

NARRATIVE
OF THE
RECENT DIFFICULTIES
IN THE
PROVINCIAL
LUNATIC ASYLUM
IN
CANADA WEST.

DEDICATED TO THE CHRISTIAN COMMUNITY, AND TO THE
PRESIDING OFFICERS OF LUNATIC ASYLUMS
IN EUROPE AND AMERICA.

TORONTO:

1849.

In drawing up this Narrative, the author has frequently availed himself of the arguments furnished through the columns of the Toronto *Examiner*.

FOR A SYNOPSIS OF THE WHOLE MATTER SEE THE LAST PAGE.

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NARRATIVE
OF THE
ASYLUM DIFFICULTIES,
BY
GEO. H. PARK.

Upon assuming the duties of Medical Superintendent of the Temporary Provincial Lunatic Asylum, under an appointment from His Excellency the Governor-General, on the 14th day of June, 1848, the laws by which it was governed became the subject of my immediate attention. They were remodelled in the year 1843, and received the sanction of the Government. The following is a copy of them:—

OFFICERS OF THE INSTITUTION:

STEWARD, MATRON, PORTER, KEEKERS, NURSES, ORDINARY SERVANTS.

COMMISSIONERS.

The Commissioners shall meet regularly once a-week (Thursday at 10 o'clock), for the purpose of examining into the state of the Institution and condition of the patients; hearing all complaints, hiring and discharging servants, receiving tenders for contracts, examining accounts, and generally taking cognizance of all matters connected with the Institution; they shall appoint from their number one or more in rotation, whose duty shall be to inspect the Institution daily recording their names, hour of visiting and remarks, in a book to be kept for that purpose; see that the patients are properly attended to, and supplied with wholesome food, &c., and, in conjunction with the Medical Superintendent, make such arrangements for the week as may be deemed advisable; they shall be expected to report annually upon the expenditure and general state of the Institution.

MEDICAL SUPERINTENDENT.

The Medical Superintendent shall visit the Institution regularly at least three times a day, not only for the purpose of medically treating the patients, but also with a view to seeing the moral government properly enforced: at each visit he shall enter his name in a book to be kept for that purpose: it is desirable that his visits be so timed as occasionally to afford him an opportunity of seeing the patients at their meals, and also after they have retired to bed;—when absent, he shall leave word with the Steward where he is to be found; he shall daily mark down, in a Diet Roll, the diet prescribed to each patient, and shall keep a book wherein to enter the name, sex, age, species of mania, probable cause of disease (proximate and remote,) duration of disease previous to admission, termination thereof, &c.;—he shall also keep another book, setting forth a concise history of the case, together with the daily medical treatment and symptoms; shall neither admit nor discharge any patient without the sanction of the Commissioners;—he shall generally superintend everything connected with the internal management of the Institution and the well-being of the patients, see that his directions relative to the medical and moral treatment of the patients are properly attended to, shall be present, (if required) at the Weekly Meetings of the Commissioners, and shall annually furnish a Medical Report.

STEWARD.

The Steward shall under no circumstances absent himself from the Institution without permission from the Superintendent or Board of Commissioners;—he shall be strictly subject to the control of the Medical Superintendent; shall be responsible for the cleanliness of the male patients and of the part of the Institution appropriated to them; shall see that the instructions of the Medical Superintendent relative to the medical treatment and moral government of the patients are properly carried into effect;—he shall draw out the Weekly Diet Roll, and see that the food is of good quality (according to contract,) properly dressed and served;—he shall, upon the admission of each patient, deliver his wearing apparel, &c., into the charge of the Matron, receiving an acknowledgment of the same, and shall be responsible for all articles delivered by her into his charge for the use of the patients, and all furniture, &c., appertaining to the male wards;—he shall

report any misconduct of the keepers or servants, or any other irregularity occurring in the house, to the Medical Superintendent and Visiting Commissioner, and also to the Board at their weekly meeting;—he shall have charge of everything out of doors connected with the Institution, see that a good supply of fire-wood, properly cut, is constantly on hand, and regularly furnished to the several wards, both male and female;—he shall, when called upon by the Superintendent of the Female Wards, render such assistance as may be required in controlling disorderly patients;—he shall keep a book wherein to enter the name, sex, age, religion, country, late residence, &c., of each patient, date of admission and discharge, under what circumstances admitted, (pauper or pay-patient, names of the person or persons by whom he is brought to the Asylum, and so forth;—he shall see that the convalescent male patients are properly exercised, and usefully and exclusively employed for the benefit of the Institution;—he shall attend the meetings of the Commissioners (when required,) keep minutes of their proceedings and correspondence and generally be responsible for the good order of the Institution;—he shall keep all the accounts.

MATRON.

The Matron shall be responsible for all articles belonging to the Institution committed to her charge, and also for all articles belonging to the patients delivered over to her, shall keep inventories of the same;—she shall attend to the cleanliness of the Institution, see that the wards for female patients are regularly scoured and cleansed, the patients apparel in good order, and clean;—she shall see that the several meals are properly dressed, and served at regular stated periods; in fine, she shall generally attend to all matters appertaining to house-keeping;—she shall note down daily and report to the Medical Superintendent, and to the Visitor, any disorderly conduct which may come under her observation.

PORTER.

The Porter shall be subject to the instructions of the Medical Superintendent and Steward; he shall keep the door, and see that nothing belonging to the Institution is carried out, and that neither spirits, or any other article whatsoever be brought in to the patients by their friends, or otherwise, without permission;—he shall take care that no person has access to the patients without authority, and that no person be permitted to inspect the Institution without permission from the Medical Superintendent, or a Commissioner.

KEEPERS.

The Keepers shall be persons of good character, humane, &c.; they shall sleep in their several wards, shall obey the instructions delivered to them by the Medical Superintendent, Steward or Matron, as the case may be;—they shall wash and cleanse the patients regularly and dress them;—they shall administer the medicines prescribed, and perform the necessary dressings at the times and in the manner directed;—they shall be civil and respectful to the Steward and Matron, and generally conduct themselves in an unexceptionable manner.

ADMISSION OF PATIENTS.

The Medical Superintendent shall be the exclusive judge of those persons who are fit objects for admission. Persons who are unable to pay one dollar per week for their maintenance, shall be deemed paupers, and admitted as such. Prior to the admission of a Pauper Lunatic, a certificate shall be lodged with the Commissioners, signed by a Clergyman and two Magistrates, from the immediate neighbourhood where such Lunatic resides, stating that, from the evidence they have in their possession, they are of opinion that the said Lunatic (if an adult) does not possess property to the amount of £25; if a minor, that his or her parents, or guardians, are unable to advance the necessary funds. The several Districts shall be deemed liable for all expenses incurred in conveying a Pauper Lunatic to the Asylum, also the expenses of re-conveying him or her back again to their friends, when discharged, cured, relieved, or incurable, together with the funeral expenses, as the case may be.

Persons not admitted as Paupers will be expected to contribute to the funds of the Institution, such sums of money as the Commissioners may deem adequate to defray their expenses when in the Institution. All such payments must be made in advance.

A little reflection upon my situation, and a very short experience in it, afforded unpleasant expectation of difficulties and embarrassments. The sequel will show the personal enmities which were early brought to bear against me.

I found the Asylum in a sad condition with respect to its financial affairs, and as to discipline, clothing, cleanliness and ventilation.

These derangements were traceable to an imperfect domestic Police. Among the officers and servants, disorders and dissensions were frequently arising, and engaging the attention of the Board. Intoxication prevailed to an extent destructive of all subordination in servants or good order in the establishment. This insubordination was aggravated by the certain protection the Commissioners afforded the servants, of any class, against the complaints made against them by the Medical Superintendent; who, (surrounded by

Keepers and nurses whose discharge he had sought in vain) could neither enjoy their confidence nor insure their obedience. An active superintendency seemed only to lead to renewed dissension and disappointment; and every resulting inquiry only reduced still lower in the scale the moral influence of the complainant.

Dr. Rees, (as appears from the records of the Institution) pursued its interests with zeal. His contest for faithful and efficient servants was itself an evil; yet success or failure depended on it. During the superintendency of this learned gentleman, an appeal was made by him to the late Lord Metcalfe, whose comprehensive knowledge of these subjects enabled him to dictate a remedy, which might and ought to have prevailed,

Extract of a Despatch to the Commissioners, dated 24th July, 1844, from D. Daly, Provincial Secretary.

“His Excellency also considers, that the selection of Keepers, and other persons employed to attend upon the patients, should be vested in the Medical Superintendent, subject to the approval of the Board of Commissioners; as he ought to be the best judge of their fidelity, and from his observations on the state and progress of the patients, to form an accurate judgment of the fidelity of the attendants.”

This sensible adjudication appears to have been resisted by the Board; and this resistance, or rather this contumacy, is noticed in the Minutes of Council, hereafter given, with approbation, and pronounced unaccountably effectual against its validity. If the *selection* should be vested in the Medical Superintendent, it is obvious that the recommendation of a discharge should be duly respected.

The undischarged servants, confederated with the Commissioners, soon effected the ruin of Dr. Rees.

Dr. Telfer succeeded him. His published letters show that he was surrounded by the same difficulties. Notwithstanding the most respectful remonstrances, he was obliged to receive and retain servants against whom he had made frequent and serious charges, and whom he would not allow even to accompany him in his official visits. This learned gentleman, also, found the useful discharge of his duty impracticable, and his life in the asylum as miserable as it should have been happy. By continuing in this humiliating position, the subordination of the servants and his moral influence in the asylum, were utterly destroyed; and his destruction was ultimately and easily accomplished by witnesses, whose personal hostility had been engendered by his own fidelity in office.

The same disgraceful system has been practiced against me; and in order to deceive the country and the government, every outrage of this kind is accompanied by the reiteration of the most sanctimonious protestations of a disposition “by rule and by practice to render the servants strictly subordinate to the Medical Superintendent”—and “never to retain any whom that officer thinks unsuited to his duties”; and even “to dismiss merely because that officer has requested it.”

Under such a system of hypocrisy and abuse, every institution must pass into a state of moral and physical disorder, and every Medical Superintendent be exposed to insult and degraded by failure.

Perhaps the first offence I gave in the asylum, arose from my wish to press forward the Rev. Commissioner Grassett into the attic upon a visitatorial tour. The Rev. gentleman had ascended the stairs, when the effluvia from the room seemed to arrest his humane purpose. Some importunity induced him somewhat further to advance, when the olfactory impression dissipated his

resolution, and he retreated with an agility I did not attempt to follow. In the very room from which these noisome emanations proceeded, were seventy of my fellow creatures, who lived there night and day unpitied and unknown: some were naked, sleeping upon straw thrown coarsely on the ground; others, less benighted in their immortal part, occupied cells so small and so close and so foul, as to impair their health, retard their recovery and aggravate their doom. Away from those friends, whose tenderness nature has (by a law Divine) made to enlarge with their afflictions, they suffered without sympathy and were wronged without redress.

From the Rev. Mr. Roaf I received an early insult. A patient, when restored to reason, is, according to the Laws, discharged by the Board, not by the Medical Superintendent. But the difficulty and delay in obtaining the signature of the Visiting Commissioner, (sometimes a serious inconvenience) not easily endured in a matter of which the Medical Superintendent can be the only proper judge. The Board had remarked to me that I had better at once discharge, and let them confirm it—on one occasion I did so; for the Rev. Mr. Roaf, who was Visiting Commissioner, lives three miles out of the city,—and when in it, one can scarcely be expected, for such a point, to hunt him up among the Banks or on the Exchange. Upon the Steward presenting the paper for his signature, he peremptorily refused, in censorious terms, unbecomingly towards me, when addressed to an officer under me. Learning that the Reverend Commissioner was in the neighbourhood, I brought him to the Asylum and wished the matter adjusted for the patient's sake: He refused. Such captious proceedings impeded the transaction of business,—and tended; moreover, to impair my position before the household. I therefore requested the Rev. Mr. Roaf when he had any objection to the formality of my acts, not in the future to animadvert upon them to the servants, but address himself to me, whom he would ever find ready to amend an error.

Obtaining leave of absence for six weeks, I left Dr. Rolph in charge, who continued to observe every forbearance, under the expectation that the government intended, as some of its members had avowed, to alter the system—an intention not really entertained, as declared by the official *Pilot* of the 10th instant.

