

MAINE STATE LEGISLATURE

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REPORT

OF THE

Committee of the Legislature of
1881,

CONCERNING THE MANAGEMENT OF THE

MAINE INSANE HOSPITAL,

WITH THE

ARGUMENT OF ORVILLE D. BAKER, ESQ.,

BEFORE THE COMMITTEE.



Published by Order of the Trustees.

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MAINE INSANE HOSPITAL,

*By Authority of an Order of the Legislature,
Passed February 3, 1881.*

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ARGUMENT OF ORVILLE D. BAKER, ESQ.

BEFORE THE COMMITTEE.

Published by Order of the Trustees.

INSANE HOSPITAL.

To the Honorable the Senate and the House of Representatives :

The undersigned, a committee of your honorable bodies, charged with the annual examination of the Insane Hospital, have the honor to report that, in the progress of their examination of said institution, early in the session, it became apparent that there were current vague rumors affecting the standing and usefulness of the hospital. A communication from the Trustees thereof was received January 25th, as follows :

OFFICE OF TRUSTEES,
MAINE INSANE HOSPITAL,
AUGUSTA, Me., Jan. 21, 1881. }

“To the Legislative Committee on the Insane Hospital. We, the undersigned, Trustees of the Maine Insane Hospital, believing the insane hospital of our State to be an institution worthy of your patronage and that it should command the entire confidence of the public, and whereas certain impressions appear to exist in the minds of some, and certain allegations are made in the public press that the hospital management, both on the part of the medical staff and the board of Trustees, is not wholly judicious and correct; therefore we cordially invite your honorable committee to make, if desirable on your part, a free and full investigation into all the affairs of the hospital and the management of the same.

(Signed)

J. S. CUSHING,
SILVESTER OAKES,
J. H. MANLEY,
C. W. JOHNSON,
J. T. GILMAN,
Mrs. C. A. QUINBY, } *Trustees of Maine
Insane Hospital.*

In pursuance of this request, this Committee decided to enter upon such investigation as should enable it to ascertain the truth or falsity of the rumors. As there were no charges of any kind lodged with this Committee, nor any written complaint or petition other

than the letter of the trustees, in order to obtain evidence upon the rumors and irresponsible newspaper articles an order was obtained, February 3, 1881, from the Legislature, authorizing this Committee to send for persons and papers, and an official stenographer was employed by the same authority.

Your Committee have held twenty meetings, extending from January 24th to March 10th, 1881; every facility has been granted to obtain evidence to both the prosecution and the defence. Attorneys were employed by the respective parties, and the efforts of the prosecutors to maintain the positions they assumed have been met by the Trustees by a resolute defence of the institution under their charge. The Committee has felt that it was due to the people of the State that all rumors should be traced to their source, and carefully examined, to the end that if the management of the Hospital should be found unfaithful, inefficient, or inhumane, corrective measures might be taken; or if it should be found to be worthy of public confidence and support, the same should be reported to the Legislature.

As the result of our investigation, we respectfully present the following summary of our observations, and of the evidence obtained in our long and widely advertised series of meetings:

BOARDS OF CONTROL.

The government of the Hospital is vested in a Board of six Trustees, selected and appointed by the Governor and Council, and charged by law with entire control under the appointing power. It is by law the duty of this Board, by a committee to make at least one visit to the hospital in each month, and full board meetings are held at the beginning of each quarter. It has always been customary to have at least one physician on the board. At the present time there are four. As it is to this board that all questions of administration finally come, and in this board rests the final responsibility of maladministration, so, also, is the credit of judicious selection of officers and of whatever success may be achieved under their direction due to the same guardians of this great public trust. The Board of Visitors, consisting of two members of the Executive Council, one of whom, we believe, has always been a physician, and one lady, came into existence under an act of the Legislature passed in 1874. This board is charged with inspecting and advisory powers, and its visits are, under the law, made without notice to the local officers; the members are all provided with full sets of keys, and among other duties they are charged with a care-

ful supervision in the interest of kind and humane treatment, and with advisory powers relative to progressive measures designed to benefit the unfortunate wards of the State. A committee of the Executive Council is annually chosen to inspect the institution, and the Governor and Council may remove any Trustee, and the Superintendent and Treasurer, when for the public interest they deem it necessary to do so. The financial affairs come before this body for final settlement.

WATER SUPPLY AND FIRE PROTECTION.

Upon this subject certain rumors and complaints were current, and your Committee has, by personal examination and thorough testimony obtained, reached the conclusion that the matter is fully and truthfully stated in the annual report of the institution for 1880, which has been laid before your honorable bodies. We have become fully satisfied that, with nominal expense a practically unlimited quantity of water is available; and additions are now in progress which will largely increase the supply. It has been suggested that the supply be taken from the river, as an unfailing source. This would certainly furnish unlimited quantities, but as the scheme was, previous to the building of the present works, examined by experts and pronounced too expensive to be adopted, and in view of the fact that the present works are now sufficient, and are being increased, it seems to this Committee undesirable to recommend heavy appropriations for that purpose. We will add, that we have found the Trustees and all local officers entirely willing that such supply be furnished, but with one exception none would recommend it.

In regard to the insanity of the inmates, the dangers of fire are greatly in excess of those in as many private families as would comprise as many people. In other regards the degree of safety is far in excess of that enjoyed by people generally. The buildings are regularly patrolled, every hour during the night, besides being visited by an alternate watch in the intervals; attendants sleep in each ward with the patients; officers are on duty from five A. M. until midnight of each day; and throughout all parts, while the patients are not in their rooms, sane people are on duty. The entire heating is done by steam, and the lighting by gas; and the admirable fire apparatus is kept always ready for instant use. Your Committee witnessed the playing of six excellent fire streams at the same time, in the open air. And the officers were prepared to bring out six more. Two heavy streams were played from windows in

the roof of the wings, at the same time, and the hose was run off one of the reels, and water applied in seventeen seconds, as timed by a member of the Committee.

It is the opinion of the Committee, that the system of fire apparatus is as thorough and complete as any devised.

SUPERINTENDENT.

Direct allegations or statements of opinions by witnesses, unsupported by testimony as to facts, but much enlarged upon by counsel for the prosecution, were introduced to show incompetency and inefficiency on the part of the Superintendent. These are grave statements. The witnesses on this point were a medical officer whose services were, in the opinions of the Trustees, unnecessary; a discharged Supervisor; a discharged attendant and his wife, and the Rev. Dr. Butler. The medical officer stated under oath that he entered the service expecting to supersede the Superintendent; the Supervisor and the attendant gave evidence which to our minds went very far to prove the competency of the Superintendent, and Rev. Dr. Butler, (whose wife is and has been a patient of the Hospital) testified to matters which had no foundation in fact, showing very clearly that his opinions was based upon false premises. The testimony shows that Dr. H. M. Harlow, the officer in question, entered the service in 1845, that he had previously served as assistant physician at the Brattleborough Asylum, and that he served in this institution in the same capacity until 1851, when he became Superintendent. He has served uninterruptedly in that capacity since. The evidence shows that he is at present fifty-nine years of age, is in good health and in full possession of the necessary physical strength to perform the arduous duties of the office which he holds. The universal testimony from all alike, is, that he has throughout exhibited a kind and even temperament, being always calm amidst the many perplexities of his arduous and responsible position. The testimony also shows that though calm, he has administered his great trust with firmness, and that his removal of offenders has invariably been swift and sure. The institution has grown up mostly under his care. Whatever of success has been achieved in the treatment of more than four thousand patients, of whom some fifteen hundred have been restored to their homes, has been largely the result of his skill.

Whatever of progress has been made in Maine in the treatment of insanity is due to his efforts more than those of any other man. It is admitted by counsel for the prosecution, that the Maine Insane

Hospital stands to-day the peer of the most modern institutions of New England. This we believe to be true.

Letters from several of the leaders in the specialty were offered by the defence, and are on file with the secretary of this Committee, stating in unreserved terms the opinions of the writers, that Dr. Harlow stands on a par with the best in New England. It follows, then, that the charges of incompetency and inefficiency must fall. A man must be judged by his works.

The Maine Insane Hospital stands as a monument to the philanthropy and humanity of the people of Maine, and its beneficent work has endeared it to its supporters.

The history of institutions for the insane is replete with the records of suspicion and animosity. This is the fourth investigation of the Hospital since Dr. Harlow became its Superintendent, and through them all he has come without reproach. A similar history pertains to most institutions of this class, but it has been rare that one man has been able, by his force of character and conduct alone to survive such storms. Charges of the greatest atrocities have found credence in the public mind, and, upon examination, have proved the emanations of some fevered and distorted brain; employes discharged for neglect of duty, or for unkindness to patients, have, in revenge, fabricated tales of horrid abuses, or cunningly mis-stated some trifling fact, and rivals have sought to obtain by artifice and subterfuge a position far beyond their abilities to successfully manage.

The whole evidence from both sides has shown that Dr. Harlow has at all times been kind but firm, quietly attending to his arduous duties. Your Committee are of the opinion that through his long term of service he has faithfully performed his duty, and deserves the grateful thanks of the people of Maine, and that the charges brought against him are groundless and not sustained by the facts.

ABUSE OF PATIENTS.

Evidence designed to show that patients had been abused in various ways has been freely offered, covering something like twenty years of the history of the hospital. The whole number alleged has been sixteen. It has been the desire of your Committee to allow the fullest scope to the testimony in this regard, and the fullest time and opportunity to introduce it has been granted. In ten of the cases the charges have been entirely disproved, or it has been shown that the offenders were discharged, partly by the evidence of the witness making them, and in six cases the charges were made

without names of patients so injured, or of the offenders, and also without dates. It was manifestly impossible to disprove such cases from the vagueness of the charges. None of the cases were claimed to be of such a nature as to leave marks of violence, or permanently injure the patient. It is apparent in cases of violent mania, that it is necessary to use sufficient force to control the maniacs, otherwise they might injure themselves or other patients. In some of the cases it was clearly a matter of opinion on the part of witnesses whether too much force was used; and it may have been that the opinion of some of the witnesses were prejudiced by a sense of disgrace for having been discharged.

DISCIPLINE.

Claims of a lack of discipline have been made. We have heard all testimony that could be obtained on this point, and conclude that while there is an absence of any *parade* of authority on the part of the Superintendent, there is quietly enforced a very complete system of rules. The Superintendent has full power to enforce all rules, and though persistent efforts have been made by discharged officers and several discharged employes to show the contrary, it is clearly proved that no deviation of an employe from the letter and spirit of the rules has ever been reported to him, but it was at once investigated, and if substantiated, the offender at once discharged. It is also proved that he has discharged attendants in some cases, upon suspicion that they had broken the rules, and upon circumstantial evidence. In this connection it is been in evidence on the testimony of one witness, that the Superintendent has been controlled by the Steward and Treasurer. This charge is also proved to be erroneous. The relations between these two officers have been proved to be of the most friendly character, and the latter has served faithfully and to the entire satisfaction of the Board of Trustees and the Superintendent.

FOOD.

Some testimony was adduced designed to show that at times the food was not of suitable quality. After a very careful examination, we are thoroughly satisfied that the patients in the hospital have an abundance of excellent food. We found upon inspection that the kitchen department is provided with a complete outfit of the most approved modern appliances for the preparation of food, and that the food of the officers and patients is prepared from the same materials, and generally in the same dish; in fact, we doubt

whether the patients in the hospital do not fare much better than the average of the people in the State, so far as food is concerned.

