

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1850.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1850.

THIRTIETH LEGISLATURE.

No. 37.]

[HOUSE.

R E P O R T .

THE JOINT SPECIAL COMMITTEE to which was referred the petition of ISAAC H. HUNT, preferring sundry charges against the Insane Hospital, have had that subject under consideration and ask leave to

R E P O R T :

That they have given the subject a careful and searching examination, of many weeks' duration, during which they have examined numerous witnesses on their oath, and have sought truth from every available source of information.

The various charges may be grouped into two general classes :

- I. As they relate to Mr. Hunt's personal case.
- II. As they relate to other cases.

The first class of these charges comprises several grievances :

1. That while an inmate of the Hospital, "the petitioner received medical treatment, destructive both of his mental and physical health." Of this he produced no evidence save his own impressions received while in a state of severe insanity,—impressions which seem to have clung to him ever since. This charge, in the judgment of the committee, so far from being true, refutes itself by its own impossibility, and constrains the

committee to believe that some of the hallucinations which are the companions, if not an ingredient, of insanity, still afflict the unfortunate petitioner.

In this connection, it should be observed that Mr. Hunt stated before the committee that, since his discharge, he has sought the professional advice of the officers of the institution; and, as having a direct bearing upon this point, as well as upon all his charges, he also admitted to the committee that he had voluntarily solicited the superintendent, since leaving the Hospital, to re-admit him, should sickness or misfortune overtake him.

From these considerations, the committee were unanimous in the opinion that Mr. Hunt was not abused, as he alleges, by improper medical treatment.

2. "That he was unnecessarily restrained of his liberty by too close confinement in the Hospital." The testimony went to show that Mr. Hunt was sent to the Hospital September 21, 1844, by the advice of his friends, and at the written order of the selectmen of Augusta—that he was a "raving maniac," to use his own words, and had a suicidal tendency that had manifested itself by personal violence—that, as his case improved, he was permitted to go at large somewhat, till, manifesting again suicidal designs, as his attendants thought, he was restricted in his former liberty, and confined within the Hospital. It was the opinion of the committee, eight to seven, that Mr. Hunt was not too closely confined.

3. "That he was unnecessarily detained."

Unacquainted with the circumstances of the case as it then existed, the committee found much difficulty in determining the question. As a standard by which to test this case, it was important to settle first the general question, how long shall a patient be detained? Shall it be till he is perfectly cured—till he stands forth "clothed and in his right mind,"—or till he fails to be benefited by medical treatment, and ceases, in the opinion of those whose duty it is to judge, to be dangerous to

himself or others? Unable to settle this test, the committee were unable to settle the case to be tried by it, and in their votes upon it were divided equally.

II. The second class of charges may be grouped as follows:

1. Alleged abuses as connected with defects in the apartments for the insane.

It appears that before the erection of the south wing, some of the more furious male patients, from necessity, were confined in a small brick building called "the lodge," which was warmed by warming the stone floor by means of a furnace below it. And it appeared in evidence, that, from defect in the construction of the building, or the furnace, or both, it was difficult to regulate the fires so as to insure equable and proper warmth;—sometimes (owing to the wind, the witnesses thought,) burning with too much, and then with too little violence. In this lodge, it was charged that a patient by the name of Eastman was "burnt to death." The testimony on this case was much, and very conflicting; the substance of it is this: His attendant found Mr. Eastman one evening with his leg in the close stool, and thrashing his body, mostly naked, upon the stone floor. He removed the patient to other apartments, where inspection of the body showed recent wounds on those parts—the hips and shoulders—most exposed to chafing on the floor. The patient lived a few days after this occurrence.

Was the lodge on this occasion too hot? All the testimony concurred that it was, and such was the unanimous opinion of the committee. Could constant, or even close watching of the fires, have prevented this overheating? The evidence went to establish the affirmative, and it was the unanimous opinion of the committee that this overheating was occasioned by the carelessness of attendants. "Was Mr. Eastman *burned* while in the lodge?" On this naked question, without indicating the *degree* of burning, the sense of the committee was, eight to four, not burned. "Was Mr. Eastman seriously *injured* by

the heat of the room?" The sense of the committee was, nine to five, that he was not. The import of this proposition was, whether he was injured, directly or indirectly, as the effects of too high a temperature. "Was Mr. Eastman *injured* by the heat of the room?" The import of this question was, as will be seen by the foregoing—did Mr. Eastman receive *any, the slightest*, injury by the heat of the room? The sense of the committee was affirmative, nine to five.

