

MAINE STATE LEGISLATURE

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1843.

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1843.

TWENTY - THIRD LEGISLATURE.

No. 3.]

[SENATE.

REPORT

OF THE

INVESTIGATING COMMITTEE,

OF THE

INSANE HOSPITAL.

[WM. R. SMITH & Co....Printers to the State.]

REPORT.

*To the Honorable the Governor
and Council of the State of Maine:*

THE committee appointed, by a resolve of the Legislature of the twentieth of March last, in relation to the insane hospital, have attended to the duties assigned them. At the commencement of their labors, they found, that the present superintendent and several other gentlemen were strongly impressed, that their commission was not intended or designed to embrace the period, when Dr. Knapp was at the head of the institution. It did not appear to the committee, from the language of the resolve, that their field of inquiry was thus limited. They came to the conclusion therefore to receive evidence, touching the administration of the affairs of the hospital, from the time that it was opened, for the reception of patients. The late superintendent was accordingly apprized of the time and place of their meetings. He did not appear before them, nor did any one in his behalf, until near the close of their examination. Certain gentlemen then appeared, under instructions from him, and protesting that they were not aware, that the resolve was designed to open this case to further inquiry, stated, that his conduct, while he was officially connected with the institution, having been investigated by the Directors, in pursuance of an order from the Executive department, and that having resulted in his removal, he submitted to that result, and was about to remove from the State. That, under these circumstances, any further official examination into the merits of his administration, appeared to him neither necessary nor desirable. That if, however, contrary to his expectations, such

inquiry was to be pursued, he desired the aid of the State in procuring witnesses, whose attendance he had no power to compel, nor ability to pay. Upon these suggestions, no new fact having developed, bearing upon his case, which had not been presented to the Directors, the committee were of opinion, that no useful purpose could be answered, by a further agitation of its merits, or by a display of the evidence in relation to it, with any comments upon it in their report.

Whether any just cause of complaint exists, or has existed, against the present superintendent, or any of the officials, now connected with the establishment, is a question of deeper interest to the public; and one therefore, to which the attention of the committee has been anxiously directed. They have carefully examined, under oath, twenty six witnesses, male and female, who, since the fourteenth of April, 1841, have been employed, in various capacities, at the hospital. Some of them are still so employed; and others have ceased to have any connection with the institution. These witnesses embrace nearly all, who have acted in any capacity at the hospital, since that period; and all, as the committee believe, whose attendance could be procured. They concur in testifying, that since the time referred to, they never witnessed from any officer or attendant any unkindness, either in look, word, act or manner, towards any one of the patients; but on the contrary, that their deportment, in relation to them, was uniformly kind, so far as it fell under their observation; and that they heard no complaint from any patient whatever.

Mr. Director Brown was also examined as a witness. He testified, that on the fourteenth of April, 1841, he was requested by Governor Kent to visit the hospital often. That accordingly, he afterwards visited it officially once a fortnight, and at other times on business; so that he was in fact there about once a week. That, as far as was in his power, he kept a vigilant eye upon its concerns; and

especially, upon the treatment of the patients. That he neither noticed nor heard of any unkindness, towards any of them. And that, such was his solicitude upon this point, he was in the habit of inquiring of each of the patients as to their treatment, and that no complaint was made by any one. That the patients were kindly treated from that time, was confirmed by Mr. Director McKeen, so far as his inquiries or observation had extended.

No testimony of an opposing character, with one exception, which will be hereafter adverted to, was adduced before the committee, aside from certain depositions, affidavits and minutes of testimony, which were used before a committee of the legislature, and which were put into their hands.

Many of the witnesses before the committee were examined as to the facts developed in the testimony last adverted to, the result of which was to some extent in direct contradiction with it, or was calculated more or less to conflict with it, or to throw doubts upon its credibility. For instance, the deposition of Jane Dudley, which was before the legislative committee, narrated and exhibited conduct and deportment, in a high degree improper, on the part of the late matron, Mrs. Winslow, towards Miss Marshall, a female patient. With regard to this testimony, two female witnesses testified before the committee, that Jane Dudley's character for truth was not good. One of these, and another female witness testified, that Jane had conducted improperly at table, and went away offended with Mrs. Winslow. And two other female witnesses, who were present, when Jane Dudley says Mrs. Winslow behaved improperly towards Miss Marshall, positively deny the facts, which she details. Taking this testimony altogether, in connection with what was said by other witnesses, as to the uniform kindness of Mrs. Winslow, the committee feel constrained to report, that nothing to her prejudice has been verified, to their satisfaction.