The following minute to the Board, by Dr. Rolph, will explain the origin of an early difficulty:—

TORONTO LUNATIC ASYLUM, 11th August, 1848.

Upon visiting the Asylum this morning, I find the usual harmony disturbed by a letter addressed by the keeper Hungerford, to the Rev. John Roaf as a Commissioner, stating:—
 “that Jane Hamilton, the Nurse in the Parliament Buildings, is very unwell, that the Steward and Matron of the Institution intend to procure her discharge, in consequence of bad health,
 “—that all the old Keepers, Nurses, &c., seem to be very obnoxious to them, and that she
 “now claims the protection of the Commissioners and the Rev. John Roaf in particular.”

Upon visiting again in the afternoon, and evening, I find that circumstances have prevented any action being taken upon the matter. The Rev. John Roaf has left the letter with the Steward, to take what course he pleased upon it. It has been placed before me as Medical Superintendent, pro tem.

My opinion is decided, that no servant can be properly or safely retained in the Asylum, who has arrayed himself against one of its principal officers, and made himself the communicant of jealousies, alleged to pervade all the servants of the Branch Establishment,—should the old keepers and nurses entertain these feelings, their discharge is also necessary for the good working and prosperity of the Institution. It is obviously proper that all the servants should enjoy the confidence of their immediate superiors, whose instructions they have hourly to receive, and obey, and that servants should resign, when avowedly distrustful of those under whom they act.

The documents placed before me show that there is no foundation for these prejudicial assumptions, and there are no qualifications in Hungerford as a keeper, to compensate for this gratuitous misbehaviour.

In the absence of other authority to act in the course of the day, I have deemed it my duty at once to exempt the Steward, and myself, from his further services. I have accordingly requested the Steward to suspend him from his duties, report the case to the Commissioners at their next meeting, and to make temporary provision to supply the deficiency.

Jane Hamilton, being still an invalid and temporarily relieved of her duties, there is no necessity for considering immediately the part she seems to have taken in this affair. But I have requested the Steward not to place her again on duty until further advised.

JOHN ROLPH,
Acting Med. Superintendent.

The letter embodied in this minute having been addressed to the Rev. Commissioner Roaf, and received by him, it was in his power to dispose of it in any way he pleased. Many courses were open to him. He might have put it into the fire; he might have returned it to Hungerford, with the admonition of a friend; but, when the Rev. Commissioner Roaf decided to take action on it in an official character, it became him to observe and not to violate the By-laws of the Institution — laws which, when once enacted and published, are equally binding upon all. By reference to these laws, the reader will observe that the incidents of the week belong to the *visiting* Commissioner and the Medical Superintendent; to both of whom (as well as to the Board at their weekly meeting) the Steward is bound to report any misconduct of the keepers or servants, or any other irregularity occurring in the House. The greatest confusion, if not collision, would obviously be hazarded, should all the eleven members of the Board, at their pleasure, transgress the laws by obtruding upon every matter their officious interference and conflicting directions; and leave the medical superintendent, the visiting commissioner, and all the household, perplexed whom to obey or what to do. It would be like eleven physicians intermeddling each by his prescription, with an unfortunate patient, who, however well he might be managed by one of them, would certainly perish under the nostrums of all!

Decorum, therefore, required the Rev. Commissioner Roaf, as a minister and a gent eman, to abstain from any unwarrantable obtrusion of himself upon the domestic events of the week. He might, indeed, have kept the letter in his pocket until the next meeting of the Board, and have left them to take action on it. It was further open to him to confer with the medical superintendent, who is required by the by-laws "generally to superintend every thing connected with the internal management of the institution." If he entertained any unworthy jealousies respecting the authority and influence of the medical superintendent, he had the further choice of putting the matter into the hands of the visiting commissioner, Professor Beaumont. The other commissioners were not strangers to this delicacy of official department; for, when the steward reported to Mr. Cawthra the suspension, and the cause of it, and the other objections to Hungerford as a keeper, that gentleman said "he could not interfere, but sent his compliments to Professor Beaumont, and that *were* he visiting commissioner he would take upon himself to discharge him."

But the Rev. Commissioner Roaf, treating superciliously both the medical superintendent and visiting commissioner, stepped out of his sphere in the assumption of an extra-visitorial function (never assumed before) and brought the letter, the writer of it, and the officer offended by it, into immediate collision. Having thus presumed to intermeddle, an opportunity presented itself

for the interposition of that spirit of pacification by which excitement is often allayed, the kindling from collision averted, and a christian harmony preserved. The interference was, indeed, in him as an individual, insubordination towards the laws, the Board, and the Institution; but, in adopting this exceptionable course, the Rev. commissioner might have undertaken to settle the whole matter while he was about it. Warmly as steward Ramsey felt upon the subject, what might not have been the effect of a short sermon (nay, he might have humbled all in prayer upon their knees) for the purpose of bringing a timely acknowledgment from the party offending, and awakening emotions of conciliation in the one offended—a sentiment, I fully believe, to which the steward would ever be ready to respond, if duty happened not to overrule it. Such, however, was not the spirit to which this interview gave birth, even under the auspices of a christian divine. The following incident, as related at the time of excitement, will partially convey to the reader what his knowledge of human nature must more fully supply. When the steward and keeper had been thus officiously and unofficially confronted; when the causes of these lurking jealousies were explained and their groundlessness exposed; and when the Rev. commissioner Roaf had justly said “he did not see what the man had to say for himself,” and left the letter for the steward to take what course he pleased upon it; the steward, in his excitement, ordered the keeper peremptorily to leave the room. In closing the door, it struck the heels of the retiring keeper, who in his turn re-opened the door to tell the officer of it, who again shut it on him with feelings not less disturbed than before. “A small spark may be made to kindle a great fire.” And even at this juncture there was room for the ennobling duty of extinguishing the flame which was about to kindle other minds throughout the whole household, by effecting, through his influence, the instant suppression of the causes before they were diffused through the Asylum beyond redemption. It must, too, be observed that Steward Ramsey was injured in his feelings not only by the imputations thus brought home to him by a commissioner, but by the daily irritation of latent jealousies, often, in such situations, painfully felt, though not so easily assigned; by ill-will, both secret and open, arising from unavailing attempts to mingle real kindness with the unqualified requirement of active duty from persons long accustomed to a compromising system; from curtailing past indulgences, amounting to official abuses; and from insisting on the necessary observance of those rules of respectful deportment which former laxity had unfortunately superseded. Thus one keeper has his threat that he is keeping his notes to tell against those of his superiors who keep notes too; others rudely and stentoriously call from one story to another, Ramsey! Ramsey! and kept their hats unceremoniously on their heads (though not Quakers) upon going on business into his room; while another offered a pinch of snuff to the medical superintendent on his tour through the wards, and another as coolly smoked his pipe. Although some of the commissioners lightly esteemed such irregularities, and even condemned the steward for his innovations, yet fully agree with Dr. Rolph, with whom the steward was then co-operating, that, whatever laxity gentlemen may choose to encourage out-of-doors, it is of primary importance within an Asylum to regulate all habits, deportment, and language, so as to contribute to the moral treatment, improvement and elevation of the insane. Few men, placed in steward Ramsey’s situation, would, in my opinion, have displayed, under the like combination of circumstances, less excitement than he did, from the above interview.

But, in offering these painful strictures in my defence, it is due to the Rev. commissioner to express a possible belief, that, connecting this transaction with the past state of the institution, with the jealousies which were springing and growing from the continued efforts of the steward, in conjunction with the medical superintendent, to correct insubordination, enforce duty and put down abuses, he deemed it impolitic and unjustifiable to leave these animosities to be further fomented against the officers of the Institution without a prompt and decided correction. This view, however, leaves no apology for the inconsistent course afterwards pursued, and the persecution to which I was subsequently exposed, especially as Mr. Cawthra declared he would take upon himself to discharge him

In Dr. Rolph's minute to the Board, he states, in addition to the offence of the letter itself, that "there are no qualifications in Hungerford as a keeper to compensate for this gratuitous misbehaviour." This language is quite as strong as should be required of a Medical Superintendent, against a servant: particularly as it was connected with a complaint against him, founded (as heretofore shown) on a letter engendering dissensions between the servants and officers of the Institution, and addressed very specially to the Rev. Mr. Roaf, who, neither suppressing the communication nor returning it to the writer, nor reserving it for the action of the Board, at its next meeting, passed by the medical superintendent and visiting commissioner for the week, (to both of whom the incidents of the week by the laws belonged,) and stepping out of his sphere in the assumption of an extra-visitorial function, (never assumed before,) brought the letter, the writer of it, and the officer offended by it, into immediate collision; and seemingly regarding the offence of a magnitude not to justify his availing himself of the exciting occasion, for the pacification of the parties, delivered the letter to the party injured, expressly to take what course he pleased upon it. A medical superintendent, appointed by the Crown, appealed to under such circumstances, to extinguish the angry feelings thus enkindled in the asylum which he superintended, could neither doubt the sufficiency of the offence in the eyes of the Commissioners, nor expect his action on it to be regarded as trivial or frivolous.

As the Rev. Mr. Roaf had succeeded in this unofficial, and, to the medical superintendent, embarrassing intrusion, in thus privately producing discord without remedying it; and as the visiting commissioner, Dr. Beaumont, neither on that nor on previous days visited the Asylum, the medical superintendent was alone to act. The right of suspension by the medical superintendent, it is criminal in the Commissioners to deny. To assert that a servant, if insolent to the physician or other officer, or inflicting violence on the lunatics, or reeling drunk through the wards, cannot be suspended or interfered with, till the scattered commissioners shall assemble, is so utterly untenable as to need no disproof. It was, indeed, exercised by Dr. Rees; particularly in the case of Wallace, whom he suspended and did not allow to enter the wards. The steward was required in writing by Dr. Rolph to inform him of any causes real or imaginary for the alleged jealousies, and for any further information respecting Hungerford as a keeper. He promptly furnished the following particulars as among the probable causes of a bad feeling among the servants, and his opinion that the retention of Hungerford as a keeper was opposed to the peace and interests of the House:—

"1st. I only allow one hour for the keepers to have at each meal, and they usually, as they say, had longer time.

2nd. I have prohibited the Cooks, Housemaids, and Laundresses, going in and out of the Institution without permission from myself, matron or medical superintendent; this they were never used to before.

3rd. The steward will not advance money to servants before it is due; this they have not been accustomed to.

4th. The steward will not allow the keepers boarding out of the Institution to have any firewood from the stock belonging to the Institution, as heretofore; the keepers say they always paid Mr. Cronyn for what he gave from the House supply.

5th. The steward refuses to be responsible to any tradesman for flour, groceries, wood, or anything else, for any servant in the Institution; this is likewise contrary to their past usage.

6th. The Beer struck off the keepers which are boarding out of the Institution and receiving full pay from the Government, consequently they are not entitled to such a treat: —two of these keepers are Hungerford and Craig."

"Cautioned by yourself for loose and improper conduct in smoking tobacco in the attic in your presence when visiting the patients.

Sent Hungerford to breakfast at 7½ o'clock, A. M., and directed him to proceed up Queen Street, near to the Blue Bell Tavern, to search after *Jennings*, a patient who made his escape from the Institution; he returned at 11½ o'clock, A. M., under the influence of liquor, after being four hours absent."

