

**THE ANSWER OF THE NEW YORK
NEUROLOGICAL SOCIETY TO THE
DOCUMENT KNOWN AS THE REPORT OF
THE COMMITTEE ON PUBLIC HEALTH
RELATIVE TO LUNATIC ASYLUMS, NR.
64, IN SENATE, MAY 22, 1879**

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The Answer of the New York neurological society to the document known as the report of the committee on public health relative to lunatic asylums, Nr. 64, in senate, May 22, 1879 by Various

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REPORT.

The undersigned, the Committee of the NEW YORK NEUROLOGICAL SOCIETY, appointed to consider the subject of Insane Asylum Abuses, respectfully report :

That it has waited for the report of the Senate Committee of Public Health on the petition presented to the Legislature, before making any detailed statement to the Society on the subject.

On the day of the adjournment of the Legislature, or thereabout, a garbled, grossly unfair, and untruthful synopsis of the report of the Senate Committee was given to the press, with the object of forestalling public opinion to the disadvantage of the purpose your committee has had in view, viz. : a proper examination into the manner in which the asylums of this State are conducted, with the object of correcting abuses which had long been known to exist. In reply to this synopsis, your committee presented a "Provisional Report," in which the falsehoods and other misstatements published were exposed, as explicitly as could be done under the circumstances. This "Provisional Report" was widely circulated through the medical and lay press. In using this latter means of publication, your committee conceives that it has acted in the way best calculated to attain the object in view. It should be borne in mind that all reforms must be brought about through the operation of an enlightened public opinion. The asylum interest will yield nothing unless forced to do so by a power which it cannot resist. Neither argument nor entreaty moves it. Hard blows are the only logic it understands; and in a country such as ours, in which the people rule, it is through the will of the people that those ameliorations to which the New York Neurological Society stands committed must ultimately be secured. Already the fruit begins to fall, and it is not a matter for doubt that ere long the full harvest will be gathered.

Within a few days the complete report of the Senate Committee has been published, after an unusual delay of several months. It is

doubtful if it would ever have seen the light had not members of your committee in a measure forced the publication.

However that may be, your committee is now in a position to examine fully into its pretensions, and it proposes to do so. In this task it will be necessary to show to the Neurological Society and the public the unjust, *ex parte*, and untruthful character of a legislative document of the great State of New York, and the unscrupulous conduct of the asylum power. The office is not a pleasant one, but your committee knows well the individuals with whom it has to deal, and it will not shrink from any portion of its duty. Happily, however, the instance is an exceptional one; for never before in the history of the State has partisanship been so evident, and the plainest dictates of propriety and courtesy been so disregarded to anything like the extent manifested in the paper which is published to the world by a committee which should have exhibited more of truth and justice on a question of so much importance.

So extraordinary is this document, and so very divergent from the customary action of a legislative committee of inquiry is the conduct of its authors, that your committee feels that neither is entitled to the respectful consideration that would be gladly accorded to both. Your committee, therefore, desires to express its regret at being compelled to characterize any State paper in terms which to many may seem to be out of place and unnecessarily severe. But the report is so recklessly slanderous, its statements so glaringly false, its innuendoes so malicious in character, its quibbling so utterly beneath the dignity which Senate committees have heretofore exhibited, its intention to crush out by every unworthy means the rights of those who, in the interests of humanity, addressed a respectful petition to the Legislature is so strongly evident, its object to impugn the motives, injure the reputations, and, by every means at command, to lessen the social and professional standing of those who had the petition in charge and who signed it is so clearly apparent, that your committee feels no delicacy in referring to the outrage in language which will admit of no misunderstanding. Gentleness and forbearance are qualities which these people do not appreciate. They would be mistaken for doubt and timidity.

In the first place, the report endeavors to convey the idea that the committee was guilty of fraud in placing the names of President Barnard, of Columbia College, and of Prof. John W. Draper, of the University of New York, on the petition without their authority—in fact, of forging their signatures for the purpose of giving in-

creased weight to the memorial. In the synopsis given last spring to the newspaper press, and sent through the agency of the asylum interest to all parts of the country, this crime was emphatically charged. In the present full report it is less distinctly stated; but, nevertheless, the inference will not fail to be drawn by those not conversant with the facts, or with the unscrupulousness of a portion of the asylum interest, that your committee had appended the names of the gentlemen in question to the petition without their authority. To this charge your committee has to offer the following statement:

The petition was presented to President Barnard by one of your committee (Dr. E. C. Seguin). Dr. Barnard took the paper, said he had not time to read it then, kept it three days and then returned it, not only with his signature appended, but with a letter in explanation. In support of this statement your committee submits Dr. Seguin's affidavit (Appendix, Exhibit A). Examination of the petition, if it remains in existence, will satisfy any expert that the signature is President Barnard's, a fact which, as your committee understands, he does not now deny.