It would lead to too much detail, to introduce all the

evidence elicited, in answer to that which was before the legislative committee. The case of one of the patients, Hewes, may justly deserve a distinct consideration. It is one, which they doubt not has affected the sensibilities of many persons, residing in the neighborhood, who had been honestly brought to the conclusion, that there had been something wrong in his treatment. The committee have spared no pains to ascertain the truth of this charge. It was well proved, that notwithstanding all which could be done at the hospital, his habits were excessively filthy to an extent, which cannot be described, without offence. It became necessary therefore to keep him at the lodge, where all measures were taken for his personal comfort, which were consistent with his condition. The committee, from the testimony of witnesses most competent to know, are satisfied, that withdrawing him from the impure air of the lodge, and giving him the benefit of the pure and open air, through the greater part of the day, was a humane act; and that no greater restraint was imposed upon him, than was indispensable. It appeared, that he was exceedingly voracious; and that his habit was, to ask for food of every one who came near him, even directly after he had taken a full meal. It appeared that he was well supplied with suitable food from the hospital.

There was evidence before the legislative committee from two lads, that they saw Henry Winslow, the steward, beat Hewes, and thrust or throw him head first, into a post hole. This was denied by Winslow; and several witnesses, well acquainted with the localities, testified, that to their knowledge there was not, and had not been, any post hole, near where this scene was represented to have taken place. The committee were thereupon induced, in one of their visits to the hospital, to send for one of the lads, who lived near, the other having gone out of the country, to point out to them the post hole, or where it was, if filled up. He did so, selecting a spot covered from the eye, by a deposit of cedar and boards,

the remains of an old fence, which had been lying there since the last fall. Upon causing this to be removed, the hole, nearly filled up, was discovered on the spot, pointed out by the lad. The state of the earth within, compared with that around it, was such, as left no doubt, that there had been a hole there; and it was afterwards very clearly proved, that there had been taken from it one of the posts, upon which a shed had rested. The lad insisted, that he saw this post taken up the morning of the day, that Hewes' head was thrown into it. Joshua Yeaton however testified, that he was at work at or near the spot, prior to the time designated by the lad, and that no such post was then to be found. The man, to whom the lad was an apprentice, and one of his neighbors, gave him a high character for veracity.

With this exception, the committee are not satisfied, that the claims of humanity, in regard to Hewes, were in any degree disregarded. Mr. Director Brown, who gave special attention to his case, stated, that he should not have desired better treatment for his own son, under similar circumstances. Mr. Director McKeen saw him, while under the tree, and testified, that his being placed there as he was, was a measure, to which he should have advised.

If this instance of misbehavior in Mr. Winslow is to be regarded as proved, it does not appear, that it came to the knowledge of the superintendent, or that any other officer is implicated. Most of the other witnesses, who testified before the committee, spoke of the uniform kindness of Winslow, so far as they knew, and of the fidelity with which he discharged his duties; although there was evidence before the legislative committee, from two witnesses, of very offensive language used by him, of or to the mother of Hewes, after his decease.

The committee, after comparing all the testimony together, are of opinion, that it has not been made to appear, that any thing exists, or has existed, to impair the

public confidence in the competency or moral qualities of the superintendent, or of any of the officers, at present connected with the institution. The present superintendent, Dr. Ray, is believed to be eminently qualified for the position he occupies. He has distinguished himself as an author, in support of the cause, in which he is engaged, and his work has given him a high reputation, both in this country and in Europe.

But no qualifications of the superintendent, however eminent, will be sufficient to confer upon the institution the greatest power of dispensing its blessings, without the concurrence of subordinate officers, equally well qualified for their respective duties. Sound judgment, circumspection and experience, are necessary in the appointment of these officers. No person can be supposed more competent to judge of the requisite qualifications, than he, who presides over the establishment, and to whom the responsibility of its momentous concerns is confided.

The assistant physician, Dr. Booth, and Mr. Winslow had been charged with a conspiracy, to procure the removal of the late superintendent, Dr. Knapp. This charge has not been supported by proof; but all knowledge of the existence of such a conspiracy is disclaimed by those, who would be most likely to know it, if it had been true; and especially by those, who were themselves instrumental in making representations against Dr. Knapp.

The committee are of opinion, that the usefulness of the institution depends much upon the estimate, in which it is held by the whole community. This would be greatly impaired by the belief, or even suspicion, that its official administration depended at all upon the fluctuations of party. If such an imputation should justly rest upon it, it could not fail to excite general disgust. Consecrated, as it ought to be, to the humane objects, for which it was established, it should be far removed from the strife of political agitation. Motives of this sort may be suspected and charged upon the appointing power, where

they do not exist. And when they do exist, they may be masked under so many specious pretences, as to elude public scrutiny. With a view to remove the institution, as much as possible, from the range of these influences, the committee would respectfully submit to the legislature the expediency of establishing a board of trustees, to be selected, without distinction of party, who should be invested with the power of appointing the officers of the insane hospital, and charged with its general superintendance. Or if it should be apprehended, that such a patronage might become an object of jealousy, the nominations of the board might be made, subject to the advice and consent of the executive department of the state. The plan of government here suggested, has been adopted for similar institutions in some of the states.