The only point, therefore, upon which the committee were agreed with any degree of satisfaction and unanimity was, that the lodge was overheated by the carelessness of attendants. But how much, if any injury, the patient received from the effects of heat—whether the wounds found upon his person were the result of such overheating, or were produced by his beating on the stone floor, or both combined—whether his death was hastened by the occurrence, or, as was testified by the assistant physician, was the work of swift preying disease, neither the committee, nor any mortal wisdom can determine.

It is a matter perhaps not less important, nor less due to truth and justice, to inquire in this connection, how far the State, having undertaken to provide for this unfortunate class of beings, was culpable for not providing safe and adequate means; and how far and how well the officers of the institution performed their duty in carrying out its objects with the means thus placed at their disposal.

The whole testimony went to show the utter unfitness of this building (the lodge) as a receptacle for the insane, particularly with reference to the mode of warming, which, as already stated, was by heating the stone floor by means of a furnace below—a mode which, with the utmost care, must ever be imperfect and improper. This mode, however, appears to have been the prevailing one, in all similar structures, both in this and other States, at that time.

A reference to the annual reports of the officers of the Hospital, before the Eastman occurrence, will show that they

urgently called the attention of the State to the defective condition of those apartments; and there was direct testimony before the committee that, immediately on that occurrence, the superintendent solicited both the board of trustees and the legislative committee to a personal inspection of those apartments, and urged upon their attention the importance of a safer and more convenient building. On those recommendations the State voted liberal appropriations for the erection of the south wing, which now affords ample and excellent accommodations, and which has entirely superseded the use of the lodge.

Thus it appears that the officers of the institution, early and ever vigilant in discovering those defects, and urging the necessity for better accommodations, looked well to the trusts committed to them; while the State, in its noble response to the call, amply retrieved its former errors. In the judgment of the committee both have deserved well of humanity.

Under this group of charges was another quite similar, viz: that a portion of the female patients have suffered wrong, though less in degree, from causes which rendered the lodge unsuitable. It appears that a small brick building called "the cottage," similar in structure, and having precisely the same mode of warming as the lodge, has been used for some years, and still is used, for the more furious class of female patients. And it appeared in evidence that this cottage had been sometimes too warm, and again too cold, for the comfort at least of patients—an occurrence ever liable to happen, owing to an inherent defect in the mode of heating, as already described. From personal inspection, also, the committee are of the opinion that the building is unsuitable in other respects, such as a want of spaciousness, of improved modes of ventilation, &c., and that it ought to be abandoned at the earliest practicable moment.

Nor should the meed of praise in this case be withheld from those to whom it is justly due. The report of the trustees for

the year 1849—one of whom was Gov. Hubbard—thus alludes to this subject:—

“The increased demand for hospital privileges, and the painful impossibility, with only the existing rooms, of making the requisite classifications in the female department, constrain us urgently to present the necessity for the north wing. It will be appropriated to females, the south wing having been assigned to the other sex. * * * * Before it can be finished, the call for it will be pressing and loud. The foundation ought to be laid at an early day.”

This recommendation was submitted to the last legislature, in a resolve making an appropriation for that object, which failed to receive the favorable action of that body.

If, therefore, these accommodations are insufficient and improper, upon the State, it will be seen, rests the larger share of culpability.

2. Another group of these charges was, that the medical treatment was sometimes too severe, and at other times inadequately attended to. Upon this point there was no evidence before the committee, except as relates to the use of the shower bath. On the question whether it “had been used too excessively as a medical means,” the vote was negatively, nine to five.

Another charge which properly belongs to this group, was, that the shower bath had been used upon the patients as a *punishment*. The sense of the committee was negatively, nine to three. The charge was, that a patient had been showered because he broke some crockery,—the evidence was, that the showering was used as a medical means, to relieve the paroxysm of insanity which led to the commission of the act.

In this connection was charged an abuse from want of cleanliness. As a general rule, so far as the committee have learned by personal observation, and from testimony before them, unusual pains are taken to secure proper cleanliness. Among a class of patients where reason and the very instincts of nature

are obliterated, that constant personal cleanliness which attaches to the reasonable, would be impossible. One witness testified that a patient of whom he was the attendant, was not kept sufficiently cleanly, thus implicating himself, and not the officers,—that being a part of the very duty for which he was employed. Upon this individual case, on the testimony alluded to, the committee were unanimously of the opinion, that there was neglect from want of cleanliness.

3. By far the largest group of charges, and in the judgment of the committee, the best sustained, was found in the treatment of patients by their attendants. Upon the general, naked proposition—"have there been abuses by attendants?" the vote was unanimous in the affirmative.