FEMALE PHYSICIAN.

Some discussion has occurred in relation to the employment of a female physician for the female wards. We have before us a file of letters from the superintendents of sixty-six American hospitals bearing upon this subject. A summary of the letters is as follows ;

Whole number of circulars sent out.....	66
Answers to same	56
Favoring	5
Opposing wholly.....	39
Opposing in part.....	6
Having experience and favoring	2
Having experience and opposing.....	5
Not prepared to advise.....	6

Your Committee are inclined to view this subject as purely administrative, and as the Trustees are already empowered to employ such officers as they think necessary to enable the Superintendent to properly conduct the affairs of the hospital, it seems unnecessary to legislate upon that point. The desirability of employing more medical assistants, and the determination of what particular person or persons to be employed, we consider very properly left where it is, in the hands of the Trustees.

EMPLOYING OF ATTENDANTS.

We find that in the selection of attendants, great care is exercised by the Superintendent. All applicants are required to furnish testimonials of good moral character, and generally we think the attendants in the hospital are persons of ability and worth. We are convinced by the evidence before us, that persons entering the service are not questioned as to their religious or political preferences. It is also shown that persons of all political parties are, and have been for many years, in the service. It is to the credit of the political parties of Maine, that charges of this kind have not come from them, but from a very small section of another State.

LODGES.

It was charged on the part of the prosecution, that at certain times patients have been put in the lodges, and have suffered from cold. An inspection of these rooms, and of the method of heating

them, will convince any reasonable person of the incorrectness of this charge. These strong rooms are designed rather for the protection of violent patients, who at times might injure themselves and other patients, than for anything that ever approaches restraint upon the person of the patient. We are satisfied that the lodge system cannot safely be abandoned for any other system of restraint in use in the hospitals of this country.

VENTILATION.

This very important matter has been the subject of examination. The apparatus for the purpose is shown by the results to be efficient. The air in the wards throughout the buildings was on every occasion when visited by members of the Committee, found to be good, and no bad odors were present.

PUBLICITY.

Friends and relatives of patients are always admitted, and the general public on all week days except Saturday. So great has been the desire of the management that the public should have the fullest knowledge of the hospital, that, at times, visitors have been admitted on Saturday and Sunday. Teams are often sent to trains and other places, to facilitate the visits of people who would not otherwise visit the institution.

FINANCIAL MATTERS.

Your Committee has in no instance heard of any rumors or complaints regarding the financial management of the institution. In fact, the attorney for the prosecution expressed the fullest confidence in this department of the hospital, and no charges having been made, your Committee will not think it necessary to examine into the financial affairs of the institution.

CONCLUSION.

As the result of the investigation, your Committee has reached the conclusion that the Maine Insane Hospital is an institution fully entitled to the confidence and support of the people of the State. That it is well governed, that the discipline is firm and strong, the very small number of cases of alleged abuse of patients, and this number on the evidence of persons who testified under a sense of personal enmity towards the management, and most of whom had been dismissed from the service for causes proved to be just; the trivial matter of some cases; the entire failure to prove in others;

and the fact that in every instance where an offence actually occurred the offender was at once removed, all go to disprove the charge of want of proper discipline. It is a remarkable fact that, dealing as it does with many cases of acute mania, and in many instances with men endowed with maniacal strength, that it is possible to so conduct such an institution for the twenty years over which this portion of the investigation ranged, without affording more instances of actual abuse and more material upon which to fabricate charges. The sensational articles which have appeared before and during the investigation in certain newspapers, mostly outside of the State, were probably intended to prejudice the public mind, and if possible increase the popular suspicion always attaching to such institutions. They have reacted forcibly upon public sentiment, by reason of their extravagance, and the absurdity of their statements.

It is to the honor of the press of Maine, that it could disregard the advantages of sensational items and await the completion of the evidence on both sides, and the report of the Committee, before rendering a verdict which might cause far greater suffering than any charged by the enemies of the institution. Respectable newspapers can hardly afford, for a mere increase of sales, thus to assault a State institution during an investigation; but as no remedy exists to prevent such outrages, public servants or private citizens, without regard to justice or propriety, may thus be injured past reparation.

The Legislature of the State has full power to protect its citizens from any species of wrong on the part of its servants, and should, also, so far as possible, protect faithful and efficient officers. It is a well known fact, that there is in this country an intense craving for novel sensations, and we suppose that in publishing such remarkable articles as have appeared, the papers alluded to merely wished to increase the sale of their wares.

The conclusion of the Committee on other points are stated under their respective subjects. We have only to add, that, upon a full examination we are much pleased to find the institution fully up to the highest standard of efficiency in all its departments; and it is with feelings of pride and pleasure that we fully endorse the management of the hospital, and commend this great charge to the people of Maine. We would bespeak for it such intelligent, fostering care at the hands of the Legislature as shall enable it to adopt such elements of progress as may empower it to bear its full share in contributing to the progress of medical practice; real progress, however, is quite different from the wild theories of speculation. It

has been shown in this investigation that it is easier to decry existing methods than to improve upon them.

It is with much pleasure that we have observed the tranquillity with which the friends of patients have viewed the investigation, undisturbed by sensational reports in newspapers from other States, and undismayed by the tales of discharged servants and disappointed men, they have, almost without exception, calmly awaited the verdict of your Committee at the close of the investigation. To these friends and to the people of Maine, your honorable bodies may unhesitatingly commend the Maine Insane Hospital as entirely worthy of their confidence and support.

All of which is very respectfully submitted.

E. L. PATANGALL,	}	<i>On the part of the Senate.</i>
NAHUM T. HILL,		

A. P. MORRILL,	}	<i>On the part of the House.</i>
J. J. LINSOTT,		
M. F. WENTWORTH,		
ELERY F. GOSS,		
J. C. MARBLE,		
H. W. SARGENT.		

STATEMENT BY A MEMBER OF THE COMMITTEE IN REGARD TO THE
INSANE HOSPITAL

The undersigned, a member of the Legislative Committee on Insane Hospital affairs, whilst not fully concurring with all statements of the majority report, still wishes to say that in his opinion, the general and specific charges against the officers and managers of that institution, have not been sustained by the evidence before the Committee, or by any information that we could obtain. But that on the contrary nearly all the evidence conclusively shows Dr. Harlow to have been a kind hearted, patient, vigilant, competent and strictly honest officer; and also that Dr. Sanborn, his medical assistant, is in every respect most admirably fitted for his position; also that in the Steward, Mr. Lakin, the Hospital has a man most admirably fitted for his position, not only in the management of the farm, but also in the finances and all else pertaining to the duties of his office. That in relation to the water supply for the present at least, I concur with the majority report, also in relation to the food, heating and ventilation, as now applied. The evidence before the Committee also shows the general kind treatment of patients by those having charge of them; but that by a sort of tacit under-

standing among attendants, that they should not inform against each other, some abuses of patients have been so concealed as to escape the knowledge and vigilance of the Superintendent; but that on the whole, there has been as few of such abuses, as could be reasonably expected, and that the Hospital compares favorably with similar institutions in other States, as indicated in the majority report; but that as no perfection as yet is the result of any human invention, or any institution, we hope and trust, every needed improvement which the logic of events may require or suggest may be adopted, and promptly acted upon; and fully concurring with the majority in commending the institution to the liberality and fostering care of the State, I would submit the above suggestions, additional to the report.

I concur in the minority report, so far as it recommends the employment of a competent female physician, and also in recommending that the money proposed to be expended in the proposed large additional hospital building, or such part thereof as may be necessary for the wants of the hospital, should be expended in what is termed "The cottage system," and also in recommending in addition to the board of Trustees, another competent female. And I cannot too strongly recommend, without reflection on the management, that the strictest vigilance be exercised over the attendants or employees of the hospital, and every possible improvement that may be needful thereto.

DAVID DUDLEY, *of the Senate.*

STATE OF MAINE.

IN SENATE, March 16, 1881.

Presented by MR. PATTANGALL, laid on the table and printed.

Attest:—CHAS. W. TILDEN,
Secretary of the Senate.

IN SENATE, March 17, 1881.

Taken from the table and report accepted without division.

Attest:—CHAS. W. TILDEN,
Secretary of the Senate.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, March 18, 1881.

Report received and a minority report by DR. EATON of Camden, made. Dr. Eaton moved to substitute his report for report of majority of Committee. The vote stood 13 in favor, 84 opposed. The majority report was then adopted without division.

Attest:—ORAMANDEL SMITH,
Clerk of the House.

ARGUMENT OF COUNSEL.

Mr. Chairman and Gentlemen of the Committee :

I, too, desire to express my thanks to each member of this Committee for the very patient hearing which has been given to this very long and very tedious investigation, and also for the uniform personal courtesy extended to me as one of the counsel throughout it. I have regretted that it could not occupy less time ; and yet, it was not the desire of the trustees or the management of this public charity, in whose behalf I speak to-night, to shut off any avenue of information which lay open to the Committee, or to seek in the slightest degree to prevent the attacking party here from investigating with the most careful scrutiny every nook and every cranny of this institution, that when the end was reached, not simply this Committee, who are the representatives of the people, but the people themselves who sit back of the Committee and inspect with the public eye these proceedings here, might feel sure that this investigation which was courted by us, had only served to show more clearly the excellence, the admirable fidelity with which this great public trust and charity has been administered for the benefit of the people. Detraction is but the homage paid to merit, and now that the storm has spent its fury and the windy clamor of attack is for a moment still, this noble charity of our State stands to-night, I am proud to say, like a tall tree of our native forest, rooted faster and deeper in the confidence and hearts of the people of Maine than ever before during the forty years of its existence.

Now, gentlemen, this matter started out as an investigation, but not as an investigation of some idle thing. It started out by certain charges, not made with certainty, not made with precision, but charges which were floating about from the mouth of one man to the mouth of another man, fostered and originating we know now where. We have seen, through the progress of this investigation, charges of the grossest abuses, charges of the most flagrant outrages upon patients at the hospital, charges of secret malice and

of almost nameless crimes, bandied freely about by those who have prompted this investigation; and the ears of the public and of this committee have been vexed with protestations in advance, of the dreadful things that were to be unearthed, if the Committee would only give them power to summon witnesses and call for papers to show the real facts of the case. The trustees came forward at once and opened the doors to the widest scrutiny, invited the people here to listen, invited witnesses to attend and testify. More than that, the prosecutors were armed with the supreme authority of the State of Maine. The Legislature conferred upon this Committee—and they have exercised it—the power to summon persons and papers from all quarters of this State. They have invited gentlemen in other States, who had charges and sought to prefer them, to be present. We have here counsel from another State. We have the prosecutor also, who appears voluntarily here. Both of them have brought to bear every resource which the State could furnish, and their business was, and their avowed intention was, to make the Committee see, when the whole was laid bare, an unparalleled practice of the most flagrant outrages perpetrated within the secret walls of the institution across the river. That, gentlemen, was what we set out to investigate here. And it is by the truth or falsity of those charges that this investigation is to be judged. And now to what pass has it come? The investigation is ended. The witnesses have appeared and disappeared. Counsel have come and are about to go. The gentleman who last sat down said, give him a week and he could prove more secret abuses. A week, gentlemen! More than a month he has had, with the full power of the sovereign State of Maine behind him to summon every witness within the borders of this State; and they have come here in troops at his bidding. And now I ask again, to what pass and result has it come? Why, these two counsel have opened their cause and explained it; and naturally, as counsel do, have stated its worst phases first. And I pray you, gentlemen of the Committee, sitting here, each man of you, as a candid, impartial judge, to revive now in your own minds the statements of the counsel themselves for the prosecution, the chief prosecutor and his legal adviser—I wish each man of you here, in the presence of this audience to state to himself where is the first symptom of the abuse that was heralded at the opening of the investigation? The legal advocate has appeared here and made his statement; and to what does it reduce itself? Why, to a few suggested changes in the statute provisions of the State of Maine! He advocates that the term of office of the trus-

tees be lengthened. He says it would be a good plan to have a few more attendants, and a little extra expense in that regard, although we are fully up to the average proportion of attendants to patients. He suggests that there should be a board of people to go there and consult with the people who are now there. He suggests that there should be another board of visitors in addition to the two boards that already exist.