It is well known, that the treatment of the insane has in modern times been very much improved, under the auspices of men, distinguished alike for science and philanthropy. But it is not so well known, as it ought to be, that insanity properly treated, in its earlier stages, may generally be cured. The claims of humanity require, that the proper remedies should be at once applied. They can no where in our state be so efficaciously furnished as at the hospital. There can be no question, that if this institution should obtain public favor, to the extent it deserves, it may be productive of great good, in relieving many human beings from the greatest misfortune, which can befall them in this world. It would be most afflicting to humanity, if through misapprehension or misconception, its benefits should not be extended to every one, of whose cure just hopes might be entertained. If any mode can be devised to enforce the duty, already imposed upon towns, in regard to insane paupers, the benefits thence resulting, if economy alone were consulted, would finally be felt and acknowledged by the whole public. If a cure can be effected, at an expense of one or two hundred dollars, a town is thereby relieved from a

continuing expenditure for years, which may in the aggregate, amount to a large sum. But in addition to this consideration, the restoration of a human being to the exercise of his rational powers, and to usefulness in the community, is a blessing, the value of which cannot be made the basis of pecuniary calculation. It is believed, that a charge of from two dollars to two dollars and fifty cents a week, would indemnify the state for the actual expense, to which it would be subjected, for such, as are supported in whole or in part at the expense of towns.

There are however some insane persons, for whom their friends have an insuperable repugnance, to solicit relief as town paupers; but who are themselves unable to meet the whole expense, necessary to be incurred at the hospital. They might not be unwilling to avail themselves, in whole or in part, of a charity coming from public sources, such as might be proffered at the expense of the state, or of a county. Different modes of extending relief to patients of this description, have suggested themselves to the committee; and it is a matter not entirely free from embarrassment. The assumption of the expense by the state has been thought by some most eligible, but the better opinion seems to be, that in the present condition of the finances of the state, such a recommendation at this time, if otherwise desirable, would be premature. If beneficiaries of this class, to a limited extent, not exceeding thirty or forty in number, to be apportioned upon the counties, according to their population, could be provided for, it might be an experiment well worth trying. It might be left to the Judge of Probate, in the respective counties, to determine, upon such inquiry as he could make, to whom the privilege should be extended, and what proportion of the expense should be a charge upon the public, to be defrayed from the county treasury; making it his duty to give a preference to the most pressing claims, if there were a greater number of applicants, than could be accommodated.

Experience has shown, that the hope of cure, in old and confirmed cases, is greatly diminished ; yet their condition may be much improved. Public establishments for the insane, properly conducted, not only have the most benign influence upon their comfort and happiness ; but in many instances, they have been found capable of being employed in useful labor. If however more patients should be offered at the hospital than can be received, a preference should always be given to recent cases.

A library properly selected, for the use of the patients, has been found highly useful and salutary. If the fund, given by the late Judge McLellan, for the benefit of the insane, could be invested in state stock, and the interest applied annually to the purchase of books for a library, the humane intentions of the donor could, in no other mode, be better carried into effect.

It has been deemed by the most competent judges indispensable, that a carriage and horses should be provided, for the benefit of invalids and female patients. It would add much to their comfort and happiness ; and have a tendency to aid essentially the curative remedies applied.

It is desirable also to ornament the grounds, by proper grading, trees and shrubbery, which may be gradually done, at a moderate expense.

The committee would recommend, that provision should be made for a covered way from the hospital to the lodge, prepared for the reception of females. When it becomes necessary, that they should be carried to that place, their condition is often such, as to render public exposure very unsuitable.

On the question, submitted to the committee, " whether it is expedient to provide by law, that all insane persons, being citizens of this state, not adjudged by the superintendent of said hospital to be incurable, shall be supported in the hospital, at the expense of the state," their answer has been anticipated, by their previous intimations.

They would close by commending this noble institution, the joint result of private and public munificence, to the guardian care of the legislature and the friends of humanity throughout the state.

NATHAN WESTON,
WILLIAMS EMMONS,
STEPHEN C. FOSTER.

STATE OF MAINE.

IN SENATE, January 7, 1843.

ORDERED, That 500 copies of the Report of the Investigating Committee on the Insane Hospital, be printed for the use of the Senate.

Attest :

JERE HASKELL, *Secretary.*