Probably no circumstance has been more unjustly used than the statements of the committee relative to President Barnard's signature. Adherents of the asylum interest circulated them by means of the medical and secular press. Hundreds of copies of an Albany newspaper, in which the "synopsis" first appeared, were sent abroad in this country and in Europe, and doubtless had with many the effect of condemning your committee for what was apparently, at least, a gross misuse of the name of a respectable and learned citizen.

In regard to Prof. John W. Draper, it was never asserted by your committee that his name was among the signatures to the petition, and therefore the statement in the report of the Senate Committee that he had not signed it, is, of course, correct. Messrs. Goodwin and Goebel would doubtless have received negative replies from many other gentlemen they might have addressed, and thus have manufactured a still stronger temporary prejudice against your committee. But the name of Dr. John W. Draper's son, Prof. John C. Draper, is there, and he signed it at the request of one of your committee (Dr. Hammond) in the faculty room of the University Medical College, at the same time Prof. Pardee signed. That the Senate Committee has quibbled and acted disingenuously in this matter, is sufficiently apparent without further comment.

The idea is sought to be conveyed by the Senate Committee, that

many of the signers of the petition withdrew their names in a paroxysm of self-excited virtuous indignation.

The fact is that the most strenuous arguments and entreaties were employed by the agents of the asylum interest to induce signers to withdraw their names, and when these were not efficacious, threats were made use of. Several such cases have come to our knowledge. One gentleman (Mr. David Dows) who signed the petition, after a careful perusal, informed one of us (Dr. Hammond) that he had been repeatedly approached in the manner stated. To his honor, be it said, he steadfastly resisted all influences, and his name remains on the petition.

It is true that others were less courageous in support of their convictions than Mr. Dows, and there were a few withdrawals. Some of these were in consequence of the *quasi* threatening letter of the committee (Appendix, Exhibit B) summoning them to Albany, and others, through the efforts above mentioned. For these individuals your committee has only pity. It is not given to all to be endowed with sufficient moral courage to adhere to what they believe to be right, to have the judgment to read what is presented to them for signature, or to understand its bearing after a careful perusal. Those persons, therefore, who allege that they signed an important petition without reading it, or that, having signed it, they did not comprehend its purport, or that they could not possibly have signed anything against the State Commissioner in Lunacy, for he was their bosom friend, or that having signed it they found on reflection that they had no charges to make against the asylums as did the minister (Senate Report, p. 2), or that they had signed under the representations of another (p. 2), or that "he cannot be a party to such charges, as they are entirely without his knowledge and belief" (p. 3), are clearly entitled to the deep commiseration of the public. The Senate Committee and the asylum interest are welcome to all such converts. They will probably receive the sincere contempt of both the friends of asylum reform and their antagonists.

The report states that "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."

These statements may be true, but your committee hesitates to believe that any medical gentlemen who signed the petition would

so stultify themselves. It is to be regretted that the names of these physicians are not given. Your committee will endeavor to obtain them. Individuals under torture have frequently confessed to having perpetrated crimes of which they were not in reality guilty. We shall see whether the rack of the Senate Committee of Public Health is more powerful than that of three hundred years ago. It is more difficult, probably, to get a confession of imbecility than one of criminality.

In regard to other portions of the evidence, as printed in the report, your committee emphatically declares that it is inaccurate, imperfect, and garbled.

Take, for example, the part where the State Commissioner in Lunacy ostentatiously, and doubtless according to prearrangement, questions Dr. Nichols in regard to Dr. Hammond's statement that a patient in Bloomingdale had died in a crib (Utica) soon after having been placed therein. And Dr. Nichols triumphantly replies:

"No such case has occurred since the institution has been under my charge."

This all seems very straight, but it is nevertheless directly calculated to deceive. If information was desired on this point why did not Dr. Ordonaux question Dr. Hammond, who had made the assertion? He had publicly stated his willingness to give names, and the whole matter might easily have been inquired into if any real desire to get at the facts of the case had existed. In the course of his examination by Mr. Goodwin, Dr. Hammond, unaware of what had taken place between Dr. Ordonaux and Dr. Nichols, brought this matter up very unexpectedly to his questioner, who at once dropped the subject. The crib (Utica) being under discussion, Dr. Hammond was asked:

"Q. Do 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."