Are those abuses? Does the war come up to the proclamation? Why, gentlemen, they could have secured every one of these things without the slightest need of an investigation. It was not necessary that the State of Maine should be put to this expense, and harried from one border to the other, and you, gentlemen of this Committee, be wearied out with this tedious investigation, in order to make a change in the statutory provision lengthening a term of office. The legislature can do that without summoning interminable testimony. So that the long and short of it is, we have a proclamation of serious, of grave, of wanton outrages, perpetrated in the dark, perpetrated within the secret walls of this institution, perpetrated with the knowledge and connivance, or the active participation of the management, and when the whole is over and done and a month's time has been occupied in the doing of it, they come to you at the close and suggest only a few changes of the statutory provisions of this State—which the legislature is making every day with regard to all its institutions—the adding of a female physician, possibly of a male physician, the putting on of a night engineer, the adding of a few trained nurses, and various other things which do not involve abuses or a change in the management, but which it has pleased our friend from Massachusetts to suggest, as being so much better than anything that we could invent in Maine! There, gentlemen, is the manifesto—there is the result of it.

Well, gentlemen, we will not suffer them and the public will not suffer them, to escape from the thing which they set out to prove. After they have thus vexed the waters of this commonwealth, after they have come down here into the State of Maine, and by their protestations in public print, unsupported by evidence before the Committee, and by the manipulation of the press in other states, manipulated for sensational purposes alone, have troubled the souls of the people here in this State who have confided their friends and their relatives, their fathers, their mothers, their sisters, their brothers to this institution which we have regarded as a noble charity and of which we have been proud—after they have done this, and spread alarm among all the inhabitants of this State and

other States whose friends are confided to this institution, we will not suffer them to escape from the thing which they set out to prove. We expect to hold them up and judge them by the indictment they have spread abroad.

Now, I do not care about what might have occurred centuries ago; but I cannot agree with my friend, the counsel on the other side, in regard to all the dates he fixed for certain historical transactions. If I had the time I should like to show the gentlemen of the Committee that certain interesting epochs in the history of insanity were not quite accurately given by him in his opening address. But that is foreign to the purpose here. The counsel remarked in his opening, that it is stated by a certain writer that before public asylums were instituted for the insane at all, the percentage of cures was from 70 to 80 per cent. and that since asylums have been instituted that per cent. has fallen off to between 30 and 40 per cent.

I beg the counsel to show this Committee where he obtains any statistics of the percentage of cures kept by any body before the system of public asylums for the insane was instituted in this country. I undertake to say here that even since the institution of those asylums, statistics are vague and unreliable, and have only gradually grown up. And I undertake to say further that before the institution of those asylums there was no system of statistics known to the science of insanity.

But if the argument of the counsel has any weight at all, what does it show? It shows, of course, that he would have you go back to the system which cured 70 or 80 per cent. The State of Maine has been in error. The State of Maine was in error when she so nobly endowed this great public charity in 1840 and has been generously expending thousands since, the earnings of the people of this State, for the benefit of these unfortunate men and women who are helpless themselves and attacked with this terrible malady of insanity, to make them a comfortable retreat here—because it was only making worse the condition which previously existed! Away then with your public asylums! Still more remarkable than that the State of Maine was in error, we find the singular fact, that the very State which the gentleman represents, the State of Massachusetts, was in error; because eight years before the asylum for the insane was founded in the State of Maine, one of those reprehensible institutions was endowed in the Commonwealth of Massachusetts, in order, forsooth, to cut down the percentage of cures! And then we find that after that institution had existed for a few years,

another and another and another still were endowed in the enlightened Commonwealth of Massachusetts, still, no doubt, with the malicious and mischievous purpose of cutting down the percentage of cures and diminishing the few chances that these unfortunate people had of ever freeing themselves from their malady!

So, then, the counsel would come here and wipe away this charity of j State. And pray, if, as the counsel claims, the blood of the illustrious Moody still flows in the veins of his descendants, why doesn't the counsel exercise those powers with which nature has gifted him, by first doing away with the four asylums of Massachusetts, before he comes down here to attack the one asylum of Maine?

I say, then, gentlemen, that the counsel means nothing by that argument, and he cannot blind the eyes of the Committee by the bringing forward of statistics on a subject about which, at that time, no reliable statistics had ever existed.

Now then, gentlemen, coming to the specific thing, what have they, in testimony, assailed the management of this institution for? Why, in the first place, they start out through Dr. Neal, the discharged assistant physician—to whom I shall have occasion by and by to call attention—to complain of the food. In the first place, the food was in a wretched and abominable state. And how did it turn out about the food? Why, it appears in testimony, after all the witnesses are in, that within the history of this institution covered by witnesses for a period of about 20 years, there have been two instances in which a portion of corned beef set upon the table cold, was said to have been tainted. Two instances in 20 years where a piece of corned beef—we don't know the size of it—is said to have been tainted. That, gentlemen, is one of these hideous and horrid abuses which have grown up within the secret chambers of that institution across the river! And statistics show that within the last year 108,000 and more pounds of meat and fish were used in the Hospital. Calling it 75,000 lbs. as an average per year and taking the 20 years that the institution has lasted, and you have 1,500,000 pounds of meat used within the 20 years covered by the testimony. And out of 1,500,000 pounds, the discharged physician from the institution says that there has been this flagrant abuse, that two pieces of corned beef, within 20 years have been pronounced tainted by his dainty smell! [Applause.] That, gentlemen, is the abuse in regard to the food. That is the first reason why the superintendent of this hospital should be discharged from

his public trust, and branded as a man unfit for his position, because Dr. Neal says that there were two pieces of tainted corned beef!

Now it so happens that we are not left to the sole testimony of Dr. Neal, even upon this point. It so happened that Mr. Farrington was summoned by the prosecution here under a subpoena of the State, and appeared; and Mr. Farrington was a discharged attendant, discharged for violating the rules of the hospital, and he did not like it very much. But Mr. Farrington is an honest man, and he said the food was all right, good and plenty of it. And Mr. Christy, another witness summoned by the prosecution, says he had served in other asylums, had been in the Taunton hospital of Massachusetts, and he says that the food here compared favorably with the food which was used for patients there, and that he never saw any trouble with it. It was always good in quality and sufficient in quantity.

And then, gentlemen, look for an instant at the system which prevails here. The counsel says no discipline holds in this institution. I ask you to look at the rigid vigilance which is exercised over the food alone that goes into that institution for the benefit of these unfortunate insane, and ask yourselves how you could improve it. Why, first it is purchased by the steward. It is examined by him, and he is responsible for the material. Then it goes into the hands of the receiving clerk, and is by that clerk inspected, to see whether it be good or not. If not good, it is immediately reported to the superintendent and that part of it is sent back. From the receiving clerk it goes directly to the chief cook. It is the duty of the chief cook to see that it is all good when in his hands. He then distributes it to the subordinate cooks, and each subordinate cook is obliged again to inspect it before he cooks it; and if he serves up food improper in condition or in any respect bad, the responsibility is his and the blame falls on him and he will lose his place. And then the matron has the superintendence in the kitchen, and she, too, is responsible if bad food comes to the table. Then from the hands of the subordinate cooks it goes to the attendants, and is by them set on the tables, and they are the last sane persons who look at it; and it is their duty and responsibility, when any food is improper, to point it out. And one Mr. Leighton, a man who used to be cook there and was kept in the service several years—was here before you as a witness. Although he was a man discharged from the institution, he came forward candidly and testified to you that on one occasion there was a piece of tainted meat.

served up, and he had warning that if that thing occurred again, he would have to be discharged, so strict was the accountability to which he was held. And finally after the lapse of time, through some little carelessness on his part, not intentional at all, the thing did occur again, as it does some times in the best families in this State, or even in the Commonwealth of Massachusetts, and we find that Mr. Leighton is deposed from his station there at the hospital, simply by this slight act of omission, suffering a small quantity of tainted food to be served up to the patients. And the counsel come in here and clamor for the removal of the superintendent because there is no discipline in that institution! And the discharged assistant physician who says himself that he never attempted to give any instruction to any attendant under him—although they always obeyed him if he did—because he was afraid that the superintendent wouldn't like it, he is the gentleman who comes in and finds fault because there is no discipline in that institution—was not any when he was there, he said! And I don't know as there was in his department.

Now then, gentlemen, that is enough about the food. I might go on and give the names of other witnesses, but I won't trouble you with it. I think they have pretty well abandoned the food business; because when I tried to introduce evidence about it towards the last part of the case, counsel would perpetually rise up and say, "O, we don't make any point on the food question. The food is all well enough." But when they began, gentlemen, they made question enough about the food. You sat here and listened patiently to the attorneys who tiraded on the question of food; but when they got their evidence in, they made no question about it, so I don't.

Now then, gentlemen, we pass to the flagrant "outrage of the bath-tubs." And what was that? It is in evidence that under the old construction—because unfortunately we cannot reconstruct, this hospital every year to suit the whim of some fastidious gentlemen who happen to appear before a legislative committee, we cannot build it over again every year, and so it did happen, as the Maine hospital was constructed many years ago, and this state was early in the field with its charities to the insane, it did happen that they had a set of bath-tubs, without any system particularly adapted for the turning in of slops from the dining-tables. So that it was found that the neatest way of disposing of them was to turn them down through the bath-tubs. The bath-tubs were used once a week for regular bathing, and when necessity required for individual pa-

tients. So that the construction was such that into some of them they had to turn the slops. And then it was the duty of the attendants to cleanse them thoroughly. It was the duty of the supervisor, Mr. Hodgkins, who has testified here, to see that they were properly and thoroughly cleansed; and he says they always were. And it was the duty of Dr. Neal, who supervised both the supervisor and attendants, to see that they both did their duty; and he does not claim, I believe, but that they did.

Now then, gentlemen, that is the whole of that bath-tub business. And when the counsel asked Dr. Harlow if he regarded those bath-tubs as suitable, proper and cleanly for bathing purposes, he said he himself and the other officers of the institution, under the old system of construction, had bathed in them themselves! Now, there, gentlemen, is the wanton abuse of the insane with regard to the bath-tubs. And you will bear in mind also that the old methods of construction have now been to a large extent superseded; day by day almost, month by month certainly I may say without exaggeration, the old bath-tubs are passing out and new ones taking their places, with an improved construction and with a separate drainage for anything that comes from the tables. So that the condition in which it was is being done away with now.

