperfect, with the exception of Dr. Hawkins, at whose house I left the petition; I read the whole petition to E. J. Messemer; Dr. Kiernan read the petition; John E. Ferdinand got the main points in the petition from me; do not know whether Dr. Hawkins read it or not; I gave Alexander Hadden the main points in the petition; that is all the signatures I obtained.

Q. Will you state to the committee what points in this petition you gave to Mrs. Jacobi ?

A. I cannot tell exactly; I gave her in general terms the objects of the petition—that it was the suspicion of the committee, who drew up the paper, that it was necessary to have an investigating committee appointed into the asylums; that is about all I said to her; she told me afterwards, she had read the petition.

Q. Did you see any of these petitions before they were handed in to Dr. Hammond with the signatures of others ?

A. Yes.

Q. Dr. Hammond testified that these petitions were all sent to him, and that he took off the printed matter and put them together himself.

A. To the best of my knowledge, we each went around with the petition—at least I did; the thing was not glued to, or pinned to the paper;

I went around with them separately, and then they were pasted together; I saw some of the names pasted together at Dr. McBride's.

Q. These rolls, which are here pasted together, did each one contain this printed petition?

A. The petition was separate from the roll; I could not state whether the petition was affixed or not; I really regret that I am not permitted to give some of these points in a way in which I could tell more about these allegations.

Senator GOODWIN—Well, perhaps we will give you the time you desire afterwards—after we get through asking you these questions.

Dr. SPITZKA—I only want ten minutes' time; that is all I ask.

Q. Do you know of any superintendent, who, to your knowledge, is not on duty in his office or in his wards?

A. Yes, sir; but I will not mention names; I was at one superintendent's asylum; I will mention the asylum—it was Ward's Island; I had occasion to go into the office while I was making post-mortems at the asylum; I happened to go into the office five days out of seven, and on every one of those five days the superintendent was absent from his office the entire afternoon; they told me that he was away from the asylum; I asked the question incidentally, not with any idea of the present inquiry; that is the only superintendent I know of.

Q. Have you ever been told by any persons whose names you are now willing to give, that any of the superintendents have been thus derelict in their duty?

A. I have got it from very reliable authority, but would not give the names.

Q. Do you know of any who are engaged in private practice?

A. Yes, sir; I decline to give the names.

Q. Upon what grounds?

A. I decline simply unless the communication shall be privileged?

Q. The names will not be used, if that will suit you.

Dr. SPITZKA—I decline to give the names unless the committee shall have full power to investigate.

Senator GOODWIN—This is a standing committee on public health. The petition was referred to this committee, not for any purpose of investigating, but simply to obtain facts upon which they might make a report to the Senate upon this petition. We thought it better to invite you gentlemen to come before us and give the reasons for your complaints.

Dr. SPITZKA—If this committee had asked for documents or documentary evidence—

Senator GOODWIN—Then our committee would be as long in making a report as it would take you to tell what a competent physician is.

Q. Do you know of any asylum which does not possess the instruments mentioned in paragraph nine, page two, "such common instruments as the thermometer, ophthalmoscope, asthesiometer, dynamometer, sphygmograph, microscope, Faradic and galvanic electrical batteries, the speculum and uterine sound, chemicals for the examination of urine, etc.?"

A. As I have told you before, sir, that is one of the charges I am not responsible for; I know that the asylum on Ward's Island *did not* possess them as long as I had been in that asylum.

Q. Do you, of your own knowledge, know of any asylum where feeding by force is not done by a medical officer, or in his presence?

A. Certainly; the official report of the investigation by the Commissioner in Lunacy in the case of Mrs. Norton shows that attendants were uniformly in the habit of feeding by force the patients in the island asylums, and tearing their throats to pieces; I have not seen it done myself, but I have got the documentary proof at my disposal.

Q. Have you any such information that you could communicate to the committee?

A. I will do so when an investigating committee is appointed.

Q. Do you know of any asylum in which the superintendent is not consulted whenever forcible restraint is applied?

A. Yes, sir; the asylum on Ward's Island, where a non-medical man has, in the absence of every medical man, ordered restraint to be applied; it was revealed in the investigation of the Bloomingdale Asylum, that a record of the restraint was not kept, neither by the superintendent nor any one else; these two asylums are all of which I have any knowledge.