These abuses appeared to consist generally in the use of physical force in moving or restraining patients. Conflicting as was the testimony on this subject, and coming in most cases from persons who had been dismissed from employment at the Hospital, it was difficult to arrive at just conclusions in many of the cases. Besides, precisely what amount of force one would be justified in using in self-defense when attacked by a furious mad man, or to effect a given object, necessary to the good of such a patient, the circumstances alone, as they existed at the time and on the occasion, can determine. In many of the cases charged as abuses, it appeared that no more power was used than was necessary for one or the other of those purposes. In far too many other cases, it was conclusively shown that more force, both in kind and degree, was employed than was either provoked or necessary. Yet there was no evidence that any patient was materially injured by such force.

In all these cases, however, whether of real or alleged abuses, the committee had before them the fullest evidence that, so far from those abuses being tolerated by the officers, the attendants were instantly, and in all cases, discharged, when found from this, or any other cause, to be incapable. All the witnesses who testified to seeing or knowing those abuses, in-

variably testified that they never informed the officers concerning those abuses, and that they had no reason to suppose they ever came to the knowledge of the officers. As already intimated, some of these very witnesses had been attendants at the Hospital, and had been discharged for those very causes. On the proposition—"Has the committee evidence that the officers countenanced abuses committed by any person employed at the Hospital?" the answer was unanimously no.

The proposition was then propounded—"Have there been abuses by any person now employed at the Hospital?" The answer was "yes"—that Simon S. Bartlett was that person, and that he ought to be discharged from all connection with the Hospital,—all as the unanimous sense of the committee.

"Have the officers of the Hospital sufficiently watched after, and investigated the conduct of said Bartlett?" Six years, seven nays.

"Has there been neglect on the part of the officers, by not closely watching the attendants, other than Bartlett?" Three years, nine nays.

"Have the officers failed to investigate sufficiently the conduct of attendants when complaints were made against them?" Four years, nine nays. Upon this point the committee would remark, that there was no evidence in support of the proposition, except in a single instance, where a patient complained of being abused, to whom the superintendent replied, "he guessed not." It is the nature of the insane, it appeared in evidence, to be continually complaining of abuse, from their best friends even.

If thus, in any instances, the attendants have violated their trusts in the want of kind feelings and tender actions toward the patients, it becomes a question of much practical moment—how shall the evil be remedied? If the complaints of the patients are to be taken as sufficient reason for discharging an attendant, every hospital in the country will be empty of their attendants in a single day, since, as already observed, it is one

of the characteristics of the insane to fancy themselves abused. If the attendants will not criminate themselves, and those who witness the evils will not give the information, the utmost vigilance of the officers would seem to be in vain. Shall the officers, through the fear of punishment or the hope of reward, set a portion of the attendants to be spies upon the other? To every honorable mind the idea is revolting. Can more care be used in the selection of attendants? It is here as in all similar matters,—the proof of fitness is in trying them, during which trial perhaps the very evil is committed. Is higher pay the remedy? There is wanting the proof that the *disposition*, in which mainly resides this qualification, is changed by such a consideration. If higher pay would retain for a longer time those attendants whom trial and experience have marked as worthy, then by all means should that inducement be offered.

While, therefore, the committee would recommend to all those to whom this institution is entrusted, the utmost vigilance in detecting, and the same promptitude as hitherto in discharging all offenders, they are unable to suggest an improvement, or to point out to them a remedy for this evil. Perhaps, however, a statute making it a penal offense to withhold such information, whether in possession of persons connected with the Hospital, or otherwise, might be of avail, should future exigency require it.

4. Alleged abuses from improper food. Much testimony of a very contradictory and unsatisfactory character was offered in support of this charge.

There are two distinct points in this charge which deserve a distinct consideration—the one, that improper and unwholesome food was served to all the patients; the other, that different food was served to different classes of patients.

On the first point the complaints seemed to be confined to two kinds of food—meats and puddings. Respecting the meats, it appears, that, as in all large establishments, where large quantities at a time are demanded, a desire to keep the meat

fresh in hot weather, has resulted in injuring its odor, and perhaps its more essential qualities—an occurrence which frequently befalls private families. In this state it was testified to have been served to the patients, but the instances were so few, as to show it was purely accident and not design—the exception and not the rule. The balance of testimony went to prove that precisely the same meats, cooked in the same dish, whether pure or tainted, went alike to all the tables—patients', officers' and all. It was also proved that at all times there was a sufficiency of good food besides the meats on the tables, so that no one could suffer even in the event that the animal food was occasionally bad. Appropriately here as elsewhere in this report, it may be stated that this ordeal, severe as it has been, has revealed not the remotest evidence that there has been the least attempt at peculation, on the part of any one connected with the Hospital. Hence, if, as charged, there have been errors committed in the provision department, they have arisen, in the judgment of the committee, entirely from an honorable regard to *economy*. While, therefore, the *practice*, if it should degenerate into abuse, should be condemned, the *motives* which give the true character to all actions, stand forth pure and unspotted, and deserve commendation.