Now there is one other thing in connection with the bath-tubs, and that is the "towel abuse." Dr. Harlow testified that there had been times when as many as three patients used one big roller. Well, I have been in a hotel, and not a great while ago either, and I should not have to go very far to find it, where I should be pretty lucky if I was the third man on a roller. I should consider that I was away up above the average. And I never saw any humanitarian, or any fastidious gentleman go before committees of the legislature and cry that out as a dreadful abuse of the hotel system and ask that any hotel proprietor be removed from his place because he perpetrated such abuses on the unoffending public.

Well, then, gentlemen, in connection with the bath-tubs and the bathing, there is one other thing which was developed by the distinguished counsel on the cross-examination last night at considerable length. And that was, he has succeeded in proving to his own satisfaction that during the time last fall when there was the severest drouth known in this city, and doubtless in this state, for 30 or 40 years, there was a shortage of water, and they had actually to fetch water for about three weeks for bathing purposes, instead of having it flow through all the faucets as it does in the ordinary time. And from his cross-examination there appeared the startling fact that

there were some of the patients over there who for three long weeks did what? Omitted to take a bath? O, no, not that. But the counsel says, "did they take a bath *in a tub*? That is the point! "Didn't they take a bath for three weeks *in a tub*?" Dr. Harlow said they had sponge baths in their rooms, and the water was carried into them, and they bathed themselves. "Yes, but did they take a bath *in a tub*?" Well, they didn't take a bath in a tub. But the counsel might have made a very much more effective point, and would have got a great many more patients in that predicament if he had only taken the precaution to put as his inquiry whether they had bathed in a copper-bottomed tub, or a tin tub, or a basket, or anything of that sort. It didn't make any difference to him apparently whether they took a bath. That was not the point to him; but did they take a bath *in a tub* during those three weeks? Well, it has been demonstrated that they did not. So then, gentlemen, of course you should remove the superintendent and reform the abuse, because nature hadn't supplied the reservoirs on the hill sufficiently and had failed for the first time in forty years to give its usual quantity of water, so that for a certain time water had to be fetched into the rooms of the patients, and some of them during that three weeks could not take a bath in a tub! Therefore, of course, start over, as the counsel says, to the office of Mr. Goddard of the Boston Advertiser and he will make it all right by an editorial the next day in his paper! And perhaps the Boston Globe, being of a humanitarian turn, will take up and sound through the land the outrageous abuses of the insane in the State of Maine!

Well, gentlemen, passing that, we come to the charge of a lack of discipline. And on that point we have on the one side Dr. Neal, and on the other side we have, what? I only speak of it in passing, not really to dwell upon it at all. We have on the other side the testimony of various individuals of pretty high standing in this State. And I mean of course by that no comparison in disparagement of Dr. Neal; but gentlemen of equally high standing, like Mr. Wakefield of Bangor, like Dr. Cushing, the president of the board of trustees, like the Hon. Mr. Hinckley of the visiting and inspecting committee, independent entirely of the board of trustees, and above all, the testimony of Mr. Yeaton, the man who was carpenter there for 20 years, and had private keys, by which, any time of day or night he had access to every room in that institution, missing but four days during the 20 years, and all the rest being in and out among the patients; we have all the testimony of those men to the point that the universal feeling among the attendants is that the

superintendent there is vigilant and on the alert, and not the slightest deviation from the rules can occur but that he is quick to find it out, and the instant it is found out it is punished infallibly. And that, say these gentlemen, is the universal feeling among those attendants. They say the attendants have complained to them at certain times that Dr. Harlow was too strict in his modes of discipline. And now who knows the better? So much, gentlemen, as to the vague, unsatisfactory charge of a "lack of discipline." The whole case goes to refute it, and I shall not dwell longer upon it.

Another specific point of abuse is the lodge system,—hardly the lodge system, but the fact, as they say, that the lodges were kept so cold. And they instance three cases under that; the case of Capt. Harriman, the case of Daniel Palmer and the case of Marcus Smart.

What was Harriman's case? From whom did it come? From Mr. Motherwell. And you remember Mr. Motherwell. And we shall find as we go along here that an extraordinary number of abuses occurred under the personal eye of Mr. Motherwell; a most extraordinary number of them. For a swift witness on abuses, I think he is the most successful that has been produced in this case. But Mr. Harriman, it appears from what he says, was put into the lodge one night. He was a very violent man and had to be put in the lodge during his fits of violence. And he says that one night the watch went about there. And for what purpose does the night watch go round every hour? For the express purpose of seeing if there is any patient in the lodges or in the rooms who need attention, who are suffering for the want of any clothing. He goes to the lodges for the express purpose of seeing if any patients who have been put in there when they would not keep clothes on them at all, and would tear them instantly into shreds, have calmed down from the immediate rage of their insanity, so that they think they can bear clothing, in which case it is the duty of the watch to supply them. And he went round and found that Capt. Harriman had passed from the violent state into a calmer state, and he thought he would be able to bear clothing, and so he gave it to him. And he says when his excitement was on he was undoubtedly taking severe exercise, and when the excitement left him he naturally felt the cold and he supplied him with clothing. Now then, gentlemen, that was the very purpose for which that watchman was there. And since that time they have put on an additional watchman, who goes round on the half hours; so that there are two watchmen every hour through those lodges. And if the lodges were ever cold, even to the extent of frost upon the windows, with that half hour system

of going the rounds no man could really suffer. But we shall show you what the testimony really is on that, and how absolutely untrue it is.

Now then, this Motherwell says he doesn't know—and Shaw says the same—whether the lodge was cold or not; but Capt. Harriman simply said he was cold. Perhaps he was; and yet it might have been merely the fancy of an insane man.

Crowell testifies about the Palmer case. He said Palmer was put in one night, and suffered from cold he thought; and he could not tell what time of year it was, whether in the summer or not; but he thought it was cold anyway. And on that point it happened that he fixed the time, and fixed it so we could get some evidence about it. The most of these cases we could not. And it appeared that John Perkins was the brother-in-law of this man Palmer, knew him intimately, saw him every day, watched over him. And Mr. Perkins testifies that Palmer could not have been put into that lodge and suffered with cold without his knowing it. And then we have Mr. McLaughlin, the immediate attendant of Mr. Palmer, and he says he never was put into that lodge at any time when he suffered with cold, and that it could not have happened without his knowing it. And it appears here that McLaughlin and Perkins both knew well these nightwatchers, the men who testified here, and do you suppose a thing of that kind could have occurred and they not mention it to Perkins or McLaughlin? Of course they would have mentioned it. It would have been talked over. So that case is sufficiently disposed of.

Now we come to the Marcus Smart case; and what was that? They said the same thing in regard to him. He was put in one night. Didn't keep clothing on him at all, was entirely destructive of it in his fits of insanity; would tear it into shreds at once, so he was obliged to be put in the lodge without clothing one night; and he was cold. Was it because the lodges were kept cold? It so chanced that Yeaton knew all about that case; and he was the carpenter and it was his business to make repairs in windows among other things. And as he came up to the hospital the morning after this night he noticed the first thing that the window of the lodge room where Smart had been was entirely broken out—glass all gone. How did it happen? They have a wire-screen inside to keep the patients from breaking out the window but in some ingenious way this patient, in his mad frenzy, had got the wire screen out and then had gone at work in the middle of the night, and a very cold night in the winter time, and broken out every square of glass

in his room. And it was not really surprising that Smart should have suffered from cold that night, as he undoubtedly did. But, gentlemen, is that an abuse of a patient? That is the question. And was there anything which possibly, by any human means, could have been avoided? That is all there is to the cases of the cold in the lodge.

But there is testimony independent of either of these cases to satisfy any body of men wherever found or chosen, that the temperature of those lodges was always warm and comfortable. In the first place we have Dr. Harlow, who knows all about it, and the testimony of Capt. Lakin. And then we find it in that condition by actual test with the thermometer. We find they have gone in there in the night time without the knowledge of the engineer or any other officer of the institution, for the purpose of testing that point; and the lowest point at which they ever found it was 56 degrees by the thermometer, and that was in only one room. In the rest of them it was about 65 at that time, but the lowest of all was 56. And bear in mind that Palmer is said to have been kept in the upper lodge room where everybody says it is the warmest. Then they have described to you the kind of heat, and you have seen that with the most careful provision they have so arranged the heating apparatus that there is more heat to the square inch there than in any other part of the hospital building, for the express purpose of guarding against the possibility of any of these unfortunate men suffering even in their maddest moments, by reason of cold. And then, gentlemen, the whole of this is a matter of the past. Everything that there ever was about the lodges is a matter of the past. It is all remedied now by the voluntary acts of the management of the institution. Because they have now taken the precaution to put in extra pipes which keep the lodges warm all the night time through, and nobody has ever suggested even, that the lodges were not warm enough ever since that time. So you see the whole difficulty, if there ever was any, is remedied; and it does not seem possible that there ever could have been any; because they all tell you the lodge halls were kept warmer than the rest of the house. That is enough of that.

As to the skill and capacity of the staff in their medical treatment, there is one single case, and that I do not need to dwell upon at all. You remember the case of Nellie Reed, the woman in a delicate condition of health. Dr. Harlow was called in simply as to a sick person whose condition had just been discovered by one of the attendants, and Dr. Harlow was asked to go in, and he went.

The attendant did not communicate to him what she suspected even, and he went in and made a cursory examination, and found certain indications which he described, making no digital examination at all, because that was not his custom or rule, and then came out and immediately sent in, as was entirely proper and just right, the female supervisor. She went in, and even in so short a time as that the change had been so rapid that the condition was obvious, and the supervisor came out and reported to the Dr., whereupon the necessary operation was performed and successfully performed. And that is the end of it. And that is the only thing suggested here in reference to the medical treatment of people in that hospital that was even open to the shadow of a question after all these years of practice there. And the evidence was abundant from other physicians of the highest standing in this State, from Dr. Oakes, for instance, of most extensive practice, that the case just as it was detailed before the Committee was a case such as frequently occurred in his own practice and such as had been dealt with in the same way; and the condition would change within perhaps five minutes, so that from a condition which would not be discoverable at all without a digital examination, it would become in a condition which was entirely obvious. That, gentlemen, is all there is of that, and I pass it.

Now we come to the cases of personal abuse, and that is the only thing that is left of this whole attack. It resolves itself right down to that. And I wish, gentlemen, to call your attention to it very briefly. Now, what are the whole number of cases? I have got them here by name, the whole that they have talked about. And I wish to show you how many of them there are left which they can now claim. There were 16 in all, 16 in all, of lodge cases, of personal harshness of one kind and another, because the most of them did not rise above that, even taking the statements of the witnesses for the prosecution as true. And now let us examine them for a few moments and see how many of them there are left in the testimony.

