

IRISH DIVISION.

THE SPRING MEETING of the Irish Division was held on April 6th, 1922, at Hampstead and Highfield Private Mental Hospitals, by the kind invitation of Drs. H. and W. Eustace.

Dr. H. Eustace presided.

The minutes of the last meeting were read and approved.

A letter of thanks was received from Dr. Colles, K.C., acknowledging the resolution passed at last meeting and sent to him.

The resignation of Dr. Hetherington, of Londonderry, was accepted with regret.

The meeting next proceeded to elect an Hon. Secretary and two Representative Members of Council. Dr. L. Gavin and Dr. W. N. Eustace were named scrutineers, and the Chairman declared that Dr. R. R. Leeper was re-elected Hon. Secretary and Drs. H. R. C. Rutherford and P. O'Doherty were elected Representative Members of Council for the ensuing year.

The meeting next proceeded to elect an ordinary member of the Association, and, on a ballot being taken, Patrick Daniel Sullivan, F.R.C.S., L.R.C.P.Irel., Medical Superintendent, Verville, Clontarf, Dublin, was elected an ordinary member.

The following dates were fixed for the meetings of the Division for the ensuing year:

Summer Meeting to take place at Mullingar Asylum on July 6th, 1922 (*if circumstances permit*).

Autumn Meeting, November 30th, 1922.

Spring Meeting, April 26th, 1923.

Dr. H. R. C. RUTHERFORD proceeded to read his communication on "The Nature of the Psychopathic Inheritance."

The paper was discussed by all the members present. Dr. H. M. EUSTACE gave his experiences of the treatment of the insane by thyroid extract as originally carried out at Morningside Asylum by the late Sir Thomas Clouston.⁽¹⁾ All of the speakers congratulated Dr. Rutherford upon the good results he had achieved and for the very interesting communication he had brought before the meeting. Dr. RUTHERFORD having replied to the various points raised by the speakers, a cordial vote of thanks to Drs. H. and W. Eustace for their kindness and hospitality in entertaining the Division was passed unanimously.

PARLIAMENTARY NEWS.

April 11th, 1922: Ex-service patients in West Ham Asylum.—Mr. LEONARD LYLE asked the Minister of Pensions to state the actual maladies from which the 61 ex-service men now in West Ham Asylum were suffering; whether there was any hope that they might eventually regain their normal condition; whether they were periodically examined to that end; whether any of them were disabled; if so, how many; whether they were local men; if so, how often were their relatives allowed to see them; if not, would he have them transferred to a place nearer their own home; and whether any of them were untraced.—Sir A. MOND replied: There are at present 55 service patients in the West Ham Mental Hospital whose cases may be classified as follows: dementia præcox 23, melancholia 11, mania 4, delusional insanity 6, general paralysis 5, epilepsy 3, secondary dementia 3. About 20 per cent. of these men may be expected to recover, and all cases are periodically examined. Two of the patients are disabled and both are local men. Relatives are allowed to visit on any day, and there is only one case in which no relatives can be traced.

April 12th, 1922: Discharges from asylums.—Mr. ROBERT RICHARDSON asked the Minister of Health whether, in the matter of dealings with applications for the discharge of patients from asylums, the question was decided by the local visiting committees sitting fortnightly at the asylum and in touch with its inmates, or whether any influence was exercised in this respect by the central London County Council Committee sitting at Arundel Street; and what were the functions pertaining to the latter body.—Sir A. MOND replied: Under the L.C.C. (General Powers) Act, 1915, all the duties of a visiting committee under the Lunacy Acts,

(¹) The method was devised by Dr. L. C. Bruce.—Eds.

1890 to 1911, in respect of the County of London, are transferred to the L.C.C., but stand referred to the Asylums and Mental Deficiency Committee, which meets not at Arundel Street, but at Spring Gardens. All applications for the discharge of patients from the London County Mental Hospitals are considered and dealt with at each hospital by the members of visiting sub-committees appointed by the Asylums and Mental Deficiency Committee for the management of the hospital and by them alone.

May 9th, 1922: The Lunacy Bill.—The Lunacy Bill to amend the law relating to Chancery lunatics, which has already passed through all its stages in the House of Lords, was read a second time. This measure substitutes a single Master in Lunacy and an assistant for two Masters in Lunacy as at present. Under Clause 2 the provisions of Sections 133 to 143 of the Lunacy Act, 1890, relating to vesting and other orders as amended by subsequent enactments, are declared to apply to criminal lunatics. The remainder of the Bill deals with legal matters affecting the property administration of lunatics.

June 13th, 1922: The case of Ronald True.—Mr. STANLEY HOLMES asked the Home Secretary whether he had any statement to make regarding his action in this case. Mr. SHORTT (Home Secretary) said he understood that his action was criticised on two grounds: (1) that he need not have instituted any inquiry into the mental condition of True; and (2) that having received the report certifying him insane he need not have acted upon it. The section under which he acted—Section 2 Sub-section 4 of the Criminal Lunatics Act, 1884—stated:—

“In the case of a prisoner under sentence of death, if it appears to a Secretary of State, either by means of a certificate by two members of the visiting committee of the prison or by any other means, that there is reason to believe such person to be insane, the Secretary of State shall appoint two or more legally qualified medical practitioners, and such medical practitioners shall forthwith examine the prisoner and inquire as to his sanity, and after such examination and inquiry such practitioners shall make a report in writing to the Secretary of State as to the sanity of the prisoner, and they or the majority of them may certify in writing that he is insane.”