This additional offence of intoxication was further brought to the knowledge of the Board by Dr. Rolph when examined by them. The Board object that Dr. Rolph requested the keeper to be discharged on the original complaint, without being obliged to make an addition to it, before his application could prevail, and the keeper had reason to feel that the medical superintendent had effected his discharge by new and damaging charges not embodied in the original minutes. But the offence being recognized, it was the duty of the Board, as it was the inclination of the medical superintendent, to exercise a charitable and becoming forbearance towards the individual without prejudicing the claims of the institution for his discharge. When they intended to evade this offence in the estimate of their duty, candour required they should announce to the medical superintendent, that, unless the intoxication on duty was by him formally superadded to the original complaint, it was their intention *to give it the go-by*. On the contrary, I left them with the full impression, purposely made upon me, that, under all the circumstances, the keeper would be discharged; and Dr. Rolph was left with the same expectation, informing me that commissioner Eastwood announced on the Board, at his examination, that he could not consent to retain a servant against the opinion of the medical superintendent. The intoxication was a good ground on the part of the medical superintendent for declining to look over the complaint which the Rev. Mr. Roaf had introduced against the keeper; but it amounted to a laxity on the part of the Board to catch at the slightest pretext for looking over the offence of intoxication on duty, in order to avoid a compliance with the wish expressed by the medical superintendent for his discharge. Had the medical superintendent been corrupt enough to slur over this intoxication, it does not excuse the like corruption in the Board, who claim the exclusive right "to hire and discharge." As long as they exclusively exercise this right, they must be held responsible, and not allowed, for corrupt objects, to seek frivolous and objectionable ground for throwing the responsibility on others on convenient occasions. The desire of the Board to avoid giving due effect and hearing to this offence is the more inexcusable, because it was the neglect of an important duty, namely, the recapture of an escaped lunatic; a neglect which might have led to the loss of the lunatic's life (one having already recently escaped and drowned himself) or to the "gouging of the eyes," not of a lunatic, but of a citizen; or to the exciting of personal alarm pregnant with serious or fatal results.

Being in Toronto for a few hours during the sitting of the Board, I gave them my testimony in favour of Hungerford's discharge. The investigation was prolonged from the date of the occurrence, the 11th to the 24th August; and Dr. Rolph was thrice summoned with the keepers and witnesses to be in waiting, upon the pleasure of the Board, for hours together. He was honoured, I learned, with a very scientific examination for an hour and a quarter (after waiting outside three hours for it) by Professor Beaumont, who, it is said, was not born when Dr. Rolph was professionally employed during the late war in an army hospital. And I am told he loitered outside, not seemingly in the character of medical superintendent, but of a plaintiff in company with his keeper as defendant, ingloriously uncertain what verdict the Board would render. Such was his position upon those successive summonses to attend upon the Board and await their pleasure. Upon this abuse of office and most unworthy and derogatory way of proceeding, even the present Government in their Minute of Council upon this point thus emphatically remark to the Board:—"It is not to be endured that the quiet of the establishment, and consequently the welfare of the patients, is to be sacrificed to such jealousies or jeopardized by protracted investigations for the purpose of adjusting nicely the exact amount of blame attached to each. Every officer and servant of the establishment must be made to feel his subordination to his superior, and the report of such superior ought, as a general rule, to be conclusive as to his misconduct.

"If it be objected that this would place the subordinates too much in the power of their immediate superiors, the Committee would remark that unless this amount of dependence can be placed in such superiors, they are themselves not fit for the station which they fill."

The direct tendency and actual effects of such conduct in the Board, were to embolden the servants in their insubordination.

The steward made the following report upon keeper Craig:—

28th July, 1848.

Craig, keeper, cautioned by Dr. Rolph for improper conduct in shoving and using threats to a patient, and being impudent to the matron when spoken to about it.

(Copy.)

3rd August, 1848.

Craig, keeper, absent 2½ hours at tea, and, when spoken to about it by the steward, his conduct and his answers were highly improper; in all his general conduct in the house, he is turbulent and disrespectful.

(Copy.)

13th August, 1848.

Craig, keeper, absent at breakfast 2 hours.

Sir,

Your obedient Servant,

WM. RAMSEY,

Steward.

TORONTO LUNATIC ASYLUM, 13th August, 1848.

From the report made to me respecting keeper Craig, I recommend his discharge.

JOHN ROLPH.

His discharge, however, (which had been already sought in vain by Dr. Rees and Dr. Telfer) was refused. He was merely suspended on full pay;

and, in the sequel, it will be seen the Board restored him against the avowed dissent of the medical superintendent, with this short minute: "Keeper Craig, upon being called in, was admonished and reinstated."

Both Dr. Rolph and myself requested that all intoxicating liquors might be excluded from the Asylum, unless introduced by a note in writing (to be duly filed) from the medical superintendent or steward, specifying the occasion and quantity. This was striking at the root of much of the past and present evils; and especially needed in a city in which (though small) the amount of intoxication is believed to exceed that of the largest city in North America. The amount of beer for the quarter preceding my entering on duty, exceeded £26; for the succeeding quarter, it was £3; and, since that time, nothing. Thus there was a saving in the annual expenditure of £100, besides the more important point of insuring certain sobriety. The license to have beer in the Asylum, leads to indulgence in its use when abroad; and hence arose the intoxication of Hungerford when on duty.

It was also recommended to the Board to place tobacco under the like restrictions. Besides, on one occasion recommending its use to be gradually abolished, Dr. Rees, when medical superintendent, required "a more strict observance of the diet roll and *prohibition of tobacco*"; and afterwards emphatically records, "the steward is again reminded of the danger to which patients are exposed by the constant and general use of tobacco, which has been so often prohibited within the walls of the Asylum by myself." The utter disregard of his injunction is subsequently noticed by him. Dr. Telfer, also, recorded his opinion that "it should be gradually taken from them"; although, it seems, that, badgered out of his correct views, he was obliged to tolerate an evil which can, indeed, only be corrected by an uniform rule. The prohibition is the rule, the exceptions are regulated by the medical superintendent. The deleterious effects of this drug upon man, and especially on the insane, cannot be discussed properly in this place. It is prohibited in the Asylums of North America; and, it is presumed, European institutions are not behind them in the wisdom of their regulations. It is absurd to suppose that lunatics, insane upon other matters, should be able to exercise a sound discretion upon the amount they ought to use; and when any quantity is distributed amongst them, there is no security against an unequal and injurious interchange between themselves. The lighted pipes, too, carried by them through the house and premises, add the danger of fire; and I found an entry by Dr. Rolph, in the visiting book, of a fire which, from that cause, took place while he was in the Asylum, in one of the basement cells, with a lunatic in it, threatening the suffocation of the sufferer and the conflagration of the building. If allowed to the keepers, it cannot be withheld from the patients; and persons who have not a cheerful self-denial in every thing that is esteemed deleterious or unsuitable for those to whose welfare the whole establishment is devoted, are unsuited for its servants. Equally unworthy are commissioners who, resisting, in such a matter, the opinion of successive medical superintendents, and violating the plainest maxims and personal professions of temperance, can wilfully perpetuate usages which had already reduced the Asylum (as established by their own inquiry) to a woful state of insobriety—the strange result of their own pretended vigilance.

The following is the Minute furnished me by Dr. Rolph, of his evidence before the Board in the case of Hungerford and Craig. No questions were asked him, or even upon the case of Jane Hamilton; or conclusive reasons would have been given, which it would be deemed ill-timed to offer now:

TORONTO, 8th September, 1848.

SIR,—I presume it my duty to comply with your request for the evidence given by me before the Commissioners of the Lunatic Asylum upon the subject of the ruinous dissensions which continue to distract it; for the information of the Government.

THE CASE OF KEEPER HUNGERFORD.

I stated to the Board that I had embodied my views in the communications I had already made upon Hungerford's case—that I deemed it my duty promptly to correct the feelings that existed,—That upon inquiry the Steward, in my opinion, did not deserve the imputation, which was unprovoked and untrue—that he had shewn me a recent loan of £1 5s to him on plea of sickness in his family—that his deportment to the Servants and Lunatics met my entire approbation—that he had proposed to me that Jane Hamilton should be recommended for continuance on pay during illness, with leave to go home if she wished it, till recovery.—That I believed the jealousies mentioned by Hungerford arose from the unwise and fruitless attempt to carry out a new system with servants who had become hacknied in the ways of a bad one—that the present Steward had properly limited them to an hour for each meal—had prohibited the cook, house maids and laundresses going in and out of the Institution without permission—had refused to continue the practice of advancing money to them before due—would not continue to allow Keepers, boarding out of the Institution, to have firewood from the stock belonging to the Institution, though they said they had paid for what they used to get from Cronyn—had refused to be responsible to any tradesmen for flour, groceries, wood or any thing else;—had struck off the Beer from Hungerford and Craig as boarders out of the Asylum and receiving full pay; and had exacted from all the servants an active and faithful discharge of their duties, and a becoming and respectful demeanour to their immediate superiors as well as to the Lunatics;—and that his rules and conduct in those matters were in strict accordance with my views and wishes—that servants who entertained ill-will towards their immediate superiors for their fidelity ought to be discharged without hesitation. That I considered Hungerford not a suitable Keeper—that a Keeper should have suitable manners, expression, and temper—that if, as intimated from the Board, all this might be matter of taste, that the Medical Superintendent had a right to expect his taste to prevail—that good Keepers were difficult to be found and great judgment needed in the selection—that I was sorry I could not acquiesce in the suggestion of the Board that he should be admonished and restored without violating the duties I owed the institution;—that however indulgent I might be out of doors, I had no right to err in that extreme in a Lunatic Asylum, where the well being of the Lunatics was the first consideration. That I did not hesitate to say that I would discharge him upon the letter, which though true as to the jealousies and dislikes toward the Steward, was unjust as it respected him—that I thought it no hardship, as intimated, to dismiss him in a country where industry in another way will find him an ample maintainance—that being pressed with the question had I any other objections against him to allege, I replied I must say that I had, or I might be accused of a want of candor in omitting such points now *should* I mention them at any time hereafter,—that I had other objections, but that in mentioning them I wished it to be understood that I considered it decidedly the most proper way to discharge him on the letter and not to multiply allegations and send him away with as bad a character as possible. But to meet the inquiry fully I must remind the Board he has already been before them for intoxication, though I cannot particularize the occasion—(it was during the late investigation as since stated to me by the witness)—that I had noticed his smoking in the ward as I was going round, that he intimated from the Board, the steward who accompanied me, probably, first named Hungerford as the offender without inquiry by me; for being my first visit I did not know him. This I remember, that I thought he was a labourer hired to do the dirty work of cleansing the attic; and that he was smoking to correct the noisome fumes to which he had not been accustomed—and that I had no right to correct him for it—that the whole manner accompanying the smoking and scrubbing had so much of lazy looseness about it that I at once noticed his unfitnes among lunatics most especially—that I thought, as intimated from the Board, that he did not mean to be rude to me—that I have not the least belief that he so meant—that I think the reverse—but my objection to him is not founded on personal considerations, but on the hearing of such acts and deportment upon the lunatics—that I should not hesitate to dismiss a keeper who had no fault, but had the misfortune to be unfit. That, as intimated from the Board, all the servants might be removed in a month, it might be so—that had I done my duty fully I should have dismissed all—that they had for years allowed the attic, especially, to continue in a state of filth and stench, rendering it unfit for the habitation of human beings, and the cells were fearfully worse—that I would not trust the humanity of keepers who, to save themselves trouble had doomed Lunatics to such noisome quarters. That as intimated from the Board the Keepers might think it hard to keep the House clean when in other institutions that duty is imposed on others; but those who allowed years of such accumulations, would remove them; and it is my duty with limited funds to secure economical arrangements.

That there was another occurrence known to the Board or some of its members—Hungerford was sent the other day, 7th August, to Breakfast at 7½ o'clock A.M., and directed to proceed up Queen Street, near to the Blue Bell Tavern, to search after one Jennings, a Lunatic, who made his escape from the Asylum, and he returned at ½ past 11 o'clock A.M., under the influence of liquor, after being four hours absent. But that I still thought the most worthy proceeding would be to dismiss him on his letter—that I could not assent to his restoration.

In answer to an intimation from the Board that the dismissal of Hungerford would place the Board in the awkward situation of throwing discredit on the man on whose evidence Dr. Telfer and Cronyn had been so lately discharged; I stated that I could not be guided by any other consideration than the well being of the institution and its inmates—that the discharge did not affect the veracity of the man, only proving his disqualification as a Keeper.

ON THE CASE OF KEEPER CRAIG.