Here was an opportunity for Mr. Goodwin to have gotten Dr. Hammond's authority for the statement, and to have learned the history from the physician in whose practice the incident occurred.

Although, as it happens, Dr. Nichols was not the Superintendent at the time the event took place, yet, for all that, it might have happened during his administration, and he have been none the wiser; for when a physician went to his institution, by order of the Court,

to examine a lady, who it afterward was shown had been confined there, while sane, for about seven years, Dr. Nichols did not know that any such person was a patient under his charge!

Dr. Nichols states that he does not use the crib at Bloomingdale. Why, he does not inform us; but that it was used there before his advent he will probably not deny. If it is so good a thing, as many insane asylum superintendents contend, and, as he says it is, why does he not employ it? Are the insane to be deprived of so beneficial a contrivance as the Utica crib merely because a few pestilent so-called reformers have denounced it?

Dr. Cleaveland, the Superintendent of the Poughkeepsie Asylum, testified (page 17) that he did not employ the Utica crib; that it was a form of restraint that should be used cautiously, and that *some patients were seriously injured by its use*, although thinking it a humane form of restraint for certain cases. Assuredly an agent capable of inflicting such damage, and which, as we know, is often resorted to indiscriminately, is entitled to all the censure which has been directed against it.

Among the Superintendents whose fitness was most distinctly impeached, was the one then in charge of the New York City Asylum, on Blackwell's Island, for women. Since the meeting of the Senate Committee, this gentleman has been removed from his position on the ground of incapacity; not as the result, be it borne in mind, of any inquiry originated by the Commissioners of Charities and Correction, but only after a newspaper reporter had ferreted out abuses in the institution, of which the commissioners must have been previously aware, but which, when published, they did not deem it prudent to overlook. Such a wholesome dread of public opinion should be commended if it were based on an honest desire to change a bad system. But as the system remains unchanged, and as the last state of that asylum is worse than the first, your committee can only regard the sacrifice of Dr. Strew as either only a "sop to Cerberus," or the consummation of a plan to place two asylums under the charge of a superintendent who, experience shows us, is incapable of properly managing one.

It must be remembered that those of your committee who went to Albany were not allowed to state anything but what they knew of their own knowledge, and that no documentary evidence was admitted. Is it to be supposed for one moment that if the Senate Committee, or rather Mr. Goodwin (for Mr. Goebel, though the chairman, never asked a question), wanted the truth, they would not

have got information from all sources? Whoever heard before of signers to a petition for the reform of abuses being required to verify their statements by their own knowledge? Your committee had witnesses ready to prove all that was alleged, and in order to get at the truth more easily, several of the petitioners addressed a letter to the Senate Committee, requesting that the committee would meet in New York where the witnesses were; but this was peremptorily refused.

The facts set forth in the memorial were many of them things which could only be known to a few persons, inmates of asylums, and which were only known to your committee through evidence which had reached it, and which would have been adduced upon an investigation. Mr. Goodwin might as well have called upon us to prove, by our own knowledge, the existence of such a place as Pekin, or that Alexander the Second is Czar of Russia, or that General Grant has just returned from a voyage round the world. We could, with time and opportunity, establish all these points to the satisfaction of any unprejudiced person; but we do not know them of our own knowledge, and that is exactly the position, in reference to asylum abuses, in which those of us who were invited to go to Albany were placed by the unjustifiable action of the Committee on Public Health.

Nevertheless, we did know some things of our own knowledge, and these we testified to, vainly as it turned out, for the committee disregarded all that was said by us and went on to consummate their prearranged plan. For instance, Dr. Hammond declared that he knew of his own knowledge:

1st. That the superintendents are not chosen from among physicians who have pursued special studies in neurology, and he gave a case in point, that of the Superintendent of the Blackwell's Island Asylum (page 22), who has since been removed on the alleged ground of incompetency.

2d. That there were assistant physicians who were just out of the too elementary medical schools, and he gave the instance of Blackwell's Island, supporting his assertion by the Report of the Board of State Charities, to the effect that there had been eighteen assistants in that institution within two years (page 23).

3d. That he knew of insane asylums, within the State, that did not possess the proper instruments for making examinations of their inmates and for treating them (page 23).

4th. That he knew that the medical officers of asylums were over-