These doctors gave evidence at the trial, as did two other medical men, to the effect that in their judgment the prisoner was certifiably insane. What were the grounds for an inquiry in this case? He (Mr. Shortt) had the reports of two prison doctors who had had the prisoner under close observation for two months. There were, in fact, two issues which were quite distinct. The first was—Was the prisoner at the time he committed the offence insane within the limit of the doctrine of criminal responsibility as laid down by the courts? That was a question on which the jury gave an answer. The further question which arose under the Act was whether the prisoner at the time of the statutory inquiry, being then under sentence of death, was insane within the meaning of the ordinary law so that he could be certified and removed to an asylum. That question was left by the Statute to the unfettered judgment of two or more medical men, and in instituting such an inquiry he (the Home Secretary) was in no way running counter to the views of the judges. On the contrary, the judge who tried the case in the first instance, in reporting that he had passed sentence of death, drew his special attention to the medical evidence as affording matter for his (Mr. Shortt's) further consideration; while at the conclusion of the appeal, which was dismissed, the Lord Chief Justice said there were certain powers vested in the Home Secretary which, in a proper case, were always exercised. If under these circumstances he had neglected to put the provisions of the Statute into operation by neglecting a medical inquiry he would have been guilty of a flagrant breach of public duty, and when challenged he would have had no defence. On the question whether he was bound to act on the medical report, Mr. Shortt said that the principle that an insane man should not go to execution had been enshrined in the law of this country for at least 300 years. Mr. Shortt concluded his statement by quoting a number of legal authorities, including Sir Edward Coke, for the legality of the action he had taken.

Mr. STANLEY HOLMES failed to obtain leave to move the adjournment of the House on the matter, only 28 Members rising in support.

June 24th, 1922: The case of Ronald True.—Mr. KENNEDY asked, on June 15th, whether the attention of the Home Secretary had been drawn to the reported statement of Mr. Justice Avory, when charging the Grand Jury at Devon Assizes,

that he very much doubted if the recrudescence of crime experienced after the war would continue to abate if the infliction of penalties of the law was to be left to the discretion of experts in Harley Street; and whether, seeing that such a statement indicated the need of a clear definition of the law relating to criminal lunacy, it was proposed to introduce legislation to remove any ground of judicial misunderstanding or divergence of judicial opinion.—Mr. SHORTT replied that he had seen a newspaper report of the learned judge's remark. As regards the latter part of the question the matter was one for careful consideration, but he was not prepared at present to say that legislation was either necessary or desirable.

Sir DONALD MACLEAN inquired whether the Home Secretary would consult the Leader of the House as to what opportunity would be given to the House to discuss this matter, not merely in relation to the particular case, but on the general question of principle involved.—Mr. SHORTT said he would consult Mr. Chamberlain.—At a later date Sir DONALD MACLEAN pointed out that the subject could not be taken on the estimates, as legislation might be required, and that could not be raised on the estimates.—Mr. CHAMBERLAIN replied that in the present state of public business he did not see how it would be possible to find a day for supplementary subjects, especially if the House was to rise in anything like good time, having regard to the probability that it would have to meet in the autumn in respect of Irish matters. On a further question, Mr. CHAMBERLAIN said he thought it might be possible for the subject to be discussed on a vote in Committee of Supply, provided that no mention were made of legislation.

In reply to another question Mr. SHORTT said that since the Court of Criminal Appeal was established in 1908 the sentence of death had been respited and the prisoner removed to Broadmoor after statutory inquiry in eleven cases. He knew of only one case similar to that of True—namely, the case of Townley in 1864—when the prisoner was afterwards certified sane. In that case the sentence of death which had been respited was commuted to one of penal servitude for life, and the man was removed from the asylum to prison. In no recent case had the prisoner been certified sane under Section 3 of the Criminal Lunatics Act, 1884. There was nothing in the law to prevent a man being executed after he had recovered his sanity, but whether it was done was another matter. Mr. Shortt said that in eight of the eleven cases that had occurred since 1908, either the judge or the Court of Criminal Appeal, or both, while satisfied that the verdict of the jury was correct and that the prisoner had been properly found guilty of murder and not insane, in the legal sense, when he committed the crime, nevertheless suggested that it was desirable that further inquiry under the powers vested in the Home Secretary should be made as to the mental condition of the prisoner.

RETIREMENT OF SIR JOHN MACPHERSON, C.B.

SIR JOHN MACPHERSON, C.B., M.D., F.R.C.P., who recently retired from the position of His Majesty's Commissioner of the General Board of Control, and is shortly going to Sydney as Professor of Psychiatry, was on June 6th presented with a testimonial by professional and other friends in recognition of his long and useful services devoted to the interests of the insane. The ceremony, which took place in the Hall of the Royal College of Physicians, Queen Street, Edinburgh, was largely attended. Professor Sir Robert Philip, President of the Royal College of Physicians, presided, and among others present were Lord Polwarth, Lord Salvesen, Sir David Wallace, President of the Royal College of Surgeons, and Lady Wallace; Sir James Hodsdon, Sir George McCrae, Sir David Paulin, Sir John Rankine, Dr. John Fraser, Dr. J. Crawford Dunlop, Registrar-General; Mr. R. Addison Smith, C.V.O., Mr. H. M. Cadell, of Grange, Dr. H. C. Marr, Commissioner, and Mr. A.D. Wood, secretary, General Board of Control.

The CHAIRMAN said that Sir John Macpherson was one of their most beloved Fellows of that College, a man to whom Fellows in time of difficulty went for advice, feeling sure that they would have shrewd, tactful, wise counsel.

Lord POLWARTH, in making the presentation of a piece of plate and a cheque to Sir John Macpherson and a diamond brooch to Lady Macpherson, said it was with a sense of real pleasure that, after reading a somewhat long list of names, he found