In answer to the question what objections I had to Craig as a Keeper, I stated that the steward had reported to me his irregularity in observing the rules and hours of the House, and the address of his demeanor when reprimanded for it—that unless punctuality was required and observed, it was impossible to have order in the institution, or avoid dissatisfaction on the part of their servants occasioned by the irregularity—that insolence admitted in one, soon leads to it from others—and that independent of the obvious impropriety of such conduct, it had a most injurious bearing upon the Lunatics. That they were daily witnesses of the address to the matron, and likely therefore in their own department to be injured by it. That the matron complained that he habitually whistled when he was passing by her and scraped his feet and tossed about his head with an air of contempt till he was out of sight again. In answer to the question, how I could be assured it was so; I stated, that I had the statement of the party insulted, and had myself noticed his manner and temper to be such as to afford corroboration were it needed—that on a recent occasion, his excitement and deportment to the matron when corrected for undue violence to a Lunatic was most unbecoming, as the violence itself was most unjustifiable; and when I reached the spot, he continued the same excitement and argued with me the propriety and necessity of the violence—as this occurred in the ward amidst the Lunatics I cut short the altercation, for such was the character it assumed, on their account; but that so long as I was Acting Medical Superintendent I never would allow any further acts of violence to be perpetrated by a Keeper against a Lunatic without my own authority or that of the Steward or Matron, under me. In answer to an intimation from the Board that Keepers must be allowed to take their own part; I answered, that no Keeper was justified in striking a lunatic because the lunatic struck him—that insult or rudeness is never to be returned to a lunatic, but under every possible provocation there must be coolness and forbearance, and that when force is necessary even for self-defence, it must be only what is really necessary for the purpose and no more. That persons not willing or not able to act up to these rules, are not fit to be Keepers. That an act of violence had just happened within the hearing of the Board, though they had not embraced the opportunity of witnessing it—that the Lunatic whose frantic cries they had heard, and which attracted attention even from without, had been brought by four Keepers holding each limb from the attic down to the basement, and were about to put him into a cell upon their own authority, although I was within the walls of the Asylum—the cessation of the fury which the board must have heard to be so sudden, was not from his immurement, but from my directing the Keepers to let him go, and assuring him of my protection on good behaviour—in less than five minutes the Lunatic was calm, walked untouched by me or a Keeper, by the Board room up to the attic, so quietly that the Board did not even hear it; and when I gave him his choice to eat his dinner or go to bed, he took off his own coat and went to bed. This violence was as unnecessary as it was without authority unjustifiable, and still more intolerable when I was in the House. Such treatment confirm Lunacy instead of curing it—it has taken place within this half hour, and though not a solitary case; I quote it to show the necessity of my urgency for such Keepers as are both able and willing to carry out the moral Government of the Lunatics—that Craig in his natural temperament and irascibility is unfit for a Keeper and ought to be discharged.

I am, Sir,

Your obedient servant,

JOHN ROLPH.

To GEORGE H. PARK, M. D.

Medical Superintendent of L. A.

On the 24th August these various matters respecting the suspension of Hungerford, the recommendation of Craig's discharge, and the prohibition of intoxicating liquors and tobacco, came under the consideration of the Board. From the introduction of Hungerford's letter, up to this date, the Rev. Mr.

Roaf had not made his appearance on the Board ; but on this occasion, he presided as Chairman ; and left the following Minute :—

Commissioners present:—Rev. John Roaf, J. O'Beirne, J. Eastwood, Dr. Beaumont.

The attention of the Board being given to the prohibition given by the Medical Superintendent respecting the allowance of Beer to the Nurses and Keepers ; that officer was called in and asked his reason for that prohibition. He answered that in any quantity such beverages partially unfit those who take them for the discharge of their duty.

Ordered—

That the Medical Superintendent having allowed Beer to one class of the Servants of the Institution, the remainder be allowed the same indulgence.

The Rev. J. H. Grasett present.

The Board being unanimously of opinion that the Keeper Hungerford's offence is not so grave as to call for his dismissal, have reprimanded him, for expressions contained in a letter addressed by him to the Rev. John Roaf, and have reinstated him, on his withdrawing the said letter and expressing his regret at any language in the said letter offensive to the Steward and Matron.

The Rev. J. Roaf before quitting the Board expressed his concurrence in the foregoing resolutions as to John Hungerford.

Hungerford was reinstated. Dr. Rolph, who had not been invited to witness the alleged apology (or rather new fashioned way of making one) found that neither the Steward nor the Matron was present or invited to be present, either to see, hear or receive it. He examined the Minutes again to see if the Keeper was instructed before going to duty to offer any acknowledgment to the Superintendent, Steward or Matron. There was none. He also found that no Christian Minister, overflowing with the milk of human kindness, had done it for him, or introduced him with a ministerial smile beaming forgiveness contagious to all around—oh no ! They all started for dinner as faithfully as the clock struck the hour. He next inquired if the Keeper, from an innate sense of propriety, had voluntarily tendered to the Steward or Matron, what he had not done to the Medical Superintendent, any sort of concession whatever. The answer was, none.

A Board conducting such business in such an Institution, between such parties, in such a manner, whether from ignorance or from corrupt and unworthy motives, are not deserving of being sustained by any government ; nor can any government in sustaining such acts against a Medical Superintendent, officers and lunatics of an asylum, stand justified before God or man.

A Keeper who was harbouring, and encouraging others to harbour domestic jealousies and distrusts, as mischievous in their tendencies as unjust in their foundation—a Keeper “ who had no qualification as such to compensate for such gratuitous misbehaviour ”—and who even Mr. Cawthra himself would have discharged ;—a Keeper who, three days before the complaint against him fomented by the Reverend Commissioner, had been drunk on duty when sent to seek and bring back an escaped lunatic, and who had further been reported for intoxication to the Steward (Cronyn)—a Keeper whom the Medical Superintendent had expressed his unwillingness to receive, is again cavalierly and insultingly sent back upon him, and the officers cooperating with him. And at the same time the request for a prohibition against intoxicating liquors and tobacco, alike injurious to the lunatics and the servants, and the root of much of the existing evil, was treated with like marked disrespect—the Rev. Mr. Roaf being *President of the Temperance Society*.

Under these circumstances, the Acting Medical Superintendent deemed it due to the Government, the country, the Institution, and himself, to withstand evils of such magnitude—evils, ruinous and disgraceful to the Asylum—by

bringing the matter a second time under the consideration of the Board, when probably additional members would be present. For this purpose he desired the Steward to re-suspend Hungerford, till the next meeting of the Board; to which he addressed the following note:—

Toronto, Provincial Lunatic Asylum, August 20th, 1848.

The undersigned on Friday last, found Hungerford restored as a keeper, and after taking a few hours for reflection, he deemed it his duty, however reluctant, to renew the suspension.

Craig appears still under suspension, and Jane Hamilton is to be admitted to resume her place as nurse, when her health permits. To the restoration of either of whom, to any station involving the responsibility of the Medical Superintendent, or of the officers in immediate relation to him, he has a decided objection. In expressing which, he further conveys the already avowed opinion of Dr. Park. It is presumed that the Board of Commissioners will not ascribe the above act of suspension to a want of due respect for them, or to a deficient regard for their authority, but believes that it has been done from a conviction of its necessity for the prosperity and good internal government of the Institution.

In reporting this step to the Commissioners, he refers them again to the documentary evidence in their minutes, and his own evidence as well as that of others given before them at their request.

Confiding in the disinterested feelings and enlarged views of the Board, he has no hesitation in making this second appeal to their candour and judgment, and in further expressing a hope that under scarcely any circumstances, much less under such circumstances as characterise the present case, will servants be forced upon the Lunatics, and upon the Medical Superintendent against his avowed dissent.

The undersigned further finds that his request for a confirmation of the rule against the use of intoxicating liquors in the Asylum, has been declined by the Board and their reintroduction allowed on the ground, that Dr. Park, having allowed beer to one class, the rest shall participate.

The undersigned feels most fully the irresistible force of the intimation from the Board that such exceptions are injudicious, and calculated like all invidious distinctions, to operate as a mischievous example against the very principle sought to be established.

He can only obviate the difficulty by reverting, as he has done, to the rule first adopted by Dr. Park, who made it applicable to all, and unwillingly relaxed it with respect to those not immediately connected with the management of the insane, viz. the cooks and washerwomen.

For two months, without a word of complaint, there has been a ready submission to the injunction of the Medical Superintendent. But the acquiescence is endangered by the opposing views of those by whom they are naturally proud to model their habits and estimate their duty. If the Medical Superintendent can surround himself, and the lunatics, with keepers and nurses able and willing to discharge their humane and self-denying duties, without the dangerous stimulus of inebriating drink of any kind, or in any quantity, he is at a loss to conceive any possible or tenable ground for preventing his accomplishment of it.

In addition to the prohibition of all intoxicating liquors, he requests the Board to justify his exclusion of tobacco, which ought not to be any longer allowed to the patients, and cannot, therefore, with propriety, be allowed to their attendants.

Under these circumstances the undersigned respectfully requests the Board to view these important subjects in their many bearings, and to give these prohibitions all the influence of their high sanction.

(Signed)

JOHN ROLPH.

Under these circumstances, had the Board been sincere in their professions to supply the Medical Superintendent with such keepers as he cordially approved, they might now have discharged Hungerford by grounding the act on the renewed dissatisfaction of the Medical Superintendent; without even adverting to the original complaint, or the offence of intoxication, at which the Board had injudiciously winked.

On the 29th August the above Memorandum to the Board was taken into consideration; and the different points disposed of, except the case of Craig, who was still under suspension, and unwell, and whose final restoration was in reserve for another blow upon the Medical Superintendent and the Institution.

PRESENT:

“ Rev. J. Roaf—in the Chair.
Rev. H. J. Grasett,
Dr. Beaumont,
Mr. Cawthra,
Mr. O’Bierno.

Mr. Grasett presented the document prepared for the Board by Dr. Rolph, respecting the suspension of the keepers Craig and Hungerford, and the nurse Jane Hamilton; as well as the prohibition of Beer; which document bears the date of this day.

Resolved.—“That the Board having disposed of the cases of the Keeper, Hungerford, and the Nurse, Jane Hamilton, after a consideration of its several hearings, are sorry to find their decision unsatisfactory to the temporary Medical Superintendent, and especially so to learn that he has thought fit to countermand that decision.

That we think it therefore necessary to bring into notice the fact that to this Board belong the employing and discharging of the officers and servants, excepting the Medical Superintendent—and that it is the desire and determination of the Board, ever to discharge those duties with a full regard to the influence and wishes of that officer. That in the cases of Hungerford and Hamilton, the Board felt a sufficient recognition of the physician's action had been given, in the time during which the suspension had been allowed to conclude, and the reprimand with which it had been closed, but as the temporary Medical Superintendent has so strong a feeling against Hungerford as still to object to his being employed, the suspension be suffered to continue till the return of the regular physician of the establishment; that regretting that the Medical Superintendent should have exceeded his authority, by prohibiting any use of beer by the servants in this Institution without first obtaining the concurrence of the Board, we allow such prohibition for the present to remain in force.”

Having thus come to a truce with Dr. Rolph, they reserved the matter of Hungerford for my humiliation; and although the Board and the whole household were, from my evidence before them, aware of my dissent to his restoration, as a keeper unsuited to his duties; and although the same weighty considerations existed now, as existed when Dr. Rolph was acting; and although the same deference which they offered to the feelings and views of that gentleman, were equally due to me, yet the Steward was formally instructed by the Rev. J. Roaf, that Hungerford was to be on duty immediately on my return. I found him so.

No man, no professional man, no Medical Superintendent of a Lunatic Asylum, could be expected to submit to this species of discriminative indignity, without hoping that, as a reconsideration of the matter, at the suggestion of Dr. Rolph, had induced them to exempt him from any further imposition of the keeper, the Board would, upon a like reconsideration at my instance, feel the injustice, the rudeness and the injury of subjecting me to a down right coercive policy upon the same objectionable matter. In returning to his duty he had not been instructed by the above minutes of the Board to make, nor did he voluntarily offer to me, any expression of regret for his minor offence, or for the graver one of intoxication on duty, as an outrage against me, the Institution and the public.

Conscious that I could not under such treatment from the Board, properly sustain myself among the household, or efficiently discharge the duties imposed upon me by the By-Laws and expected from me by the public and the Government; and not doubting that the government would vindicate me against such an abuse of the powers vested in the Commissioners, as would ruin me (as it had already ruined both of my predecessors and the Institution too,) I suspended the Keeper in order to make my appeal to the justice and generosity of the Board at its next meeting.