Two votes in committee show its sentiments on this subject:

“Have there been abuses by improper food?” Yeas five, nays nine.

“Has tainted meat been sent to patients?” Yeas six, nays five. These votes were on the abstract propositions, irrespective of the times, circumstances and motives, and should be referred to the foregoing explanations.

One complaint was that “the puddings were so improper that neither the officers nor attendants would partake of them.” Puddings, it seems, were made for the patients from the broken bread which came from their own tables. This was the testimony, and it is no marvel that the sane should disrelish such a

dish, though perfectly good and appropriate for those from whose touch it had been received. The fastidious taste of a sane person might well refuse to drink from a vessel used for that purpose by a sane patient, while for the sick one it might be perfectly proper. How much more excusable is the feeling which rejects this communion with insane patients.

The other point, that poorer food is served to the worst class of patients, is one that was dwelt upon at much length, and with some prominence by the complainants. The testimony was this: that, as already explained, to each gallery were sent the puddings made from its *own* broken bread,—consequently, where the patients were most insane, the bread, and of course the puddings, would necessarily be of a poorer quality than that returned from a gallery where the patients had nearly recovered. All the evidence went to show that the first serving of food, as bread, cakes, meats, &c., was precisely the same to all the tables, including the officers'. The matron, whose duty it is to superintend all the preparing and serving of food, and with whose candor and fairness on the occasion, the committee were struck, testified that no difference whatever was made, with the exception named, and with some little "messes" now and then for those patients who had nearly recovered, and whose mental and physical taste had so far improved as to appreciate those attentions. Where all cannot be accommodated, a proper discrimination on that principle, in the opinion of the committee, is laudable. Such was the testimony upon which the following vote was predicated: "Has poorer food been sent to the worst class of patients than to the better class, and than was eat by the attendants?" Yeas seven, nays five.

The following was the last vote taken in committee, and covers the whole list of charges, so far as the officers are concerned:—"Has there been any evidence that implicates the officers in wrong doing, unless the retention of Simon S. Bartlett should be so construed?" Two yeas, seven nays.

In concluding this report, the committee would say that they

have given the most ample opportunity to the complainants to be heard. It was managed on their side by able counsel, and the resources of the State were placed at their disposal for acquiring proof. And to insure the freest and fullest investigation, witnesses were allowed to testify, who would have been excluded from courts of justice, both as to the witnesses and the matters testified of. And none, it is believed, who have witnessed the patient sittings of the committee, will accuse them of unfairness and partiality. The Insane Hospital is an institution in which the whole people have a deep interest,—their means erected it—their means sustain it. To them it was due to know whether those means have been well or otherwise bestowed.

Is, then, the Maine Insane Hospital worthy the continued care and confidence of the people? Has this long and arduous investigation revealed it as a safe and suitable retreat for those unfortunates? Such is the belief of the committee. And while on the one hand, as in all delegated trusts, the people should be ever vigilant to discover, and prompt to punish, the violation of those trusts, so on the other, they should see to it that superstition, nor ignorance, nor envy, nor ambition, nor any evil power, shall write ruin upon its walls, to blast forever the hopes of the unfortunate. These institutions, wherever the light of civilization lingers, arise as the great moral and social land-marks of the age; and it becomes the duty of the friends of humanity to raise their voice against each rude hand lifted, whether through passion or “the zeal that is without knowledge,” to destroy them!

To suppose that these institutions are perfect, either in their mechanical arrangements, in the laws which govern them, in the administration of those laws, or in their operations generally, and therefore are free from cause of complaining, is to suppose that science, and art, and human nature, have attained that perfection which belongs alone to the attributes of the ETERNAL.

Upon the world's astonished attention each day is crowding some new discovery in science, some new invention in the arts, to elevate and improve the condition of man;—so shall this, and all similar institutions, catching the swift beams of improvement, if nurtured and sustained in their high and holy vocation, exert a yet wider and more perfect usefulness, to bless a class of beings, whose unfortunate condition claims and pleads, as no mortal eloquence can plead, for generous care and commiseration.

All of which is respectfully submitted.

PUTNAM SIMONTON, *Chairman.*

AUGUSTA, Aug. 28, 1850.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, August 28, 1850.

ORDERED, That 2,000 copies of the foregoing Report, be printed for the use of the Legislature.

E. W. FLAGG, *Clerk.*