Q. Have you any information of other asylums in this matter?

A. I have; I refuse to give the names of the asylums.

Q. Do you know, to your own knowledge, of any superintendent who does not avail himself, for the benefit of his patients, of consultations with eminent medical men?

A. I have no such specific knowledge that I could give; no, sir.

Q. Do you consider the use of the crib as barbarous and inhuman?

A. Most decidedly.

Q. Therefore, any superintendent of an asylum who uses the crib is guilty of barbarous and inhuman treatment of patients?

A. Certainly.

Q. Is there any difference of opinion, among medical men, as to the advisability of using the crib; do you know of any skillful physicians in this country who think the use of the crib advisable in certain cases?

A. They are either unskillful or not sincere.

Q. I ask you if you know of any skilled physicians whom you know advocate the use of the crib in certain cases?

A. I know that all the skilled physicians whom I know are unanimously against its use.

Q. Who are they, or some of them?

A. The professor, my teacher in Vienna; Professor Westphal, in Berlin; Professor Gudden, in Munich; Doctors Bucknill and Tuke; those will suffice, I think.

Q. You mention Bucknill; do you consider Dr. Bucknill an eminent man?

A. He certainly is a most eminent man.

Q. You consider his opinion of most decided value then?

A. Yes, sir, as regards the subject of insanity, not only from its medical, but from its medical and legal stand-points.

Q. Is he a high authority on pathology?

A. He has a good general knowledge of pathology; I consider his opinion upon that subject as not so valuable as upon others; your question about pathology is very vague; I must take care of myself in this investigation; if I was caught slipping, an advantage would be taken of it in this committee.

Q. Dr. Spitzka, you are a very smart fellow, but I don't think you know as much as you imagine you do; please answer the question I ask about Dr. Bucknill.

A. As I said before, Dr. Bucknill has a good general knowledge of pathology; he is not a pathologist; I should prefer to have others' opinions upon pathology to his.

Q. Do you know anything about these other questions—referring to the Commissioner in Lunacy—the Senate has lately had a bill before them—

Dr. SPITZKA—Yes, and I regret very sincerely to see the way in which it was treated; I can only say that I concur in everything contained in Senator McCarthy's speech; I have seen Mrs. Norton's throat; I have seen copies of letters written to her husband by the Commissioner in Lunacy, and if there ever was an exhibition of imbecility shown by a man occupying a responsible official position, that was one.

Q. Dr. Spitzka, have you ever applied for a position at any of the asylums of this State?

A. Unless I know what disposition you intend to make of my answer, I will decline to answer.

Q. We shall probably lay it before the Senate.

Dr. SPITZKA—Shall I be permitted to take my own time in answering the question?

Senator GOODWIN—Yes, if it doesn't take too long.

Dr. SPITZKA—I was an applicant for a position in an asylum; I applied for the position made vacant by the death of Dr. Parsons, at Bloomingdale; I applied for that position upon, what I supposed, my merits; that application was simply disregarded—not even answered; if I had been possessed of the requisite political influence I could have got that position, even though I was the grossest and greatest medical ignoramus.

Q. Doctor, who, in your judgment, are competent physicians in this country?

A. It would take me about as long to answer that question as another question which you have asked; I am not a walking directory.

Q. I only want a few.

A. Well, Gross, of Philadelphia; Yandell, of Ky.,—in fact there are a hundred in New York alone; I know something of the medical men of the country, I think.

Q. Have you had any difficulty with any of the asylum superintendents of whom you speak?

A. I decline to answer that question, because it is petty scandal, and and out of place; such motives should not govern a man in seeking an investigation.

Senator GOODWIN—Doctor Spitzka, you wrote a letter to the chairman of the committee which I desire to call your attention to. It comes under the date of May 10th. You say, in the letter: "Dr. Hammond has informed me that one member of your committee, a Mr. Goodwin, stated that I had refused to come." Did Dr. Hammond tell you that?