The reader will observe, that there was not at any time claimed by me against the Board, the right “to hire and discharge.” I only sought, as Dr. Rolph had done, protection against the personal indignity and domestic ruin, inseparable from the course pursued by the same Commissioners against three medical Superintendents in succession. The resuspension of an unworthy servant, is the only proper way of claiming from the Board that reconsideration, which the very act of returning such a servant on the physician, fully warrants and demands. It is not to be endured that the medical Superintendent shall be obliged, against a sense of duty, corruptly to retain a keeper “who is violent to the lunatics, habitually rude to the matron, insolent to the steward, and in his general conduct turbulent and disrespectful.” When the Commissioners return such a servant on the medical Superintendent and the lunatics, the act of compelling submission is as corrupt as the act of restoration. Had I been a mere servant of the Commissioners, doomed to what the government call “subordination to them,” (instead of honest and conscientious co-operation, as an independent officer directly appointed by the Crown) I might have acted on the doctrine of

passive obedience, and have left the criminality to rest on the Commissioners. But, holding an independent position; in which I was myself responsible for what I erroneously did, or corruptly submitted to, it was my sacred duty, in the sight of heaven and earth, to bear up against an act of degradation to the profession and brutality to the Insane. No doctrine of expediency at the expense of humanity, no doctrine of convenient submission at the expense of official rectitude, no doctrine of political balancing at the expense of some hundred lunatics, can alter the turpitude of the coercive retention of such keepers, or of sustaining those who are reckless enough to do so.

I shall now give in succession the events and correspondence between the Board and myself, up to the point of a mutual submission of our difficulties to the Government; and comment upon them afterwards.

To the Board of Commissioners.

ASYLUM, 10th September, 1848.

GENTLEMEN,—I ordered the steward on Saturday evening last to suspend keeper Hungerford without delay. I find, upon my visits yesterday and to-day, that he has not obeyed the command.

Without entering at this moment into the causes which rendered this act necessary. I have to state, that, while on the one hand I shall never question the obvious duty of the steward to obey your commands without presuming to scan them: so, on the other hand, as he is by your regulations strictly subordinate to the authority of the Medical Superintendent, I cannot overlook this dereliction of his duty in obeying mine with the like submission:—and, having done so in this instance, I shall have no confidence in his future conduct under my authority.

I have therefore to request you to furnish me with a steward willing to co-operate with me, without subjecting me to the necessity of seeking other methods for present relief in the management of the Insane.

I have the honour to be, &c.,

GEO. H. PARK.

Copy.

Special Meeting, September 11th. 1848.

Commissioners present: Revs. H. J. Grasset, J. Roaf, Messrs Ewart, Eastwood, O'Beirne, Dr. Beaumont,

Resolved unanimously in reference to the above letter, that—

The Board considers the Steward obliged to obey the clear orders of this Board, and therefore sustains him in replacing Hungerford upon the return of the Medical Superintendent and not afterwards suspending him. That we should be happy in every practicable method to meet the wishes of the Medical Superintendent, but cannot as he requests contemplate providing a Steward who will disobey the orders of this Board.

That the Chairman send a copy of the foregoing resolution to Dr. Park as an answer to his letter. (Signed) J. R.

Special Meeting called by Weekly Commissioner. Sept. 12.

PRESENT—Rev. H. J. Grasset, Mr. Ewart, Mr. Eastwood, Rev. J. Roaf, Chairman, Mr. O'Beirne, Mr. Cawthra, and Dr. Beaumont.

Mr. O'Beirne, Weekly Commissioner, reported the forcible expulsion of old keeper Hungerford, by the order of the Medical Superintendent.

The Steward explained the proceeding that had taken place in respect to the above expulsion.

Ordered,—That the temporary keeper and cook, introduced by the Medical Superintendent to this Institution within the last few hours in contravention of the views of the Board, be now informed that they have not been duly employed, and must immediately retire.

Ordered,—That the keepers be called in and informed that they are expected to obey the Medical Superintendent in all that relates to the patients, and to treat him with all respect; but that in all other matters they will be required to obey the Board only, whose order will reach them through the Steward and Visiting Commissioner.

Adjourned till Thursday morning at 10 o'clock.

(Signed) J. R.

The temporary servants above referred to, being needed in the Asylum, I selected them upon the authority of Lord Metcalfe's decision upon the appeal of Dr. Rees, (already referred to in this narrative) viz., that their selection should be vested in the Medical Superintendent, subject to the approval of the Board.

Toronto, Provincial Lunatic Asylum, 15th September, 1848.

To the Board of Commissioners:

GENTLEMEN, On the 9th instant I deemed it my duty to relieve the Lunatics and myself from Hungerford as a Keeper, and directed the Steward to suspend him: This he refused to do. I next executed my own order on Monday, by directing Hungerford to leave; which he did. He returned in a short time with instructions, he said, from Commissioner O'Beirne, to maintain his position in the Institution in defiance. This forcible re entry and

contumacious position I met by desiring the Keepers to turn him out; which order they executed. You have in a further series of compulsory movements against me, summoned the Keepers and charged them "to obey the Medical Superintendent in all that relates to the patients, but that in all other matters they would be required to obey the Board only"—thus justifying my servants in refusing me a glass of water if I asked for it—and authorizing them to pass their judgment on which of my orders may or may not immediately or remotely affect the patients.

This further indignity to me and the situation I have the honor to occupy from His Excellency the Governor General, I met by allowing him freely to remain in the Asylum as your servant, but not as mine. And as you allowed the Keepers "to obey me in all that relates to the patients," I desired the Steward not to permit Hungerford to execute any order of mine, or allow him to have any intercourse either directly or indirectly with the Lunatics either in the house or yard.

The Steward, instead of obeying me (though by your own rules "strictly subordinate to my controul") applied to you for instruction as to his duty; and he informs me that you referred him to your resolution countenancing him to continue Hungerford as a Keeper over the Lunatics, in the very face of my dissent and authority.

In my note of the 10th instant, I requested from you a Steward with whom I could co-operate; and this is answered by your resolution of the 11th instant. But as your order to the Steward in the resolution of the 29th August could hardly be construed to restore Hungerford, without including any prohibition to suspend him at any future time by my directions, that officer could draw from it no such authority as you pretend, for his subsequent refusal to comply with another order, the ground of which it was not for him to conjecture or to judge. For the like reason, you have deviated from those rules of exactness, which both myself and the servants have a right to expect from you in such a matter, by alleging in your answer to my letter, that the Steward was sustained in his refusal by your resolution of the 29th of August, and that I asked for a Steward that would disobey your orders, in the way you have instructed him, indeed, to disobey mine.

I recall these facts to your notice that you may perceive that I am placed in the position of a Medical Superintendent among Lunatics, many of the worst kind, surrounded by Keepers and a Steward, who, instead of being "strictly under my control" are licensed by you to exercise their own discretion upon the point of obedience.

When once appointed, I deem them also my servants, not merely yours. You may have the right of confirming appointments; but the moment you place them in the position of Keepers and publish them in your regulations as subject to my orders, you can have no power to overrule my proceedings with them in my official duties, without transending the bounds of your commission, invading the more important sphere assigned to me, and wounding the high authority under which we all act.

Under these extraordinary circumstances, I have suspended the Steward as far as he relates to me. He can, therefore, no longer receive my orders for execution or attend me in my intercourse with the patients or through the wards. And I shall suspend all Keepers, as far as they relate to me, not willing a ter their lawful appointment, to obey me as keepers unconditionally, until they are discharged. Should I in carrying out this measure of exigency for the vindication of myself and the Lunatics, be straightened for aid or security in the management of the inmates, I shall call immediately upon the magistracy and the police for the needful help, till the august Representative of Her Majesty can redeem the institution from its anarchy.

I am Gentlemen,
Your obedient Servant,

GEO. H. PARK.

The above letter was replied to by the following note from the Rev. Mr. Grassett:—

SIR.—As Chairman of a meeting of the Board of Commissioners of the Temporary Lunatic Asylum, held this day, it becomes my duty to forward to you the annexed extract from their minutes.

GEO. H. PARK, Esq.,
Medical Superintendent,

I have the honor to be, Sir,
Your most ob't humble servant,

H. J. GRASETT.

EXTRACT.

Toronto, 16th September, 1848.

Mr. Roaf having laid before the Board a letter addressed through him to the Commissioners by the Medical Superintendent, it was unanimously resolved that,—Without again

discussing the matters which occupy the earlier part of the letter, we record our determination that the Steward and Keepers (though employed by this Board and liable to be suspended or discharged by the Board only) are the servants also of the Medical Superintendent, who must be considered the best judge of the performance of duty in his department. We, however, are now necessitated to define that department as including only the treatment of the patients, and are of opinion that our instructions will enable the Steward and Keepers to avoid serious mistakes in their obedience to the several officers under whom they are placed.

Should the Magistracy or Police have any duties to perform in this establishment, they will as a matter of course be respected by the Board, but neither they nor any other parties would ever be suffered to supersede the regularly appointed agents of the Government within the Institution.

“Ordered—That a copy of the above Resolution be transmitted to the Medical Superintendent.”

Provincial Lunatic Asylum. }
19th September, 1848. }

To the Board of Commissioners :

GENTLEMEN,

I have the honor of communicating to you, in answer to your minute of the 16th September, inclosed to me by the Rev. Mr. Grasett, the following final remarks :

You decline again discussing the matters which occupy the earlier part of my letter—they become, therefore, necessarily the subjects for an ultimate appeal.

Upon assuming my duties, the Chairman of the Board made me acquainted with the printed Regulations, which, he further informed me, having received the sanction of the Government, were the established laws of the Institution, and, as such, were for my guidance as Medical Superintendent. When these laws were thus consummated, all were equally bound to obey them. But while I have acted on the faith of them, you appear to me to have mistaken their letter and spirit.

In your minutes of the 16th of September, you recognize “the Steward and Keepers as the servants also of the Medical Superintendent”—yet in the same minutes you deny me the right of even suspending them, as such, for any offence of which they may be guilty either against myself, the lunatics, or each other—Without this right (incidental to my office) I cannot properly discharge my duties; nor can I, therefore, as a servant of the Crown, consent to its impairment without authority.

You admit in your minutes of the 16th September that “the Medical Superintendent must be considered the best judge of the performance of duty in his department.” Yet when I have suspended servants in the exercise of my better judgment in such a matter, you claim the right of sending them back into my service against my dissent. I do not see how you can assume my judgment to be the better in the matter, and yet in every instance supersede it at pleasure by your own. I cannot accede to this inconsistent rule of action without the commands of His Excellency the Governor-General.

In your minutes of the 16th September you define my department “as including only the treatment of patients.” In your published Laws you require me “not only for the purpose of medically treating the patients, but also with the view to seeing the moral government properly enforced.”

In the same established laws you require me “generally to superintend *everything* connected with the internal management of the Institution.” These extensive and important trusts I cannot attempt to execute through bad servants, without certainly meeting with the like failure of my predecessors, and incurring thereby the high and just displeasure of His Excellency the Governor-General.

In your established Laws I find that the “Commissioners shall meet regularly once a week for the purpose of examining into the state of the Institution, the condition of the patients, &c.”

All this involves only the *examination* of the Institution and its accounts and a general cognisance of its affairs. But the Medical Superintendent is required to “see the moral government properly enforced and generally superintend everything connected with the internal affairs. By your own Laws you are only the supervisors—the Medical Superintendent is to see, enforce and execute. If, therefore, I am limited in my duty to the administration of a little physic to the patients, there is now no power existing for the daily and hourly moral government of the Institution and superintendance of its affairs; for the Board meets only once a week, and then for visitorial, not for executive purposes. But admitting these active

and hourly duties to appertain to me, subject to your supervision only, I cannot submit to your arbitrary imposition of bad servants upon me and the Lunatics unless so directed by the Government.

By the printed Laws "The Keepers shall be persons of good character, humane," &c.; and "generally conduct themselves in an unexceptionable manner." When, however, I, allowed by your minutes of the 16th September to be the best judge of their suspend them as of bad character, or not humane, or of exceptionable conduct, you refuse to discharge them; and pertinaciously impose them upon my service. To this I cannot yield without authority.

In the printed Laws I read that the Keepers "shall obey the instructions delivered to them by the Superintendent." But by your minute of the 12th September you licence their insubordination to me in every thing "but what relates to the patients;" thereby leaving me desitute of power or aid "in seeing the moral government properly enforced, and in the general superintendence of every thing connected with the internal management of the Institution."