In the first place, what has become of the Whidden case? Why, gentlemen, it was testified here by Mr. Motherwell, the discharged attendant again, that a gentleman of that name was taken one day by two attendants from the dining-room down to the lodge, and that on the way he was "churned." And he says that the thing occurred because this gentleman, in a sudden fit of insanity at the table, struck an old man, and therefore the attendants were obliged to remove him to the lodge, and two attendants did it. Now, gentle-

men, it happens—and it doesn't often occur that any names are given which give us any clue—that we find Abram McLaughlin was one of those two attendants; and he is a gentleman of unimpeachable character and veracity, a gentleman who is to-day serving as the private attendant of Judge May in the city of Auburn, and sent there because of his peculiarly kind and exceedingly admirable management of patients. And Mr. McLaughlin told you that he was one of the two attendants who went with this gentleman from the dining room out into the lodge, and did not leave him until he got inside of the lodge where he was left. And he tells you that he saw the whole thing; that not one thing was done to that gentleman that was unbecoming to be done by one gentleman to another gentleman, other than the mere act of removing him from the dining hall to the lodge; and that as he came out of the lodge he met this man Motherwell who came and testified before you that he saw the man thrown and churned. There is no man who ever saw or knew Abram McLaughlin in connection with his treatment of patients but that would know instantly that his gentle demeanor towards a patient cannot be surpassed by any attendant in this State. And he tells you the whole truth about this transaction; and you find out that Motherwell did not appear upon the scene until they came forth from the lodge, and that there was nothing from beginning to end that was not perfectly right and proper in the treatment of that unfortunate gentleman. Now that is the end of that case.

And then we come to the case of one Googins. You remember that was the case where it was said he had bed-sores, and Shaw testified that there was some neglect or other in reference to him or else he would not have had them. Now we have the immediate attendants of that man who come forward and trace him down through the progress of his disease; and the case book shows the record of the whole transaction. Mr. Williams attended him, and Mr. Stackpole attended him in the sick room before that. And Dr. Sanborn administered to him, and so did Dr. Harlow. And they tell you that the man had such habits that it made it necessary to change the clothing of his bed perpetually, and that was done. To show the care and tenderness that was exercised towards him, one witness told you that eleven or twelve times in the course of a single night, the whole of the clothing of that man's bed was changed, to avoid the difficulty of his habits. Such was the care exercised in that hospital by the management here, whom they come hither to attack. And then, gentlemen, we find in addition to that, after all this kindness of treatment of that person, we find that the breaking

out of sores in this case, was simply the inevitable progress of the disease which had fatally struck him, known as paralysis of the insane, and which was eating its way into him until the man was actually rotting alive, from the mere necessary progress of the disease itself. And yet these gentlemen, after he has been treated with this kind, considerate and watchful care, changing his clothing eleven times in the course of a single night, come in here and instance that as a case of abuse of an insane patient! Why, gentlemen, information of this single case held up before the people of Maine is sufficient to set a stamp of kind and tender treatment upon the management of this hospital, which would require the testimony of a thousand discharged attendants and disgruntled men to shake by a jot or a tittle. We would allude to these cases not merely by way of defence and as showing the truth about it, but to hold them up as specimens of the constant, kind and watchful treatment with which this unfortunate class is cared for by the public charity of the State of Maine. We speak of it with pride. Now then, gentlemen, that is the Googins' case.

And now comes the case of the man Will. And what occurred about him? It is another one of Mr. Motherwell's cases, where he said he stood by and saw a patient abused and never opened his lips to remonstrate. He, an attendant in that institution, obliged to obey its rules, there to perform his duty towards these helpless beings in whose midst he was placed, and he saw, as he tells you, a man actually abusing another patient in his presence, and he, a stout, able-bodied man, looking on without opening his mouth in remonstrance, never said one word to an officer of the institution, in order to shield the guilty man and escape himself unpopularity among his comrades, and then has the cowardice to come up here years afterwards and make that as a point against the management of the institution, when it only shows the infamy of the man who testified. Now, then, it happens that this case occurred in the presence of Dr. Harlow, and we have the facts given by him and by Dexter B. Kimball who saw the whole transaction. And they tell you simply all there was about it; that Hill was a monstrous man, a very violent patient at times, and at this time was in one of his violent fits; and that it was necessary to put the straps upon him. And the attendant called on Mr. Kimball to assist him in putting on the straps, which he did; not a strap exactly, but a muff of some kind to hold his hands together. And the muff was put on and immediately afterwards Mr. Kimball saw this man Hill in another attack of violence, starting in some way upon the attend-

ant; and thereupon a scuffle ensued in which they both fell to the floor. And at that moment of time Dr. Harlow came in and instantly said, "What is this?" And the men were getting up at the time from the floor, and Dr. Harlow supposed that the attendant had undertaken to put on the muff single handed without calling in the help of the other attendants, and he immediately reproved the man on the spot, because, as he told him, it was his duty to call in abundance of help so they might put on restraint, if necessary, without using the slightest violence; and he reprimanded the man because he thought he had done that thing.

There is the whole of that case of abuse, and I say it reflects credit on the superintendent of that institution, and on the humanity with which the interests of the patients are ever watched. Even on the suspicion that one had been hurt, erroneous, as it seems, he reprimanded the attendant on the spot.

Then there was a case where Crowell testified that one Bradford, an attendant, struck a patient whose name I do not recall, in the presence of Dr. Sanborn. Dr. Sanborn said he knew Bradford well and was familiar with him; that there never was a patient in the slightest degree touched or ill treated by Bradford in his presence in his life.

Then there is the case of one Sanford which several witnesses testified to, and the man Craig testified that he was taken out at one time and taken to the lodge, and in the course it he was "churned." Now it happens that we have testimony there, because he gave the names of some persons who were present, and we had a clue to it, and we find that these witnesses have testified upon that point and show the exact facts, and these three men were three out of five attendants, and at least four of those attendants always took charge of this man when he was taken to the lodge, he was so violent, and so three or four of them at least must have gone with him, and three of them are living here and were called up and testified that there never was the slightest violence practiced upon that man in their presence, and they were present during the whole of it. That disposes of the Sanborn case.

Now, then, there is the Ellis case, where a patient had been troubling, all the morning, the gas fixtures, and the attendant got vexed with him and pulled him down from the chair where he was standing up to the gas; and Dr. Harlow came in at the moment, and seeing the slightest indication of ungentle treatment he at once says, "What are you about?" and reprimanded him, even upon the thought that he saw him in the act of striking the man,

So you see, gentlemen, the vigilance with which the patients are watched even in these respects.

And then there is the case of the big Irishman, Rearden. It seems that one day when Mr. Shaw was passing through the halls this extraordinary man, in a fit of mingled ugliness and frenzy, without any provocation, seized a chair, and held it up to strike him, perhaps a fatal blow; and two other attendants rushed in at that moment and seized the mad man, threw him down and confined him, and in the act of it he says there were tables and chairs between them, and he could not see very well what occurred, but he thinks one of them may have struck the man in the course of the occurrence, and it would not be surprising if he did. Imagine yourself an attendant there, taking your life in your hand, and seeing a monstrous mad-man with an uplifted chair standing over you, and two other men rush in to save your life; and they grapple that man, and they fall together upon the floor; and in that mad, frenzied fit, is it marvelous that a blow was struck? The man was not injured at all. He got up and went about his business as soon as the immediate fit of the moment passed. There was the whole of the occurrence. I pray to know if that is an instance where an abuse has been perpetrated by the management of this institution, as charged here? I submit it to the Committee.

Then there is the case of the man Swift. What about Swift? Why, it was paraded before you. He was the man whose nose was bitten; and as some of the papers said erroneously at the time, not by intention of course—bitten off; but that was not the testimony, and nobody pretended that it was. But the patient had his nose bitten by another patient; and how did it occur? The attendants were about their business, as usual, and the two patients happened to get into a squabble—that is all you can call it—and in the course of it one bit the other, striking the nose, and they were separated instantly by the attendants upon the spot. And, gentlemen, they were actually driven so low in their search for abuses in this asylum for the insane that they brought up before the Committee that as a case of abuse, and as something to be said against the management of this hospital?

Then what is the next and the last of these cases? Why, it is the case of Mrs. Butler. What was testified to about her! Why, gentlemen, I want to read you in that connection just a paragraph from the report of that in the columns of the Boston Daily Globe, dated Boston, Wednesday, February 23, 1881, and headed how? Headed in the interest of humanity? Headed in the interest of

courtesy and kindness and forbearance towards the friends of all these unfortunates scattered throughout the State of Maine, and scattered throughout other States in the Union? Headed—“*Maine’s Curse! Revelations of her Insane Hospital! The mask of iniquity torn aside and the secrets of torture disclosed. How the perturbed mind is soothed by foul abuse in a model madhouse.*” That is the way the humanitarian people of Massachusetts are treating this serious inquiry. That is the spirit with which this investigation has been prosecuted and the public prints have been manipulated for that purpose. I hold it up before you because I know it meets the abhorrence of every man on this Committee and of every man within the sound of my voice. I hold it up because it is a sample of that they proposed starting out upon, leading you to think that they could prove it, and you have seen how the fulfilment responded to the promise. Well, what do they say about the case of Mrs. Butler in this same issue? Why, they say:

“But one day the attendant left, for a long time, some twenty maniacs together in one of the wards, and during his absence a row occurred, in which one lady was pounded about the face until it was so swollen and bruised and her eyes so blackened that she was not recognizable even to her husband who called a week later. She ran at once to her room, and, frightened beyond measure, covered herself with the bed-clothes, where she remained in silence until the next day before any attendant, nurse, physician, superintendent or other officer even ventured an inquiry as to her condition, although the patients told the attendant upon his return. When the shocked and grieved husband asked why his wife was not promptly attended to, the “law of kindness” prompted the reply with “scrupulous care,” “that it didn’t make any difference, for she was going to die any way.”

Now gentlemen, that is a statement of the public print in the city of Boston with regard to the particular occurrence referred to of Mrs. Butler. I wish you for an instant, as a sample case, to compare that with the facts in testimony before this Committee. I take it simply as an illustration. Now what is the testimony? We have the testimony of three witnesses about it. The first witness is Dr. Butler himself, and Dr. Butler does not profess to have the slightest personal knowledge of any part of the story, not the slightest. He was not inside the walls of the hospital at the time. He does not claim to have the slightest original evidence of what did take place; but he was suffered, without objection, to tell the story in his own way, without any personal knowledge,

just what he understood to be the fact, and then came on the testimony of two attendants whom Dr. Butler pronounced to be model attendants. He says their superiors are not to be found in the State of Maine or any where. He says his wife is kindly treated under their care. She being under their care to-day, is as kindly treated as it is possible for an insane patient to be treated, and these two attendants having personal knowledge of every fact of this transaction, come before you upon oath. and they testify to this: that it was necessary to keep Mrs. Butler the most of the time confined in her room because, as is admitted, she was a troublesome patient; that is, she irritated and provoked others. The moment she went out of her room she would provoke somebody to the very verge of madness; so that somebody would be likely to injure Mrs. Butler in return.