A. Yes, sir; he told me that; told me in the presence of Dr. Kiernan.

Q. Did he say how I came to tell him this?

A. He told me in this way: the committee asked whether I was coming or not; Dr. Hammond stated that I was coming, but that there was a misunderstanding; he then told me that a Mr. Goodwin had made that statement about me.

Senator GOODWIN—I desire to state to the committee that I never said any such thing to Dr. Hammond. I was examining Dr. Hammond; I had his own letter before me, in which he said that he desired to have Dr. Clymer, Dr. E. C. Seguin, and Dr. E. C. Spitzka requested to come

before the committee, and that they would come, and then I stated that I had received a letter from Dr. Seguin, in which he stated that he would not appear.

We have here Dr. Seguin's letter, in which he declines to come.

Dr. SPITZKA—I regret very much that I did not understand this before.

Q. Do you know President Barnard, of Columbia College?

A. No, sir; I do not know him; I know of the trouble about his signature; we had a special meeting of the committee in reference to it; there was then a letter sent to your body from the committee, stating that we were each responsible for the names which we had obtained; I think this letter went to Senator McCarthy; I am not certain about it; there were two names upon the petition, a Mr. Draper and Professor Barnard, which were stated, by a certain Senator Fish, to have been forged to it; Dr. Seguin is responsible for President Barnard's signature.

Senator GOODWIN—We have a letter from President Barnard on the subject.

Dr. SPITZKA—In regard to this petition, the physicians who signed it and sent it to the Senate had no idea, of course, that they would be summoned to Albany in connection with it; they supposed that they would be permitted to submit documentary evidence in support of the allegations; this would not have taken so long a time; our motive in the getting up this petition is purely a scientific one; I do not think there is one man on the committee which drew up this paper, who is covetous of an asylum position; that is the only personal motive which they might have; not one is covetous of an asylum position; some of them stand too high in their profession; others, after many years of study, have acquired such a private practice as would render them independent of any position which an asylum might afford; their motives are of the purest and noblest kind; not one of the signers of the petition has had any collision with superintendents; have not had the slightest difficulty with them; I now speak of the most responsible signers—men like Dr. Seguin and Dr. McBride—these have never had the slightest difficulty with any of these superintendents; they hold themselves responsible for the signatures, as I have said; we hold, among other things, that a proper supervision of asylums is necessary, so that the asylums for the insane may not be so much in the nature of prison structures; that they should be thoroughly looked into—a duty which our noble Commissioner in Lunacy does not perform; there should be some way to wipe out barbarous restraint; medical superintendents should be eminent medical men, not merely wardens; their positions now are more like those of a steward than anything else; they go about their institutions, look at their fences, and perform labor of this kind rather than visit and prescribe for patients.

There are a great many points like this, which could not be brought to your knowledge in one day, and there are a great many witnesses who can give you better information than ours, for we could not be expected to play the spy upon institutions, and could not give you the information which could be got from men who have been employed in the asylums. But these gentlemen, who have signed this petition—men who are eminent in the treatment of nervous and mental diseases—will not sign a petition like this on trivial grounds, and if they did not consider an investigation necessary.

Senator GOODWIN—I want to say one word in regard to this examination. You want the Senate of this State to order an investigation into

the asylums of the State, when there is not the slightest ground for it. The mere fact that you come up here, a physician of five or six years' experience, and state to this committee that in your judgment these superintendents are not qualified for the positions which they hold, does not demonstrate anything. It is nothing which the committee can act upon. Here are men who have been occupying positions of eminence in the profession, and have been occupying high official positions for years. The simple allegation that they are unfit for such positions does not prove anything.

Dr. SPITZKA—I decline to say anything further upon the matter.

Dr. A. E. Macdonald offered to ask the witness a few questions, but the witness declined to answer any question put by superintendents.