And in your minutes of the 16th September there is further allowed a discriminative obedience, in the hazardous practice of which "your instructions are to enable them to avoid serious mistakes";—leaving me the mortification, and the asylum the damage, of a host of mistakes designated not serious. This is a method of training Keepers and nurses in a Lunatic asylum to which I cannot assent without first submitting it to the Governor-General.

By the published Laws the Steward "shall be strictly subject to the control of the Medical Superintendent,—and shall see his instructions relative to the medical treatment and moral government of the patients carried into effect." But he nevertheless claims your authority to resist mine; and under your sanction sets the example to the whole household of insubordinate attempts to evade confidence: and both he and the keepers, instead of resting their defence on the duty of present obedience to the orders of their immediate superior in the Institution, feel privileged to treat my directions with contempt, and to sacrifice their singleness of purpose in carrying out against me a system of forcing into my service and on the lunatics improper keepers and nurses.

When I find that my predecessors have been subjected to the same system and removed by its operation: when I have witnessed its past direful effects on the whole household; I should forget what is due to the government, and country, and myself, did I not with due respect, but with all candour, reiterate my dissent, and leave the whole question, as I now do, to the high adjudication of the Governor-General.

I have the honour to be, Gentlemen,
Your Obed't Servant,

GEO. H. PARK.

The pending difficulties became now the subject of an appeal to the Government, and suspended, therefore, any further action respecting them between me and the Board.

From what has been already narrated, it will appear, that the antagonism between us, really arose not so much from a dispute about our respective rights, as about the mode of exercising them. The Board, on the one hand, claimed not only the right of selecting and hiring and discharging the servants, but also the right of obliging the Medical Superintendent to receive and retain them notwithstanding his objections to their moral or other fitness; while the Medical Superintendent, on the other hand, claimed the right of refusing the acceptance of such servants as he knew to be inconsistent with the medical and moral treatment of the Lunatics; particularly as Lord Metcalf had already awarded to him their selection.

I, therefore, addressed the following letter to the Government, accompanied by such documents as had not been already transmitted:—

Toronto, Lunatic Asylum,
19th September, 1848. }

SIR,—I have the honor to request that you will lay before His Excellency the Governor General the accompanying proceedings that have taken place in the Asylum since the 9th instant.

It will easily be observed by the accompanying documents, that an antagonism exists between the Commissioners and the Medical Superintendent, which must necessarily be

productive of evil results. I therefore, from a strong desire to promote the welfare of the unfortunate Lunatics, beg to be permitted to call His Excellency's attention to a matter to which I think His Excellency will attach no small degree of importance.

When the Medical Superintendent first entered upon the duties of his office he found, as might readily be supposed from what had occurred previous to his appointment, the Institution in a very bad condition. There was not clothing enough of any or all kind for a change. There were several patients that had even been naked, constantly confined in cells or, if quiet, lying on the floor of the attic Ward; a place where from sixty to seventy patients were kept in a dirty state, as they were the worst class of patients. They were not let out at all into the yard or open air—the air of this Ward was always bad, scarcely bearable, from the great amount of filth that had been allowed to accumulate in different parts of it. The other wards were not quite so bad; but there was no part of the whole establishment but what was dirty and otherwise badly attended to. There were no baths or proper arrangements for cleansing the patients: The cells and sleeping apartments were confined and filthy. The beds and bedsteads full of vermin: The noisy and restless patients were kept for days and nights together locked in cells, as an easy mode of getting rid of taking care of them. The keepers and servants were in the habit of going in and out of the Asylum without permission. The clothing and other articles belonging to the Institution had no marks upon them by which they could be distinguished from other articles of a similar kind, for the want of which, no doubt, the Institution has suffered much loss. The Lunatics received their meals, if such they could be called, in a careless, uncomfortable and disorderly manner, accompanied with a great waste of food. A large amount of intoxicating drinks were used—said to be for the benefit of the Patients, far too much of which they actually received.

His Excellency will observe that the antagonism has grown out of a desire of the Superintendent to obtain the discharge of improper keepers and servants who for some unaccountable cause are retained. With such servants the Superintendent has no means by which he can ensure proper attention to the unfortunate Lunatics—or the execution of his orders for their benefit—and as the fear of being discharged is the principal power by which they must be governed, it is necessary that this power should, in order to ensure a fulfilment of their proper duties, be placed in the Superintendent. As in the present case (and there are others already now pending not included in this report) when a charge is about to be preferred against any of them they repair to their favorite Commissioner to make interest against the Superintendent, Steward or Matron, as the case may be, and there can at once be discovered in them an air of defiance which is any thing but satisfactory. When the Board subsequently meets the keeper or servant, as the case may be, is merely told that he must do so no more and returns to his duty again, entirely regardless of the Superintendent, Steward or Matron. They have been by the Commissioners actually ordered not to obey the Medical Superintendent in any thing but what they may think "relates to the Patients." The unfortunate inmates of this Institution appear to be made a matter of secondary consideration to that of a party patronage to keepers and servants vigorously exercised by the Commissioners, whereas the opinion of the Superintendent upon entering office was, and is still, that it is the earnest desire of His Excellency that the comfort and well being of the Lunatics should be the matters of first consideration.

The Commissioners, in the reports of their meetings, profess great anxiety to meet the wishes of the Superintendent and cordially to cooperate with him, but His Excellency will well understand the difference between profession and practice. A few months ago a servant could be discharged for disrespectful conduct to a young man, head keeper at the Branch, but in the present case Hungerford, and indeed others, were retained although charged with improper conduct towards the Superintendent, Steward and Matron, and also of drunkenness without a redeeming quality. This is illustrated by the proceedings of yesterday. A cook and extra keeper being required for the comfort and security of the patients, the Superintendent employed them temporarily subject to the confirmation of the Board; by reference to their Minutes it appears that they were ordered to leave immediately, from no other apparent cause than that the Superintendent recommended them—the cook was to have filled the place of one that had just left, and one is indispensable. The keeper here referred to is John O'Neil, named in the accompanying recommendation from the Hon. C. Widmer, M. D.

The Institution is in a very crowded state, and we require a good supply of efficient and trusty keepers. The Superintendent is anxious to have keepers enough to establish proper night watches for the safety of the patients, which it appears will not be permitted, although we have at present two appalling spectacles before us plainly shewing the necessity of it—in two cases patients have violently attacked each other in the night, beating and biting each other without restraint to a serious degree.

The financial affairs of the Institution have been conducted in a very careless manner heretofore, so that the state of its liabilities cannot yet be told.

The Institution is now in a very different condition—the patients are all clothed, and all go into the yard each day when the weather permits. Those that used to be confined to the cells can now walk about with the others in the open air with safety if accompanied with reasonably diligent keepers.

Those that used to lie on the attic floor naked and helpless, with swelled legs, by being clothed and taken into the yard, the swelling and discolourations disappeared, and in every way assumed a more healthy appearance.

The Superintendent has had the Institution thoroughly cleaned, so that no visitor would be offended with the atmosphere of the different apartments. This most materially adds to the comfort and health of the inmates. All these changes necessarily increased the labor to a very considerable degree, and caused, no doubt, some dissatisfaction in the keepers and servants who were required to assist in the necessary operations.

The Superintendent is desirous that His Excellency's attention should be early called to this matter—in the humble hope that he will be pleased to afford a speedy and effectual remedy.

I have the honor to be, Sir,
Your most obedient Servant,

GEO. H. PARK.

In transmitting the above appeal to the Government, I was advised by gentlemen conversant with official usage, that the disclosure of my communication to the Board by a copy of it, would subject me to censure; that it was for the Government, not for me, to decide upon the publication of such information, by furnishing or withholding a copy at their discretion. The commissioners, it seems, entertained the same views of official etiquette, and, without making it known to me, appointed the Rev. Messrs. Grasett and Roaf to proceed as delegates to Montreal, with their representation of these difficulties.

Upon reaching Montreal with their mission, the Government gave them a copy of my communication; upon which they presented the following observations:—

MONTREAL, Thursday, 21st September, 1848.

The undersigned being a Deputation from the Commissioners of the Temporary Lunatic Asylum at Toronto.

And having been favoured with a perusal of documents forwarded to the Provincial Government by the Medical Superintendent of that Institution, under the respective dates of September 8th and 13th, beg leave to make the following observations upon those documents:—

The representations, made respecting the former treatment of patients, has no bearing upon the Commissioners, as they entirely leave that department of duty to the Medical Superintendent, finding for him such assistance as he from time to time reports to be requisite.

But in justice to the late Superintendent we must express our full conviction that in substance, and almost in every particular those representations are untrue.

That Doctor Park made some improvement in the clothing of a class of the patients, and in the cleanliness and ventilation of the Wards, it is due to him promptly and fully to admit.

But it is also due to Doctors Rees and Telfer to state, that during their attendance in the Institution there was no deficiency of clothing, no marked want of cleanliness, and no cruelty.

The Institution is visited by the Commissioners in weekly rotation; it is constantly being inspected by the friends of the patients, as well as other parties who from humanity and other feelings seek the favour, and has several times been reported upon in Presentments made by Grand Jurors; while commendations have been constantly expressed. There has been no instance known to the undersigned in which any of the abominations charged by Doctor Park have been mentioned.

Respecting a want of a Brand upon articles of property in the Institution, it may be said, that inventories of such things are kept, and there has never been an appearance of any loss by peculation.

The employment and discharge of Servants are the matters in which the Board is at issue with the Medical Superintendent.

On those facts the course pursued is the one prescribed by the Legislative Act which directs the constitution of the permanent Asylum.

The one approved by His Excellency in his disposal of the case relative to Doctor Rees : The one provided for in the Rules and Regulations of the Institution,—and the one which has been employed for many years.

No person is employed as Keeper, or Nurse, without the approval of the Medical Superintendent, and no person would ever be retained whom that officer thought unsuited to his duties.

* Not the slightest ground has there ever been for a suspicion that the Board cared for the patronage which it exercises, and there has hardly been a case in which a Servant has been employed who was previously known to one of the Commissioners.

In the case of the Keeper Hungerford, the Board would have dismissed upon the recommendation of the Medical Superintendent, had it been alleged that he did not well discharge his duties. But when the temporary Medical Superintendent declined making such an allegation, the Board felt that they were entitled to consider whether sufficient punishment had not been administered, and a very useful object served by the temporary suspension, terminated by a reprimand and a demand for apology.

No slight was thus put upon the Medical Superintendent, although he had stepped out of his sphere in taking up the matter.

He however directly aimed at subverting the authority of the Board when he immediately followed that adjudication with his reversal, and has throughout sought the power of dismissing the servants, not to remove the inefficient, but to have power of resisting the decisions of the Board.

The undersigned directly contradicts the assertion that the financial affairs of the Institution are carelessly managed and its liabilities unknown.

The Accounts are regularly kept in books prepared for the purpose—are every quarter settled and audited, and are at all times ready and worthy to be submitted to the notice of His Excellency the Governor-General.

The rejection of the man O'Neil, of which so much is made by Doctor Park, was founded upon the two considerations, that he was brought in to fill the place of Hungerford, whom the Board had not discharged, and that he was understood to have been dismissed from the General Hospital for the offence of aiding the extraction of a corps and substituting for it in the coffin some billets of firewood.

The undersigned do not think it necessary to go further into the lengthened details furnished by Doctor Parke.

But must conclude by giving their opinion that the Board of Commissioners will unanimously consider that the Doctor has in his documents, sent to the Government, added falsehood and treachery to the assumptions and insult and illiteratness by which they had previously been pained.

(Signed)

REV. H. J. GRASETT.
J. ROAF.

The language, with which the above document closes, was twice pointed out (I am told) by the Government to the Reverend delegates as objectionable in its character, and worthy of being withdrawn or modified by them. This they refused to do; and the Governor-General was advised to submit to the indignity, with more deference, it must be admitted, to the Rev. ministers, than to the religion they professed and thus exemplified. It was well, however, for the Government to have a taste of the practical piety of these Delegates towards themselves, under which they displayed the "subordination to them" that was expected from and observed by me; but, in the last minute of council, the reader will observe that their patience under indignity was not even as enduring as my own, and it is condemned as "the indiscreet use of terms, unnecessary as respected the party" (Dr. Park) "to whom they were applied, and objectionable as respected the quarter" (the Government) "to which they were addressed." Upon the return of the Rev. Mr. Grasett and the Rev. Mr. Roaf from their mission, I found the fol-

lowing minute of a meeting of the Board to welcome them back and sanction their proceeding :—

THURSDAY, 28th September, 1848.