About ten minutes before dinner-time it is indispensable that the attendants should go and lay the tables. They step into another part of the same room, separated only by a little wire screen running up about three or four feet from the floor. One could look right over it and see all that was going on. But for about ten minutes they are obliged to go in there to lay the table for dinner, and on this occasion they did so, and Mrs. Butler went into the room of another insane female patient and provoked her by various acts until the patient, irritated beyond control, seized a slipper and struck her in the face. Mrs. Butler came out to dinner immediately after that and told one of her particular attendants what had happened. There was no mark upon the face at that time to show, but she told all about it. She ate her dinner as usual, and the attendant took her to her room as usual. She was in the room to see her during the afternoon as usual, and Mrs. Butler was as well as usual, and came to tea as usual. In the evening, when she went to bed, the attendant went in as usual, and assisted her in disrobing, and she retired as usual, and the next morning, when the attendant and Dr. Harlow came around, as is often the case after a blow black marks had begun to show about the eyes, growing worse the next day, of course, and remaining for some time; and that, gentleman, was the length and breadth of that entire transaction. It was an inevitable accident which no human foresight could have guarded against, and Dr. Butler admits the facts to be so. And here, gentlemen, comparing it with this newspaper statement, we find that whereas this article states, as a fact in testimony, that the woman ran to her room, frightened, and hid herself in the bed-clothes and was not seen by any nurse,

attendant, superintendent or officer of the institution until the next morning, lying with her clothes on during the entire night, uncared for, neglected, abandoned, the fact is, gentlemen, that the injury was inevitable, that the attendants were immediately notified of it; that there was nothing upon the person to indicate it; that the patient was about as usual at dinner and during the afternoon, at tea and in the evening, was disrobed as usual at night, and in the morning was attended by the physician, who noticed the blackness about the eyes which had appeared for the first time. And then, gentlemen, the inhuman close of this article, because, not content with distorting every fact, even as testified to originally, it states that, when Dr. Harlow's personal attention was called to the case by the husband whose wife had been outraged, he, monstrous to relate, told that outraged husband that it didn't make any difference for the lady was going to die anyway! Gentleman, if one tittle of that evidence were true, that man should be deposed this instant from his position as superintendent of that asylum. But the fact is that the original evidence of Dr. Butler never connected the evidence here given with that case at all, as the Dr. himself testified before the Committee. It referred to a totally different and another transaction, and when Dr. Butler was asked, on cross-examination, if he would say, with reference to anything that ever occurred, that Dr. Harlow ever used any such language as that "it didn't make any difference for she was going to die anyway," Dr. Butler said no, he would not, for Dr. Harlow never spoke a word of his wife that was not spoken in kindness and with the utmost courtesy, and Dr. Harlow explicitly repudiates that charge which Dr. Butler expressly disavows making. I instance that as an example to show how the minds of the public have been perverted by the grossest calumnies, by the most wicked distortion of the facts in evidence before this Committee. Now, then, gentlemen, enough of that case. It is disposed of.

Out of all the cases that have been mentioned of all degrees, there remain six of which the witnesses for the prosecution could give no names, no dates; could not give the names of the attendants or patients or the dates of the transactions, or the places where they occurred; so that there was no possible clue or evidence which we could get hold of to find out the actual facts and produce them before the Committee. One of those cases was where the man Tivnan, in insane mischief, had smashed the windows from the outside, and two of the attendants took him into the lodge and put him where he would do no mischief for an hour or two, and in the

course of it the man says he thinks one of the attendants choked him. That is all there was about that. It might have been necessary possibly; if it was not necessary it was wrong. But this man Lawson who testified about it, tells you if any patient had been injured he should have reported it at once; but he did not report that because he did not think there was any occasion for it. So you see it was trivial. So with the other cases I might tell you about.

There is one other case that I should allude to, and that is the case of Peter Haynes and Sampson. You remember all about that. The facts are fresh in your minds. You remember the original testimony of young Wilson, and you remember the testimony with which he closed his case, viz.: After having made the statement that he did, all these alleged acts of abuse, pinching the man's flesh with hot tongs and other inhuman acts of cruelty like that—because they were certainly inhuman if done—he said, in the course of his examination, that he had been in Colby University, and came home because he was sick. When I asked him if that was the sole reason for which he came home, he said yes, he came voluntarily because he was sick. And it appeared before you by the testimony of one of the learned professors of that institution, who testified, of course, sparing the feelings of the parents and of the young man himself, as far as he possibly could, but yet, being put upon oath by the Committee and obliged to testify, he testified that that young man had been first warned—because, as he said, his influence morally was unwholesome in the institution, and they did not want him there—he had been warned first if his conduct did not reform they should be obliged to discharge him, and ten days after this warning was given and entered upon the records of the University we find a special meeting of the faculty called and that young man is “suspended indefinitely” in the language of the record, which the professor says is a milder form of saying “is expelled because of his misconduct.”

Now, gentlemen, it may be nothing against the young man that he is suspended, or expelled even, from college under certain circumstances. The point does not lie there. The point is simply: why did not that young man, if he was frank and candid as a witness, state the fact? Why did not he tell you the truth, if he was telling the truth in regard to the other matters? But no. He chose purposely to conceal from you the truth, and having done it in one instance you can judge how much his testimony is to be depended upon. And then what do we have in addition to that? It is not

necessary for me to review it for it is all fresh in your minds. We have in the first place the testimony of Mr. Sampson himself, a hard working, industrious man, who labors more hours every day than perhaps almost any other man in this city, and more than any man ought to. We have the testimony of Mr. Perkins, the fireman, who was right there, and who says he never saw a single one of these alleged cases of cruelty. We have the testimony of Mr. McLaughlin, who was in and out there frequently, a man of unimpeachable veracity; and he testifies to the same thing. We have the testimony of Capt. Lakin, who used to be there at all hours of the day, and never saw any thing but the kindest of treatment by Sampson, who, the witnesses tell you, is a generous-hearted man. We have the testimony of Mr. Wakefield, of Bangor, who knew Mr. Sampson well and intimately, and we have the testimony of Dr. Harlow himself upon the point also of character.

Now, gentlemen, you will bear in mind just one thing of human nature, and that is that a single act is but the outgrowth of character. A man does not do an act which is inconsistent with his own settled line of character. When a man does a particular thing it is the outgrowth of and consistent with his general line of action. If you find that man to be an inhumane man, to be harsh, to be cruel, to be unkind and ungenerous in his impulses, then you might well say he might have done it; it is possible under those circumstances. But when you find the opposite of that, when you find the man laboring constantly, and even beyond his ability, when you find him supporting other people, when you find him doing constant acts of charity, giving food to this man Peter, who had become attached to him, going in with him from the farm to the engine room because Peter preferred it. When you find a man with that existing character as testified to by this long line of witnesses, then, gentlemen, you have a solid foundation underneath your feet, and can say to any man whose testimony stands like young Wilson's that it is absolutely impossible for that man Sampson ever to have done that, ever to have pinched the flesh of that insane man with hot tongs, heated in the furnace—impossible! No man will believe it. No man does believe it. And then, gentlemen, when you come to the much vaunted testimony of Wilson the father—oh! they had a witness who was to confirm all that had been said on their side. To be sure, he was the father of the witness who had testified, but he was going to clinch the whole subject, and he has been held up and brandished over the heads of this Committee from the hour when young Wilson testified down to last night. They produced him. He

came before you and gave his testimony, and this leonine Wilson "roared you as gentle as any sucking dove." Why, Wilson senior was the very best witness on the point that we had. He knew of what he was speaking, and he told you the very acts he did himself. He told you how they sported with Peter there. He told you what he himself had done, not out of a spirit of unkindness. He had lighted paper and thrown it down by Peter just to see him jump up; he might have touched his face with paint to see him laugh about it. They had their frolics there, and he tells you he took part in them, and so did Peter and so did Sampson. And that is all there was of it. It is one of those cases where it simply depends upon the amount of paint you give to the picture. Set out in its true colors and it is nothing in the world but the ordinary frolic that occurs between sane men every day. But let a man come in here who has a motive to distort it, a man who will falsely state to the Committee about his own history outside, and if he will, he can distort the facts without deviating very far from the truth; he can so paint and color the transaction that he makes of it an abuse. Suppose this same young Wilson had taken the case in which his father threw lighted paper down by the side of Haynes, merely in fun, as he says, to see him jump. Why, couldn't that same young man, if he had chosen, have painted that up so it would have seemed to you like a wanton abuse of the patient? Why, certainly. And this was done in precisely the same way.

Well, now, this man Wilson senior, told you he had seen Sampson, in the time he was there, take the tongs—not hot tongs, but just take some little tongs he had there and pull Haynes' coat sleeve to attract his attention; careful, he says, not to touch the flesh, never saw him touch the flesh; he didn't think he ever intended to hurt him; his statement was, "I did not believe at the time that he intended to hurt him." Well, gentlemen, that disposes absolutely of the testimony of Mr. Wilson the father. His honest, frank statement settles absolutely the Sampson case at once and for ever.

Now gentlemen, those are all the cases there are. There are the sixteen. Ten of them are absolutely settled by the testimony of witnesses beyond the shadow of doubt or dispute. And then we have what left? Why, the six to which I have called your attention. And how many of those sixteen cases, do you suppose, originated in the testimony of Motherwell, the discharged attendant? Six of them come from the testimony of Mr. Motherwell, who says he was discharged on account of his politics, although he had been there eight years, first as a democrat and second as a greenbacker,

and was discharged the next morning after he had deliberately broken the rules of the institution. And that is the man who testified upon oath before the Committee that he had the firm conviction that he was discharged on account of politics! The six cases originated with him. Now then, gentlemen, four others originated with Crowell who left to the satisfaction of the management of that institution, and who refused upon oath to testify whether he had ever done anything improper to a patient, because, as he said, no man was obliged to criminate himself! He had learned enough law for that. And those are the two men on whom ten cases out of the sixteen rest.

Now, gentlemen, a few general points on these alleged abuses.

I. And in the first place I wish you to note the circumstances in which these attendants who come in here are placed in taking care of these insane persons. There is a household of 450 insane people with 40 attendants to take care of them, each man of the 450 crazy, liable at any moment to break out into violent insanity, raving maniacs at times, quiet at times, at still other times deliberate plotters of mischief, lying in wait for attendants, watching them with the keen, fixed look of the insane, scrutinizing their every movement, watching only for the opportunity when they may come up behind them in some way and perhaps clutch them by the throat or seize them from the rear; or if by chance still better they may lay by some deadly weapon and with the keenness of insanity whet it until it is ready for the deadly purpose. The attendant comes through the corridors and a stealthy foot-step follows him and he is seized from behind, and the next instant he may be sent into eternity. Why, gentlemen, what do we have here? McLaughlin comes before you with one eye gone forever, no power of sight in it; the mere perception of color, black and white, that is all—received by the act of an insane patient. Those are the circumstances, gentlemen, under which attendants go there. Then you will bear in mind too that these attendants come from all classes of the community. You cannot select people with wings exclusively; because they do not grow about here. And you have to take them as you find them. Some time you will get a man who is incompetent, does not do his whole duty, is not fit to do his whole duty. You find it out after a while and discharge him, and that is all you can do. You should bear in mind, too, that they stay there day after day, day after day, the patients are perpetually irritating them, always watching their opportunity to do some act of mischief, if not of violence. A little thing done once and checked by the attendant

is done the next instant as soon as the back of the attendant is turned. Worried, vexed, harrassed beyond endurance, the miracle is that in this testimony we have not found more cases of haste, more cases of harshness, more cases of unkindness, of sudden violence even. I say that the conduct of these men is remarkable considering the circumstances under which they are placed.

II. Now then, gentlemen, one more thing. I wish you to observe the efforts which have been made to obtain evidence against these attendants. I wish you to observe the length of time that this investigation has occupied. I wish you to observe the powers with which you have endowed these gentlemen to search for testimony. I wish you to know that they have had the whole four quarters of this State to explore, with the assistance of every power that the State could bestow upon them—the subpoena from the State. Further than this they have had the assistance of whom? They have had the assistance of the discharged supervisor who ought to know more about it than any body else except one man, and that man is the superintending physician; they have had the assistance of the physician who was placed over the supervisor. The supervisor was discharged from the service of this hospital because of incompetency of one kind or another, and Dr. Neal was discharged because it was supposed that the office was not necessary any longer. But he felt sore. Mr. Hodgkins left under a sense of injustice, he says; and Dr. Neal left having the same feeling, and also with a sense of baffled ambition. So in addition to the powers of the State they have had the personal efforts of these two men—who knew more of the circumstances than any body else, and had ample leisure to do it—in hunting up every case that could ever have occurred there.