Dr. James G. Kiernan next made his statement: I am a practicing physician; I live at 515 West Forty-ninth street, New York; I have been a physician since June, 1874; I got my diploma from the city, or University of the City of New York; I studied only in the university; studied there for three years; I have been connected with the city asylum on Ward's Island, under the superintendency of Dr. A. E. Macdonald, and for about a week under the superintendency of Dr. Theodore H. Kellogg, and Dr. R. L. Parsons; I was an apothecary at Ward's Island the latter part of the time; I had a difficulty with Dr. A. E. Macdonald about the preliminaries of this very petition; there was a paper read before the Neurological Society in which Dr. Spitzka discussed some of these questions; I was asked to make some remarks, and could not avoid discussing the question; I was asked by Dr. Seguin; my remarks had no personal reference to Dr. Macdonald; they were simply upon the ignorance of certain superintendents in the matter of general paresis; if that superintendent were placed on the stand he would be compelled to make these statements himself; subsequent to that discussion I was examined before the board of trustees of the asylum in relation to being absent from the asylum; after this examination I was asked to resign; I declined to resign, whereupon, after a week's time, they dismissed me; the only reason I was dismissed was because, as Dr. Macdonald himself said, I was dangerous to him; I can prove that; of the asylum superintendents of the State I have met Dr. John P. Gray and Dr. Nichols; I do not consider Dr. Gray a competent man to treat insanity; I do not consider Dr. Macdonald a competent superintendent; on one occasion, while going through the wards with him, he made a remark which settled my opinion of him; on one occasion, in the year 1875, while he was being examined before a coroner's jury, he asked me what the symptoms of pneumonia of the lungs were; on another occasion he asked a gentleman if the bursting of a blood vessel in the head was not the same as hardening of the brain; my knowledge of Dr. Nichols is only from hearsay; I have never met Dr. Chapin; I know of him; I regard him as a competent alienist; I went through the Poughkeepsie Asylum on one occasion; have been through Bloomingdale, Ward's Island, Sanford Hall and Blackwell's Island; only made a short visit to Poughkeepsie; I was told by an assistant there, I don't remember his name, that he and the rest of the assistants were unable to perform their proper medical duties because they had to do so much writing up of cases, looking after patients' clothing, in this lay duty and that lay duty; I will not give names, because not one of these assistant physicians would have their positions one week from to-day if I did; never visited the asylum at Utica; do not occupy any position in a medical college; I have helped a

superintendent to write the only article on insanity which he has ever written; besides this, an article of mine on insanity has been printed in the American Journal of Insanity, published at Utica by Dr. Gray; I have had one or two patients occasionally under my charge suffering from insanity; I had one until a month ago; I have had altogether about ten patients under my charge; I was for a little while at the Flushing Asylum last fall; about two weeks; I acted in the place of one of the assistants.

Q. You have heard the evidence of Dr. Spitzka; do you agree substantially with him?

A. I do—yes; I must confess I agree with him in the majority of these things; the committee that drew up this petition did not originally include myself; I was subsequently added; I got some of the names—from J. Austin Leonard down to Dr. Daniel H. Smith; as near as I recollect, I presented the petition to each of the signers; to some of them I stated the facts; I read and explained the main parts to J. Austin Leonard; stated the facts to Mr. Bierstadt; Mr. Little read the petition, and stated that it was a very good thing; he stated that he was delighted to be able to aid in any good work; stated the facts of the petition to Mr. Sanders; I condensed the matter as much as possible; stated the facts to Dr. Daniel H. Smith; handed him the petition, and stated the facts; condensed as much as possible the facts as they existed in my judgment; in reference to the use of the crib, they do not use it in the Poughkeepsie State Asylum, as I was informed by one of the assistants; Dr. Parsons did not use it; they do not use it at Bloomingdale, and object to its use. In regard to the general capability of superintendents, there is now a superintendent who, it could be proved that, when he had charge of a former asylum, he turned some of its inmates loose upon the street; he dismissed them on all sides; I know that; the assistant in that man's employ told me that all he did was to look around the institution; direct that a brick must be laid this way and a brick that way; there was a fatal case at Ward's Island, which happened from forcible restraint; it was in 1877; a case was brought in—a violent case; was placed in charge of an assistant; he was placed in restraint the first night he was violent; the second night he was removed from restraint; he was killed in a scuffle; the superintendent swore that he was in restraint the whole time; in the same asylum there was a patient brought in who was known to have been violent; he was placed in seclusion, as he was found to be excitable; he was taken to the kitchen, but, being too excitable, was taken to a quiet ward; the next morning, after having been placed there, he killed his keeper; on one occasion, I was asked to give the death certificate of a patient who had died in this asylum; I refused to do this; he also asked an assistant physician of his, who was *not* a graduate, to do this; he would not do so; that was on Ward's Island. A question has been raised about the appointment of superintendents; in the case of one superintendent, whom I know, the only reason he was appointed to an asylum was that he had the charge of Wm. M. Tweed, while he was in confinement, and, in consequence of this service, he was transferred to Ward's Island, and became superintendent; this is all I wish to state here.