Commissioners met.

PRESENT :

Rev. H. J. Grasett,

“ J. Roaf,

J. Eastwood, Esq.,

M. J. O'Beirne, Esq.,

M. J. O'Beirne, Esq., in the chair.

The Rev. Messrs. Grasett and Roaf being a deputation to wait on the Government in relation to matters connected with the interference of the medical superintendent with the authority of the Board,—they made their Report, including the presentation of a document presented to the Government in answer to certain allegations made by the medical superintendent, which is perfectly satisfactory.

The contracts for the ensuing quarter were then disposed of; after which,

“ Keeper Craig, being examined, was admonished and reinstated.”—Adjourned.

Great was my astonishment at this proceeding. It does not appear who moved and seconded the Resolution; but it is as humiliating to the Christian world, as it ought to be to the Rev. delegates, to find that without *them* there was no quorum; that either the Rev. Mr. Grasett or the Rev. Mr. Roaf must have either moved or seconded the Resolution affecting their own honour and Christian dignity in their mission; and that, as three are required for a quorum, they must themselves have stooped to vote upon this personal question! There is, to be sure, no By-law against it; but the maxims of duty, all rules of delicacy, and the usages of even worldly men, are utterly at variance with it. It records as an *act of the Board* about them, what is only an *act of their own* about themselves. It is, therefore, an *untruth* as an official act, operating as a deception upon the public, when told “the Board have done it.” Although it relates to *character* instead of *money* (perhaps to both, if affecting their remuneration), yet it is as unprincipled in its nature as if four Directors of a Bank (two of whom were debtors to it, and two conniving at the transaction) should meet, and, placing one of the connivers in the chair, make the other conniver sit with the debtors to form a quorum of three in voting their debts cancelled.

It is not strange that gentlemen, who could thus meet, constitute themselves a Board and vote their own approval of themselves, should be guilty of the act associated with it, viz., the reinstatement of Craig as a keeper, though objected to by the medical superintendent, steward, and matron, *for irregularity in his duty, insolence to the officers, general turbulence in his behaviour, and violence to the patients.* This indignity to the physician and officers of the institution, and atrocity towards the lunatics, were accomplished immediately upon their return from Montreal, and in open defiance of the injunctions they had just received from the Government, *to always exercise, (except in very extreme cases) their power respecting the servants of the institution, in accordance with the views of the Superintendent and in support of his authority.* If the Government were willing to submit to this contumacious and insolent conduct towards themselves and the Representative of Majesty, it will not, I hope, be deemed guilty or mean in me to submit myself and the lunatics to its consequences.

But when the above four commissioners met, thus to disgrace their commission and the high authority from which they held it, where were their fellow members? They remained away. Why? The reader must judge.

Submitting to this wrong, without suspending Craig, or even complaining,

I communicated the facts to the Government, whose animadversions upon it are found in the first minute of council.

At a subsequent special meeting, the following Resolutions were adopted and transmitted to the Government :—

SPECIAL MEETING OF COMMISSIONERS.
MONDAY, 16th October, 1848.

P R E S E N T :

The Rev. H. J. Grasett,
" J. Roof, in the Chair,
" J. Hay,
J. Eastwood, Esq.
J. Ewart, Esq.
M. J. O'Benne, Esq.
Dr. Beaumont.

Read the Communications forwarded by the Provincial Secretary, under date of 3rd October 1848.

Unanimously ordered,—That there be put upon the minutes, copies of Dr. Park's letter to the Government, under date of September 13th, 1848, and of the documents prepared by the deputation lately sent to the Seat of Government, and presented as an answer to that letter; and that this document be cordially approved as expressing the sentiments of the whole Board.

Resolved unanimously.—That the Chairman be directed to write to the Provincial Secretary, acknowledging the receipt of his letter of 3rd October, with enclosures, reporting the adoption by this Board of the document prepared by the recent deputation to Government, pointing out the existing embarrassed position of the Board, requesting the early attention of the Governor General to the pressing importance of an immediate decision upon the appeal made to him by the Board and Medical Superintendent.

Upon the return of the Rev. Delegates to Toronto, I visited, by permission, the Seat of Government. The offensive matter in the communication of the Delegates was not, however, shown to me, perhaps to avoid any fresh irritations that might possibly grow out of it.—Sometime, however, after my return to Toronto, I found that the steward had been desired, in accordance with the foregoing Resolutions, to copy this document upon the minutes of the Board, to expose, as was said, my "falsehood and treachery." This revealed to me, for the first time, the low vituperation recorded against me in the council chamber in Montreal, as well as in the records of the Asylum; thus subjecting me to further indignity and injury before the household. Not questioning, under this mortification, the discretion exercised by the Government in the matter, I prepared a communication of some length, vindicating myself by facts, as far as they were available, against the "falsehood and treachery" charged upon me. The Hon. Robert Baldwin arriving in the city to spend some time, I requested Dr. Rolph to see him. Calling upon me after the interview, he recommended me to withhold the defence I had prepared, stating that he found it would be more agreeable to the Government, if I met it briefly in a way that would cover my own honour, without matter that might disturb the adjustment of the difficulties so lately effected by the minute of council. With this suggestion I cheerfully complied, and substituted a short communication to the Provincial Secretary, on the 13th November, expressing my consciousness of the truth and integrity of my action in the matters referred to by the Reverend Delegates, and my readiness and ability to repel the charges of falsehood and treachery, whenever His Excellency might afford me an opportunity of doing so.

*Remarks on the above Document from the Reverend Delegates of the Board,
to the Government.*

In this document the language used by the Reverend gentlemen goes beyond controverting the correctness of representations, by alleging in terms least to be expected from them, that I "had added falsehood and treachery to the assumption and insult and illiterateness by which they had been previously pained."

The terms "falsehood and treachery" appear on the face of the document to apply to my representation of the condition of the Institution and the treatment of the lunatics.

An enquiry could alone fully meet the merits of the question; and therefore in its absence, there can be offered only such vindication as acknowledged facts may afford.

The Reverend delegates, while negating the truth of the representations respecting the former treatment of the patients, deny their bearing on *themselves* and their *colleagues* because "they entirely leave that department of duty to the Medical Superintendent, finding for him such assistance as he from time to time reports to be requisite." But the very fact of their abandoning this most delicate and important duty to the Medical Superintendent is such evidence of their incapacity to judge of the wrongs set forth, as to render their use of the terms "falsehood and treachery" unwarrantable. And moreover, as they limit their duty to the "finding such assistance as the Medical Superintendent from time to time reports to be requisite," it is evident that the alleged evils have accumulated under servants retained in the service of past Medical Superintendents, notwithstanding their repeated complaints against them.

But the published laws require "that the Commissioners shall meet regularly once a week for the purpose of examining into the condition of the patients," while the visiting Commissioner "shall inspect the Institution daily to see that the patients are *properly attended to* and supplied with wholesome food, &c." This acknowledged abandonment of the treatment of the patients to the unsupervised care of the Medical Superintendent, is, therefore, an acknowledged dereliction of duty, while it at the same time renders the charge, on this point, of "falsehood and treachery" inexcusable at their hands.

Never questioning the right of the Board of Commissioners "to hire and discharge the servants," but seeking relief (first from the Commissioners and secondly from the Government) from such an exercise of that right, as forced upon me (as upon my predecessor) servants through whom I could not satisfactorily and efficiently discharge my duties: I deemed it necessary to represent the condition, which such embarrassments of the Medical Superintendent had induced in the Institution. I therefore adverted, among other points, to the *state of the clothing, cleanliness, and ventilation.*

Upon these three most essential particulars, without which in the highest degree no Asylum can be said to be in a respectable condition, the Reverend Mr. Grasett and the Rev. Mr. Root remark as follows:—

"That Dr. Park made *some* improvement in the clothing of a class of the patients, and in the cleanliness and ventilation of the wards, it is due to him promptly and fully to admit."

There ought to have been no deficiency of clothing for any class, much less for a class subjected by the want of it to a state of nudity and consequent confinement utterly destructive of their happiness and health. There should have been no want of cleanliness, which is important to the lunatics both for their physical and moral improvement. There should have been no want of ventilation, so essential to their recovery and comfort.

In every asylum in the civilized world, these essentials are secured with a scrupulous attention, which elicits from the most intelligent visitors the highest eulogiums without room for even critical suggestions. The Asylum of Canada ought in all these honorable and accessible particulars to be second to none in Europe or America.

It is in these very matters that the Rev. delegates "admit promptly and fully that I made some improvement." But it is unjust to charge me with "falsehood and treachery" in my representations, when they admit the existence of these evils, by admitting my correction of them.

The amount of improvement styled "some" is alone uncertain; but any amount negatives the justness of the language which the Rev. gentlemen have descended to use against me. An inquiry could alone prove the amount.

"But," add the Rev. Delegates, "it is also due to Drs. Rees and Telfer, to state that during their attendance there was no deficiency of clothing, no marked want of cleanliness and no cruelty."

The atrocious conduct of these Commissioners towards these learned gentlemen, when in the asylum, ill accords with the above little bit of flattery to serve their own ends. But let them now speak forthemselves by their recorded opinions in the books of the Institution.

“There was no deficiency of clothing” Now there is little difference between a want of clothing, and neglect by the Commissioners to see that the unhappy inmates were properly and comfortably clad. Had the several members of the Board in their collective or visitatorial character performed their duty, Dr. Rees (who was like myself surrounded by hostile servants) would not have needed to record (21th August, 1813) “that no patient be allowed to go without worsted stockings and shoes, as many are suffering from the neglect of this oft repeated injunction, and it must be immediately enforced.” And after this order, so little did the Commissioners or servants heed the condition of the Lunatics that, on the 18th September, 1844, the learned gentleman repeated that “the Steward is particularly directed to see that no patient is allowed to go without shoes and stockings.”

The destruction of such property (inseparable from the inadequate domestic police sustained by the Board) attracted the attention of this vigilant Superintendent, who, in November 1844 recorded, “that the unusual destruction of bedding and wearing apparel, reported by the attendants, shows that greater attention is required.” In other Institutions, the injured or tattered articles are collected in an appointed room to afford evidence that they have been so lost to the Institution, and not purloined. Destruction, and I have every reason to believe peculation, as well as drunkenness, went on to such an extent that in September 1845, Dr. Rees reiterates his complaints about clothing; and after directing an increase of bedclothes and wearing apparel, adds, “the male patients appear wholly destitute of stockings or shoes or moccasins.” Dr. Telfer observed the same abuses; and it is plain from his entry that he had reason to apprehend the most discreditable and dishonest proceedings, for in his zeal to correct evils of such magnitude, he inadvertently or intentionally trespassed upon the scandalously neglected department of the Commissioners, by directing “a book to be kept *in future* for the Medical Superintendent, in which the Steward and Matron is to enter daily every article received, with the name of the person from whom received, the quantity and prices.” The manner in which the accounts were kept, if they could, indeed, be said to be kept at all, exhibits at this time upon examination, the most disreputable and ruinous management; Dr. Telfer, therefore, needed such a measure to protect himself from any personal participation in existing abuses—Commissioners, however wrong, are sustained by the Government, as avowed by them; but the single-handed Medical Superintendent must rest on the honesty of his case and the virtue of public opinion. But as Dr. Telfer has published some able letters in his defence, I must refer the reader to them.

“No want of clothing”! How came there to be, on my assumption of duty, *naked patients in the attic*? How came the Board to recognise the need of my large demand for such articles, audit and pay for them? The corroboration of my heavy requisition by Steward Ramsey, and the acquiescence of the Commissioners by incurring so large an outlay, and the internal condition as testified by the current entries of preceding Medical Superintendents, afford evidence of the sincerity and necessity of the course pursued by me—a course in the pursuit of which I might reasonably expect to be *approved*, not *betrayed* by my friends in the Government. On whom, then, upon this point, rests “*the falsehood and treachery*”?