III. Now, gentlemen, you are to bear in mind the character of the men who have testified to these facts on the part of the prosecution and their interest. You bear in mind that one witness is the chief prosecutor here, Dr. Butler. You bear in mind that the next witness is a discharged physician, Dr. Neal, who testified before this Committee that he went there for the purpose of supplanting Dr. Harlow, and failed in that and was dropped from the service of the institution, and is disgruntled to-day, and does not hesitate to avow it, because of that fact. That is the second man. And then backing up those two men come three discharged attendants, Mr. Farrington, Mr. Motherwell, and another man whose name I have forgotten. And then we have also the testimony of two other attendants who testified that they themselves saw a human being

helplessly insane, actually abused in their presence and never lifted their hand to interfere or their voice to report, although they knew it was the duty of humanity to do the one, and that they were required by the hospital regulations to do the other. Although those men were not discharged, but left of their own accord, they ought to have been, and would have been, discharged had those facts been known to the officers of the institution.

IV. Such, gentlemen, is the character of the witnesses who testify against us. And now I want you to note one remarkable thing in reference to even these gentlemen, who come before you with all these prejudices upon them. I wish you to note in the first place with regard to Mr. Farrington; that Farrington, who was himself discharged, was there four years and a half, and even he testified that he could recollect but one single case where any violence, of any sort, was ever used upon a patient, and that was the case of McCarty of which Motherwell had already testified, and he disagreed utterly with Motherwell on the facts of that. And what next? Why, the next witness we have is Dr. Butler, the chief prosecutor, who testifies as to his means of observation. He testifies that he has spent days at a time over there at the Asylum; that he has been treated, always, with the utmost courtesy; that the wards always have been open at his request; that he could go to any part of the institution that he pleased; that he was there day after day and night in and night out, at different times, at irregular and inconstant visits; that he saw all the inside workings of the hospital in a way in which few people have seen it, and he, himself, the chief prosecutor here, testifies to you upon oath that he never saw a solitary instance of abuse of a patient during all the years he was thus familiar with its inner management. I wish you to note that fact. And further than that, gentleman, we have a most significant thing. We have the same gentleman, kind-hearted man as he doubtless is, delicate as he has been throughout the testimony here of the feelings of friends and relatives, avoiding even the name of a lady patient in whom he was interested; that gentleman, tender as he is of the feelings of that lady patient, himself confesses that she, his own wife, is to-day within the walls of that institution and under the charge of an attendant who, he says, has no her superior in the State of Maine, and that she could not be more kindly treated than she is there, to-day, and he bears cheerful testimony to the unvarying kindness, gentleness, courtesy, forbearance and patience of the superintendent of that institution.

Now I wish to call your particular attention to the testimony of

Mr. Hodgkins, the discharged supervisor, the man whose recollection and services in that hospital sweep over the long period of twenty-two years, and now he comes here after being discharged, and, with the burden of prejudice upon him, he tells you that in those twenty-two and one-half years of service and of recollection, he can think of no more than four instances of personal abuse exercised toward any patient in the whole male department over which he was the supervisor. Four cases in twenty-two and a half years! And out of those four cases the only one that he can recollect to give you a single name or circumstance about is the case of a man who received a sunstroke from working in the field. He saw the attendant bring him in, and that is all. And that, he calls a case of abuse! When, for ought we know or anybody else knows, it may have been as inevitable as the sunstroke which happens, yearly, to hundreds of sane people; and that is the most aggravated case that he can think of out of the four cases which he says have occurred within the twenty-two and a half years that he was supervisor there. And you will bear in mind, gentlemen, that on the female side not one solitary case of abuse has ever been even intimated, except the case of Mrs. Butler which has been entirely and thoroughly disproved. That is the way the facts stand.

How many patients do you suppose there have been in that institution since Dr. Harlow became superintendent? There have been 4,464 insane unfortunates who have received the benefit of that institution since that time, and Mr. Hodgkins testifies to four cases of what he calls abuse out of those. In other words, one case out of 1,114. Now, gentlemen, that is the institution which is being held up here to these attacks, and which we are asked to reform because of the flagrant abuses that have grown up within its walls. I undertake to say that there is not an institution in the states of New England that can surpass that in the exceeding merit of its management in that regard. I undertake to say that not a solitary asylum in the states of New England can be found where an officer, who for twenty-two and a half years has been in a position to know all that occurs within the walls on his side, and is interested and sworn to tell it, can state so remarkable a fact as that out of 4,464 patients only four cases of abuse of any kind have ever occurred.

Now then, gentlemen, we do not even stop with Hodgkins' testimony. On that point, we have the testimony of Mr. McLaughlin that he was there eight years, and he never saw a solitary case of violence towards a patient. We have the testimony

of Mr. Knowlton, a democrat too, that he worked there in and about the wards off and on for 20 years. He used to have patients work under him, and worked with the attendants too. And he never, in the twenty years, saw a solitary case of violence towards a patient. Then perhaps more remarkable than Hodgkins' testimony is the testimony of Mr. Yeaton, the man whom you do not fail to remember, the man who was carpenter there for a period of exactly 20 years, lacking, I believe, but 14 days. He had private keys to all parts of that institution. He had access by day and by night throughout the entire period of those 20 years. He had access without the slightest warning to one of its officers. He came when he chose and he went as he pleased. He did the bidding of no man, and he went according to his own ideas. He went unexpectedly; he went suddenly. He stayed as long as he wanted to stay. Nobody paid any attention to him. He mingled with the patients and with the attendants. He knew their names and their faces. He talked with them and listened to their complaints. And that man tells you and I submit to you his testimony alone is sufficient to outweigh the testimony of all the other witnesses in this case who testify to the contrary—the testimony of that man is that not one solitary case of personal violence, inflicted on a patient, came to his knowledge, during the entire period of that 20 years when he was in and out with those secret keys, and going in privily at unexpected times. I submit that not a single witness on either side of this case has had such opportunities for minute examination and knowledge on that point as this man, Mr. Yeaton. He is no longer attached to the hospital in any capacity. He has no prejudices against it, he has none in its favor. His term of service there has expired. He left voluntarily. And he comes here and gives cheerfully this testimony, and states to you moreover that as to the feelings of the attendants there and from his own observation of Dr. Harlow, the superintendent is vigilant in ascertaining the least abuse and swift to punish it whenever it occurs.

V. Now then, gentlemen, that is the way this matter stands upon that testimony. And now another observation upon this point—and that is, that every case of abuse that has been testified to here with a solitary exception—where we could get no evidence about it one way or the other—assuming every one to be true, occurred when? Why, during the administration of Dr. Neal and on the male side of the house, where he had charge. I have examined carefully the dates as given by witnesses, and where witnesses gave no dates, I have examined the books of the hospital where the

names of the accused attendants were, to see at what dates they were in the service, and it appears that every instance testified to occurred during the administration of Dr. Neal, with the solitary exception of the Sweeny case, which is said to have occurred about eight or nine years ago, and that was before Dr. Neal took charge. So that the peculiarity about this thing is that the abuses testified to had their rise, progress and decay with the rise, progress and decay of Dr. Neal. The two things were coincident. They grew up together and they died in concurrence. Nobody testified to a solitary instance of personal violence since he has left. Nobody has testified to a solitary instance within the walls of that institution before he went there. Now how does it happen? I leave that for the Committee to judge.

VI. Further than that, all of these abuses, even as claimed, are of the most trivial nature. Not a single instance has occurred of real or serious injury. Not an instance has been testified to where a mark of any kind, however slight, has been left upon the person of a patient. Not a case where a physician ever had to be called. But when you come to the injuries of attendants inflicted by patients, we find one man has lost an eye; we find another was kicked over, and knocked senseless. We find that McLaughlin, in addition to losing his eye, at another time was clinched from behind, thrown down with great violence upon the floor so that he was stunned, and another attendant had to take the maniac off him. We find all these and other cases of serious injury to attendants by patients. But after all this investigation, after all this raking of the four corners of the State for evidence, not a solitary man has testified to a solitary case where a solitary mark or bruise was left upon the person of a single patient, or a physician was ever called, or needed to be called to his assistance. No such case *could* have occurred there. And why? Because the testimony shows beyond a doubt that Dr. Harlow, vigilant man that he is, making his rounds every morning before many of the attendants are up, watches and notes whenever he finds a patient with a mark upon him—and these insane people in their fits of epilepsy frequently get bruises by falling upon the floor, as you have heard described—and always inquires into the cause of it. So then, it not only never has occurred, but never could have occurred.

VII. Now, gentlemen, there is a single observation and then I close this part of the case, and that is that the testimony is unanimous from every witness on either side of the case that there never has been one single instance brought home to the knowledge of any

officer of this asylum or to its superintendent, where an attendant has practiced even the semblance of violence upon a patient but that the punishment has been swift and without escape. And the attendants there know and feel that they cannot commit these or any abuses without being visited with the swiftest retribution.

Now the counsel sought to escape from the point he started out with and to forget the guage of battle he originally threw down against the management. This investigation set out to fasten upon the management of this hospital some fault either in conniving at or condoning some abuse that might have occurred; but he ended by completely disavowing that, and he was forced reluctantly to admit that Dr. Harlow never would see a case nor hear of one without instantly discharging the man who had been guilty of the smallest abuse or even unkindness of demeanor.

Now, gentlemen, that I submit to you, is a most important fact. And in that connection I beg that you will not forget the evidence of Mr. Hodgkins, who says only four cases of so-called abuse ever occurred under him—and he gave you a sample case which was not an abuse at all—and he says he never saw one without instantly reporting it, and he never reported one without the offender being instantly discharged.

I pray to know how discipline could be more constant, more keen than that? I pray to know what you can have better than a discipline which would impel the supervisor, whenever a case occurred, instantly to report it to the superintendent, and impel the superintendent to discharge on the spot the man against whom the report was made? Discipline, I submit, can go no further. And all the witnesses agree upon that most important point.

Now, gentlemen, that covers all I have to say upon that subject, and I pass for a few moments only, to another branch of the case. For we are not content, gentlemen, to stop here. We do not end with a defence merely, a negation. We press forward to our affirmative case. We are proud of the positive and demonstrated merits of this institution. The Maine Asylum does not cringe in apology, she challenges your praise. Not simply is it untrue that abuses exist in this hospital, not simply is it true that the fewness of them is remarkable after this most searching and thorough investigation by your Committee, but the evidence demonstrates that there is no asylum in New England, similarly placed, which stands to-day higher, nearer the front rank of insane asylums than this same institution of the State of Maine. We do not shrink from comparison with any average institution in the States of New

England. Others are wealthier, better endowed, more modern sometimes in construction; but in efficiency of management, in freedom from abuses, in the comfort and well-being of the patients we submit to you, gentlemen, that no institution is superior to it. We do not claim that this is the best by any means, but that it is fully up to and above the average of public institutions.

Now, gentlemen, what constitutes a public institution? What constitutes its particular merits? That is a matter which has been much discussed.