Dr. Spitzka was asked—Do you know that the Bloomingdale Asylum is a private asylum; that the Ward's Island Asylum is under the Commissioner of Charities and Corrections, and that they are not State institutions?

A. They are under State supervision—under the supervision of the State Commissioner in Lunacy and State Board of Charities.

Q. So that, as I understand it, your complaints are made of these asylums?

A. On the scientific record against the Utica Asylum; as to the financial affairs at Utica, they are kept in such a hopeless mess that no one can make anything out of them; one thing is certain, not one thing which has come from that asylum has been worth noticing.

Dr. A. E. MACDONALD—I should like to have the opportunity, before these witnesses leave, to prove that both have been guilty—one of falsehood and one of dishonesty. As regards my assistants being graduates of elementary schools, they have been graduates of the same university as these gentlemen. Dr. Kiernan complains of being dismissed in consequence of having participated in the getting up of that paper, when the fact is, I never thought it worth while noticing. Dr. Spitzka has named but one asylum in which he was an applicant for a position. He was also an applicant at my asylum; I refused him a position after inquiring into his antecedents and qualifications. As to Dr. Kiernan writing any article on insanity for me, he simply performed the clerical work, which was an apothecary's duty—no more.

Dr. A. E. Macdonald then made the following statement in regard to Mr. Browning and the employes in his establishment:

"I beg to submit a communication from Mr. W. C. Browning, head of the firm at 326 Broadway. Mr. Browning stated to me that he had not signed any such petition as was presented to the Senate, or any petition whatever; but that his name had been transferred to that from a simple statement which he gave in regard to the character of one of his employes, 'saying that he had been seventeen years in his employ, and that his statement might be received as reliable.' He stated also that the other names, secured at his store, were subscribed to the same statement, and not to the petition. I also submit two withdrawals, from Mr. James M. Dunbar and Mr. James Struthers. These gentlemen are members of the New York Club, and stated that they had never signed this petition; but had attached their names to a very brief petition, the purport of which, as they understood, was to secure greater comforts for the insane in public institutions."

Adjourned.

UTICA, N. Y., March 25, 1879.

To the Hon. A. T. GOODWIN, of the Senate of the State of New York:

MY DEAR SENATOR GOODWIN—A long personal acquaintance with you, and a knowledge of the reasonable and philosophical manner in which you are accustomed to treat questions of political and social science, have encouraged me to address you some remarks which I feel impelled to make in regard to recent movements affecting a certain class of our State charitable institutions. Having officiated for the last fifteen years as Chaplain of the N. Y. S. L. A., all the wards of which I have, during that period, been accustomed to visit on week days, with greater or less frequency, in addition to my Sunday services, I ought, I suppose to be able at least to form an opinion on the administration of such institutions, and upon the various suggestions and unpatented plans for improvement that are continually cropping up in the newspapers.

You doubtless have observed that this is an age of innumerable mechanical inventions, many very successful, and many though ingenious, yet practically useless, not from any defect of *theory*, but because they do not save enough in time or labor, or else cost too much in trouble and expense to supersede ordinary methods. As a reflecting man, you no doubt have seen that this truth holds good also in the moral, social or political sphere. Not every invention is an improvement. In these days

we are overrun with ethical, religious and social doctrinaires. Men who never had a family of their own can tell us how to bring up one. Self-styled "educators," who never gave a lesson or had a pupil, can lay out a complete system of schools and instruction for the State, and even recommend domiciliary visits to enforce it. But perhaps there is no more favorite hunting ground for these penny-a-liners in search of sensations—these Quixotic knights in search of wrongs to set right—these restless inventors and vendors of new "notions," than the sphere of our public charities. In this department, indeed, there is full scope for philanthropy run mad. The garnish of a benevolent object seeking only to help the poor and unfortunate, will accredit the grossest ignorance and incompetency, and perhaps even disguise, Judas-like, the jealousies and animosities of disappointed vanity, which only wishes to "make it hot" for some detested enemy. For I fear it is not to be denied that besides this universal mania for "tinkering" in legislation, there are some instances that illustrate the case of Goldsmith's *dog*, who—

—"to serve some private ends
Went mad and bit the man."

You have, of course, seen the "petition" purporting to emanate from certain "lawyers, physicians and other citizens of the State of New York," claiming that "there exists gross mismanagement in the medical administration of the insane asylums of this State,"* and asking for a committee of investigation, who shall be directed to obtain answers to a long list of questions appended to the petition.

Now, it seems to me that all this sort of thing has been gone over with wearying repetition. If it were but a "spasm of virtue," as one of the newspapers calls it, it would be of less consequence, but it is worth while to inquire whether it may not be simply one link in a long chain of repeated attempts, engineered by very much the same persons, or class of persons.

If one reads the questions in this light, a personal animus is apparent upon the very face of some of them. What single one points to any new abuse not heard of before, and not expressly provided against by existing rules and regulations? The petition refers to the "report" of Dr. Wilbur, head of the school for idiots at Syracuse, and not an expert in matters of insanity, that I ever heard, though an excellent man in his own department, who contrasts the management of the insane in Great Britain with that of this country, and disparages the "system" of asylum supervision and management in this State and therefore in this country, for New York is certainly behind no other State in the Union.

Now I have personally met such eminent authorities as Dr. Bucknill and Dr. Lockhart Robertson, both Lord Chancellors, Visitors in Lunacy, on their visits to the institutions of this country, and have inferred from their own expressions that they really regarded us as fully abreast with Europe in all that contributes to the perfection of this specialty. Is there any science, or literature, or mechanical or moral appliance open to them that is not equally open to us? Have Americans, of all people in the world, shown less capacity and enterprise in testing and utilizing any improvement developed by skill or experience in either hemisphere, than our English brethren? The assertion is absurd on the face of it. Surely those engaged in this specialty have every inducement of self-interest and reputation to make their *system* the best that the advance of modern medical science indicates.

There are, to be sure, differences of opinion among specialists on the question of mechanical restraint. Some of our English brethren are entirely against it, while some favor it.

The petition speaks of the "System." If it is the "system" of our institutions these gentlemen wish to assail, why do they not say so? It is one thing to complain of the system which the State has adopted; quite another to rest their action on charges of "abuse and mismanagement" against the administrators of the system.

People may have their own opinions of the modern general system of treatment, and of the question whether confinement in hospitals or other sequestration is the best course, but these are questions that can be settled only by experience, and experience appears to be the only basis of the present "system." As to my own testimony, I can say that in all the years I have been connected with this institution I have never encountered any instance of this "abuse and mismanagement" either in the superintendent or his subordinates. Attendants, hired from among the long list of applicants with various recommendations as to experience, disposition, and moral character or habits, are, after all, but flesh and blood, and may not always fully meet the extraordinary demands for patience, courage and strength, combined

*Printed in the New York Herald, March 15, 1879.

with the utmost sympathy and kindness, which the care of the insane imposes, and which, perhaps, are to be found only in the long self-discipline of a Christian Sisterhood or Brotherhood. But the whole *morale* and atmosphere of this institution—its religious services—the high-toned example of its medical officers, nearly all of whom have had hospital experience before coming here, and the vigilant execution of the rules and regulations, all constitute an *education* and a sort of military drill for all classes of subordinates. As to the facts of ward visitation, the character, qualifications and duties of the assistant physicians, these can be supplied by the authorities. But nothing can be a surer ear-mark of that petition as emanating from a class of *non-experts* who require to be taught Franklin's maxim of "minding *one's own* business," than the odd objection to the writing of "interminable, useless histories of cases." Any one that has had the least acquaintance with hospital life knows that the notebook memoranda of cases are neither "interminable" nor "useless."