In the first place there is the article referred to by counsel in the *North American Review* by Dorman B. Eaton. He discusses various reforms in the abstract; and the first thing he suggests is an independent board of inspection, independent of the trustees and immediate officers of the institution. Gentlemen, we have it. It has existed for several years in this State, and no thanks to gentlemen from other quarters who have enlightened us to-night upon it. It is the original notion of the people of Maine and of no other people. We have a visiting committee of three; composed of two gentlemen of the Executive Council of the State of Maine, of whatever party that council may consist, sometimes of one party and sometimes of another; and the third one of this visiting committee is a lady. It is the duty of that Committee—and they perform it, as they have told you—to visit the asylum unexpectedly and at irregular times. One of them stays there weeks at a time and goes into the wards with private keys at any hour of the day or night, and, having her own son there, is interested as only a mother can be interested, to ascertain the truth, the whole truth, and nothing but the truth, and when found, to proclaim it to the world. We have, then, this very thing that the most advanced and fastidious reformer can suggest.

Now then, as to a female physician. I have presented the evidence on that point. No advanced reformer, so far as I have yet been able to read, advocates that plan. Mr. Dorman B. Eaton does not. The latest works on that subject do not advise it, and the testimony of the various institutions to which circulars were sent is absolutely over-whelming against it, there being out of the whole sixty-six, written to and replying, only five who advise it at all, and of those only two had ever tried it; and all the rest, either distinctly or by implication, say they deem it unwise. That is all I need say about it.

Then Mr. Eaton suggests publicity of management. I beg to know what can be more public than this Insane Asylum of Maine?

I pray to know if ever a gentleman of either branch of the legislature or the commonest citizen throughout this commonwealth ever knocked and knocked in vain at the door of that Asylum for admission? I ask you, and I appeal to the common knowledge of the citizens of Maine, if every citizen within our borders has not, himself, the full and free privilege of going through the various wards of that hospital and being accompanied by an attendant or even by the physicians themselves?

Now, gentlemen, another thing is the manner of construction of buildings. That is not one of the things that the reformers particularly pride themselves about; but, still, we will speak of it in a word. There are two systems in vogue: one the system we have, the other is called the cottage or pavilion system; that is, separate small buildings, separated by considerable intervals perhaps. Now that system cannot be tried here, whatever its merits, and I have no doubt it has merits. It may be the best; but to adopt it here you must tear down your entire hospital, which the State of Maine cannot afford to do upon the mere fancy that they might, in some trifle, better its aspect. They cannot afford to destroy this asylum of Maine, which it has cost forty years of labor to build and hundreds of thousands of dollars to pay for. They cannot afford, for the mere gratification of a whim, to resort to the cottage system; but the idea of this system is carried out in classification the best that it can be. The matter of ventilation we have heard fully explained before us. They have now, by gradual improvements, recommended by the superintendents or trustees, brought the ventilation to the utmost perfection that the system is capable of. Then, instead of the old system of illumination, they have introduced modern gas and made the rooms cheerful by night as well as by day. For the unfortunates who live there the light is everything that could be desired, economical and ample. The preventives of fire are ample and have no superior in this country, we undertake to say. The water supply you have heard all about. There was a shortage last year under the extraordinary drouth. The capacity has since been increased by 1,500,000 gallons; and they are also engaged, to-day, in building the dam two feet higher, which will vastly increase even the present supply; and they say they have enough now beyond any contingency that is likely to happen. The supply is ample and more than ample and they are using more than they ever did before.

Now, gentlemen, there are two great things in which the modern system of treatment of the insane excels the ancient treatment;

and those two great points are these, as I view them and read them: first, non-restraint; second, moral treatment. The non-restraint system is modern. In 1850 when Dr. Harlow went there what did he find? I wish you to note this significant fact as bearing upon the point that this institution of this State of Maine in which we dwell, the institution which this State has endowed, is marching fully abreast of any similar public institution in the land on these two great points of non-restraint and moral treatment of insanity. What did Dr. Harlow find there? He found, first, the "tranquilizing chair," an engine built to confine patients so that their arms went through wooden boxes and their feet were placed in wooden stocks. That was in use. He discarded it and adopted the non-restraint system. He found the "trunk bedstead," another implement for confining patients in a box with slats across the top. He abandoned and discarded it. He found the "bed-strap," which fastened them down while they writhed in their moments of madness. He discarded it and threw it away. Then, gentlemen, we find also this significant fact: that maniacs were brought there from outside, from this fine non-asylum system, where the counsel says the cures were seventy or eighty per cent. maniacs brought lashed to the floors of carts, clanking with shackles and chains, hand-cuffs on their wrists, brought to this institution, and the instant they enter its doors off go the chains, even in the office and vestibule of the institution, and those men are set free, maniacs as they are, because of the adoption by this superintendent and this management of the system of non-restraint in the Asylum where they complain of abuses.

There is now in the Maine Asylum but one solitary vestage of those ancient times, and that is the thing which was shown to you last night. For four hundred patients they have one "muff" in which they confine the hands of the most violent men when they are absolutely destructive of every thing about them, confining simply the two hands with the muff of leather that you saw. In addition to that they use the camisole, which is only a little jacket of canvass within which the arms are slipped. Those are all the restraints there are in this institution which is fifty years behind the times! Ah, gentlemen, there is such a thing as State pride which, backed by facts like these, steps forward justly and stands up triumphantly for the institutions of Maine. I challenge the counsel to produce me an asylum in his vaunted State of Massachusetts, which can outvie us in an early and consistent adoption of this leading principle of modern reform. [Applause.] I challenge the counsel to bring

before me here a board of management who have had charge of an asylum in Massachusetts for an equal length of time, and can boast of a prouder record. And by referring to this book of official reports you will see right here that these public servants are the ones who have been introducing improvements all these years. You will find that year after year these reforms have been inaugurated by them, and pressed upon the attention of the people of this State, by their official reports, until at last this great charity of the State of Maine has been brought into the advanced state in which it now stands—the peer of any public asylum in this country.

Gentlemen, so much for the non-restraint system. The other great thing is the moral treatment of the insane, that is, the method used to obtain cures. My friend, Dr. Butler, says the superintendent states that nothing can be done for them here. Not so at all. Everything is done for them which enlightened science prescribes or can suggest. But that does not consist of medicines. Drugs cannot heal the diseased mind. “Thou canst not minister to a mind diseased,” is a sentiment not new but old.

Then, gentlemen, we have what? Why, we have the moral treatment, as it is called, of the insane. What does that mean? It means to take these unfortunate beings out of the chains in which they were shackled, out of the iron fetters in which they were bound down, and bring them out into the surroundings of music, into the surroundings of amusement, of enjoyment, of little theatrical exhibitions, of singing, into the surroundings of pictures, where the walls are garnished with various objects to amuse and interest, into the surroundings of games where they have their little sports just as sane people would, into the park built for them at the instance of this management, where they may walk, daily, whenever the weather will admit, into riding out with the teams, as they do here—all those things. Then they have upon their tables every day, cut flowers from the green-house, distributed to patients and not to officers. I beg to know what there is that the learned counsel would suggest that can surpass the treatment of the insane here, in this hospital of the State of Maine; and I ask him to produce, before you, any asylum which can excel this in these particulars.

Now, gentlemen, I am done, after calling your attention to one other point. It has not been aduced here, in evidence but the newspapers have seized upon it, and you, gentlemen, know how inaccurate and how false it is—that this is a politically managed institution. You have investigated it yourselves. You have heard

the testimony here. You know that just one instance has occurred here where a man ever claimed that he was ever discharged on account of politics, and that was the attendant Motherwell, who it seems, had been kept there eight years as a Democrat and a Greenbacker, and then was discharged the day after he had violated the deliberate rules of the institution; and Motherwell thought it was on account of his politics! That is the only instance there is, and you saw the officers here upon the stand. Dr. Harlow tells you, and every man knows it without his telling it, every citizen of this city knows it without his telling it, that he knows nothing about politics, interests himself not in politics, and he tells you that he does not know, to-day, the politics of more than a dozen men in his employ, and those only by accident. And he says to you, that during the whole thirty years he has been there, only one single instance has ever occurred where a man making an application for employment, put forward his politics either way, and that was the case of a man down in Hallowell by the name of O. W. Sims, whose politics were those of a Greenbacker, and that man was employed and served in the institution.

Now, gentlemen, nothing could be more unjust, nothing could display more ignorance, than this charge that is made here in certain papers outside the State, that this is a partisan institution. And I beg each one of you to refute that charge in the interests of the State of Maine, not in the interests of any party, but as citizens of that common republic of which we are all citizens.

Now, what is the cause of this attack? How does it come up here? Does it come up here from the people? Was this demanded by the public of the State of Maine? Is there a solitary petition here before you? Is there a scrap of writing before you, from any citizen of this State, asking for an investigation of this Asylum? Are the friends of patients here? Are they the ones that are promoting it? Not at all. I ask you, gentlemen, to review, in your own minds, the long lines of witnesses who have testified here, and point to me, if you can, the name of a solitary man or woman who has here testified, who was the friend or relative of a patient, and testified to abuses, with the solitary exception of the chief prosecutor, whose sole tale of abuse was entirely erroneous, and I have no doubt he is absolutely satisfied of it himself now; it was only hearsay at the best; and with the exception, gentlemen, of the chief prosecutor here, not one witness has appeared before you, who has a friend in that hospital, to complain, in jot or tittle, of its management; but some witnesses

have appeared before you, when they were directly implicated, to show you that they felt sure of the well-treatment and well-being of their friends there.

Now where did this originate, I pray you? and to what do we owe the fact that the State has conferred its money, and this Committee its valuable time down to the end of this investigation? Do we owe it to aught else than to the disappointed ambition of a man who was dropped from the medical staff of that institution? Had that one man not been dropped from that staff, would this investigation ever have arisen? Did he seek an investigation, I pray you, during the five years he remained there inside of the hospital? Did he come before Committees of the Legislature, then, stating that there were glaring abuses in the institution? Oh, no. But no sooner is he lopped off, no sooner does he find that the view with which he went there, to supplant Dr. Harlow, is frustrated, than we find that he, combining with the prosecutor here are starting this investigation and having the effrontery to call it a demand in behalf of the people? The Committee will never mistake the puny pipe of disappointed ambition for the mighty roar of a people's indignation.

Now, gentlemen, you find it originating thus: You find it ending how? You find that after it has begun counsel is called in from a neighboring State: And you find then, gentlemen, that a certain newspaper press in another State has become the chief medium and favorite organ of the prosecution. The counsel appeal from the evidence and from the Committee to the public and the newspapers. And even in addressing what we supposed was to be an argument to this Committee we find the counsel out here with his back to the entire Committee and addressing some unknown and imaginary public. We stand by both. We count alike the showing of the evidence and the finding of the public; the decision of the Committee and the comment of the press.

Now I have dwelt longer than I meant to, and quite sufficiently, on these topics. I leave the whole matter in your hands, gentlemen. I wish each man of you, Republican as well as Democrat, to rise, this time, above all considerations of party politics; rise to the height of this great cause, and looking at it with the calm eyes of impartiality, review the evidence for himself and see if this Asylum does not stand with a proud record before the world, and ask yourself if it is not due to our State of Maine that she should be vindicated from the aspersions that have been cast upon her. Ask yourself whether her Asylum for the Insane, its staff and management, its noble benefactions, do not stand, to-day, vindicated and

endeared to the people of Maine as they never would have been had not these gentlemen kindly furnished us with an opportunity to ventilate its merits. [Applause.]

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