In fine, not to weary you, it may be sufficient to remind you that the utmost publicity is now secured for the administration of all our charities, what with boards of managers, State Board of Charities, and Commissioner in Lunacy, besides the free access to the wards of crowds of daily visitors, making our poor patients feel as if they were never to be at rest, all for the sake of disabusing public prejudice. Is there to be no confidence anywhere? The head of a family or the government that treats its subjects as necessarily thieves and liars will go far and fast to make them such. Put men of *tried character* in places of responsibility and then trust them.

We ought to know by this time, in social life, in politics, and religion, that *character*, implying moral principle and a sense of accountability, is everything—is the *only basis* of public confidence, and that without it all other safeguards are vain. Should not our boards of managers and the actual directors of our public institutions be as interested and anxious to know and correct all evils and abuses under their control, as any outside committee of uninterested and inexperienced gentlemen, legislative or otherwise?

As to the general run of the questions, I think it will be apparent that they would be sufficiently answered by sending to the propounders a copy of the rules and regulations of the various institutions, which are obviously unfamiliar to these petitioners.

I have only to add, as regards my own opportunities of observation, that my week-day visits to the State Asylum average at least as often as once in each week, lasting during the greater part of the day, that they do not occur on the same day in each week; that I have generally gone through the wards alone, unaccompanied by any medical officer or attendant, and that I have had the freest access to every part of the buildings.

I have the honor to be, my dear Senator,

Your very faithful friend,

W. T. GIBSON.

COLUMBIA COLLEGE, NEW YORK, }
PRESIDENT'S ROOM, March 25, 1879. }

HON. HAMILTON FISH, JR. :

DEAR SIR—I have been informed that a memorial has been presented to the Legislature at the present session, arranging the management of the State lunatic asylums, and that my name appears attached to that memorial, as one of the signers. I have seen what purports to be a copy of the memorial referred to, and find it to contain charges of the gravest character against the Commissioner in Lunacy, and those in the immediate control of the institutions to which it relates. Permit me to say, and to request you to say for me to whomsoever it may concern, that I have no recollection of ever having seen this paper, or anything like it before, that I know nothing whatever about lunatic asylums, that Dr. Ordronaux, Commissioner in Lunacy, is a professor in the institution under my charge, and a gentlemen for whom I have every respect, upon whose official conduct in any capacity whatever, I could not, by my signature, sanction any imputation without the most convincing evidence; such evidence as I do not possess and do not believe to exist, and finally that I cannot conceive the possibility of my having ever signed a paper of this length, and embracing matters of this gravity without having examined it. May I ask you further in case you can have access to the paper referred to, that you will do me the favor, to strike my name from it forthwith and oblige,

Yours very truly,

F. A. P. BARNARD.

COLUMBIA COLLEGE, NEW YORK, }
PRESIDENT'S ROOM, *May 10, 1879.* }

DEAR SIR—Having seen a statement made by Dr. Wm. J. Morton, before the Committee on Public Health of which you are chairman, to the effect that Dr. Seguin of New York had in his possession (on file, the statement reads), a note from me indorsing everything in the petition, now before the senate, praying for an investigation into the management of the State lunatic asylums; I have this day written to Dr. Seguin, asking him for a copy of the note so referred to.

He replies affirming that he has such a note, and that it was sent to him in returning a copy of the petition which he had left with me to be signed, but fails to furnish me with the copy I had asked for.

The only question of importance to the committee in this matter, is whether with the knowledge I now have of the contents of the petition, I am willing to be regarded as one of the petitioners, and as to this I desire it to be understood that I am not.

If, in the excess of my confidence in Dr. Seguin, I signed a paper, the possible bearings of which I had not duly considered, but which he probably assured me was designed to promote a great public good, I doubtless did a very injurious thing, which this experience will prevent me from soon repeating.

I can only repeat, however, what I have said on the subject before, that I have no recollection whatever of having had this matter brought to my attention before the presentation of the petition, by Dr. Seguin or any one else.

I am very respectfully,

Your obedient servant,

F. A. P. BARNARD.

Hon. A. T. Goodwin.