2. The Rev. Delegates add for the past Superintendents, “*there was no* **ARKED** *want of cleanliness.*”

Here is a problem to be solved, viz., what want of cleanliness must there be, before it is "*marked*." A certain amount of uncleanness is here admitted; but to what point may the dirtiness reach, before it is *marked*? Does not this very language show to the Government a self-conviction in the Rev. minds of the truth of my statement? Is it not a reluctant admission of a *part* for the *whole*? And if the commissioners, in the unworthy discharge of their supervision, tacitly allowed the uncleanness to accumulate to a degree, which, unscrupulous persons might say, was not *marked*, and further so called hostile and unworthy keepers on the Medical Superintendent for the discharge of *his* duty, how could my predecessors be held responsible for the condition of the Asylum? Let them, through the *past* records of the institution, speak *now* for themselves, and only briefly, as the pages grow in number far beyond my expectation.

Dr. Rees paid all the attention, the conduct of the servants and commissioners would allow, to the cleanliness of the patients; and in August, 1843, thus registers his mortification, "The cistern provided for the *patients' heads*, and ordered to be *regularly* used for that purpose, is not *yet* in a fit state"! Hoping that the ladies in every region where this narrative may travel, will read it, I forbear to detail the obvious condition of the heads of lunatics upon their arrival and during the worse stages of their illness in the Asylum, from the daily accumulation of various kinds of filth from various and nameless sources. "No *marked* want of cleanliness"—and yet there was not, upon my assumption of duty, such a thing as *a bath* throughout the whole establishment! How were the patients, often wallowing in dirt and besmearing their bodies with it of every kind, be possibly kept in a state of uncleanness not *marked*, without *a bath* for the purpose? The civilised world will condemn the *want* of this means of ablution, as proof of inefficient discharge of important duty by the commissioners, either from ignorance or corruption. Dr. Rees evidently noticed the deficiency, and sought for its supply by this entry, "to ascertain the expense of getting water from the water works." It was not without obvious secret jealousies and displeasure, that I obtained a bath; and, upon its completion, I see an order from Dr. Rolph to the steward, in August, "To arrange for the patients of the whole institution to have a bath of such temperature as may suit the patients respectively (unless otherwise in special cases ordered) in routine, so that each inmate may have it twice a-week." The reader can judge how much this aided other means to promote the comfort, invigorate the constitution, and improve the habits and mental condition of this much-neglected people.

"No want of cleanliness"! There must have been a want of it in a *marked* degree, around and about the Asylum, when Dr. Rees recorded, in June 1844, "The City Pound, or yard, so filthy as to demand immediate attention." And the inside of the Asylum could not have been in a better state, when, on the 3rd of June, 1844, the learned gentleman writes, "Tar fumigation imperatively needed in the basement story"! Was there nothing *marked*, when this corrective was *imperatively* needed? Where were the eyes, the noses, and the consciences, of the Rev. Delegates and their associates when this requisition was made, and throughout that month, in the last week of which, Dr. Rees is painfully doomed to record, to the shame of the whole Board and household, that "The tar for the fumigation, some time since called for, has not yet been produced"! I found the fumigation needed *throughout* the establishment *imperatively*; and this; not merely from the

fumes ascending from below, but from those accumulating above. The fumigation was *everywhere required and actually applied*. Why is it needed so little now? Because, with the assistance of an able and active steward and matron, every part of the house from top to bottom is as clean and sweet as circumstances will admit. It is well known how persons live amidst noisome effluvia, from habit, scarcely complaining of it; though displaying the gradual deleterious effects on the vital powers and mental energy. This cause conspired, with others, to injure the health of many, ruin the health of some, and retard the mental recovery of all.

3. The Revd. Delegates allege "there was no cruelty." Visiting once a week as a Board, and one of them daily for single inspection, how can they know anything positively upon this point? How much brutality there may be, night and day, without their knowledge!

"No cruelty!" Why was Wallace suspended by Dr. Rees, "not to enter the ward or be called upon to perform any duty in the Asylum?"

Was there *no cruelty* when Dr. Rees (3rd Nov. 1844) recorded, "The patient Switzer has thrown up a quantity of blood—it appears he has been troublesome, and he says that this was the result of being seized by the throat. Such occurrences should have been recorded in the Report Book." Can the Revd. Delegates tell us how often such atrocities have been omitted in the Report Book? Or what drew from the same learned gentleman the subsequent complaint, viz, "The Steward is directed to exercise greater vigilance over the male patients and their attendants—all injuries received to be fully reported in the book appropriated for that purpose." How many of such occurrences have been suppressed, unreported?

No cruelty—yet have I been told by persons cured and discharged, that they look back with horror at the personal violence they received.

No cruelty; when Dr. Rolph reported the violence of Craig; and when Dr. Rees or Telfor recorded that he (McIlroy) was in great terror of him. When Dr. Rolph found the patients were treated with the broom-stick! When an excited patient, held by four keepers by his four quarters, was dragged, in a state thus rendered frantic from the attic to the basement for incarceration there, even when the Medical Superintendent was in the Asylum? *No cruelty!* to let the patients go about, not only without shoes and stockings, but five of them in the attic in continued nudity, lying on loose straw in cells? *No cruelty!* when Dr. Rees recorded, on 2nd Nov'r, 1844, that "the potatoes this day supplied the patients are scarcely fit for Swine, nor was there a particle of salt supplied, their injurious effects to counteract." "No cruelty," that Dr. Rees had again on the 14th of the same month, to renew his complaints about the potatoes, and require good ones in their place! Is this the period when the helpless lunatics were fed by contract, at so much per head? If so then or at any other time, who profitted by the arrangement?

"No cruelty," in the remissness of the Commissioners, when Dr. Rees recorded that "The Cellar-Room, in which the patients take their meals, is so darkened by allowing the wood to be piled near it, that it is unfit to be used for that purpose!" No cruel remissness in these Revd. Delegates and their associates, when Dr. Rees recorded "that the sheds erected expressly to obtain shelter during bad weather, and for exercising the patients, appear entirely blocked up!" Where was the humanity of the Revd. delegates and the Board? "No cruelty," when they allowed the friendless lunatics to be employed in carrying water from the Bay to the Branch Establishment, in summer, with the hazard of their drowning themselves, or suffering from insolation. Where had been their humanity when Dr. Rolph thus recorded, "The patients and inmates are not to be employed any longer in carrying water from the Bay to the Institution." *No cruelty!* when Miss Laud, from the Gore District, paying £30 a year, was confined, day and night, in a small ill ventilated and ill lighted felon-cell, till Dr. Rolph interposed in her behalf, and placed her, by giving up the Surgery, in comparatively a palace?—Within three days of which removal from disgraceful and unjust accommodation, she was visited by some of her friends. *No cruel*

remissness in the Commissioners, when they allowed the naked and the melancholic to remain, from their nudity or from miserable choice, from year to year in the attic, till from enfeebled circulation, the tardy blood led to enlargement and induration of their legs, impairment of the bodily frame, and of the already shattered mind! Were there no poignant feelings, at all events, within the Revd. delegates, when they saw them once more in the open air, looking up to Heaven as if the elements rekindled their long lost adoration? No remorse when they saw their rapid improvement in soul and body, without medicine, from the invigorating agency of those bounteous gifts in nature, which Providence had bestowed, and which their apathy had so long and cruelly taken away? No keen reproof when they read the following minute, addressed to them by Dr. Rolph, on the 14th of last August, when a fatal dysentery prevailed: "The undersigned has the honour of recommending to the Commissioners that the confinement of some of the inmates, as required by the present accommodations, in the cells, be remedied to-day. These cells, 9 feet high, 16 feet long, and 11 feet wide, have no other ventilation than through a narrow slit, 4½ inches wide. In one of these sometimes four females are shut up, while a whole cell is appropriated to another, whose habits and violence render it unsafe to admit of an associate. At this season, hot and sultry, such incarceration is alike at variance with the known humanity of the public, and inconsistent with the health and perhaps the lives of the sufferers." When the Revd. Commissioners contrast the present with the past state of all the cells, do they feel no compunction about the amount of wretchedness which the poor dependent Lunatics have been doomed to endure either from official ignorance or most unchristian inattention.

The Rev. D legates admit that, "the employment and discharge of servants, are the matters in which the Board is at issue with the Medical Superintendent."

But the Commissioners had no right to determine any such points at issue, by the "Legislative Act," because it is not now in force, and never would be, should the new Asylum be arrested from any cause in its completion, as the enormous expenditure already and yet to be incurred, destruction by fire or legislative interference. It will be seen that the Minute of Council, hereafter given, intimates the same erroneous view in one paragraph; only, however, to contradict it in the next paragraph, in which it is correctly stated that "it must rest *solely* upon what is the true construction of those Rules as they stand," viz., the By-Laws of the Asylum. Nor is it true that they have construed the Rules or regulated their actions by the decision of Lord Metcalf, on the appeal of Dr. Rees; for in that case, the *selection* of the Keepers and Nurses "would be vested in the Medical Superintendent"; and the attempt in the Minute of Council to pervert the justice of my case by labouring to show that his Lordship did not mean what he said, is miserably weak and abortive.

How are these bye-laws to be construed? It has never been denied that the Board have the exclusive right "to hire and discharge"—But it by no means follows from the By-laws, that, because the Board "*hire* the servants" for the medical superintendent, that they can interfere with his action with them in official duty. By the By-laws, they "*hire and discharge*", but it does not say *control* them. But the very term *control*, with the addition of the term *strictly*, is applied by the same By-laws to the power of the medical superintendent even over the steward. The *hiring* and *discharging* appertain to the Board, because they relate to financial matters, viz., the amount of wages on hiring, and the payment of them on a discharge. But the *control* of the servants is by the same By-laws vested in the medical superintendent, whose orders they have daily and hourly to receive; who has, through them, to conduct the medical and moral government of the patients, and see that his directions are properly attended to; who has generally to

superintend everything connected with the internal affairs of the institution; and who is so painfully responsible for the good internal government, that alleged mal-treatment (say the commissioners) has "no bearing on them," but "entirely" on the superintendent. The crown appoints, and, for aught I know, removes the clerk of the House of Assembly; but, once appointed, he is the servant of the House; the journals of which will show to any inquirer the jealousy displayed upon the shadow of any authoritative interference by the crown with that officer. The crown appoints the speaker of the Legislative Council; but cannot afterwards interpose its authority between him and that House. The crown appoints the clerk of the Legislative Council; but he is immediately exclusively its servant. The crown confirms the election of the Commons' Speaker, who in like manner is afterwards amenable to that body only. The crown had the appointment of the wardens of the district councils; but it would have been an act of corruption to interfere with them afterwards. There was, therefore, nothing anomalous in my situation or relation to the commissioners and servants. They furnished the servants; in my official duties I controlled them. The By-laws limited the Board to the hiring and discharging; and limited me to the control of them in my medical and general superintendency of the Asylum.

Had I been *only physician* to the Asylum, there might have been room for such a limitation of obedience as the Board inculcates in one of its resolutions; but it is without a parallel to inculcate it towards me while performing the further duties and invested with the necessary powers of a *superintendent*, required (besides the medical and moral treatment) "to superintend everything connected with the internal management of the institution and well-being of the patients." The government appoint me to discharge these duties—the Board cripple me in the means; the By-laws provide for my being furnished with efficient and obedient servants—the Board force bad ones on me and license all to disobey. In this position I became responsible without the means—liable to the public for escapes and their consequences—for scenes of internal violence and disorder, and for drownings and gougings, although furnished with an inadequate and refractory domestic police. Nor is the medical superintendent allowed to excuse himself for domestic disorder, even when the blame can be attached only to the Commissioners. Thus the Rev. Mr. Grasett and the Rev. Mr. Roaf, in defending themselves to the government against the former treatment of the patients, declare that *such charges "have no bearing on the Commissioners, as they entirely leave that department of duty to the medical superintendent, finding for him such assistance as he from time to time reports to be requisite."* If I express my dissatisfaction with the servants, I am told, by the commissioners and the government, you must passively take Hungerford and Craig, and just such others as are furnished to you; if disasters and mal-treatment are charged, these same commissioners all exonerate themselves at my expense, all such matters being *left entirely* to me; if I seek sober and humane keepers from them, I am repulsed; if I submit, the *consequences have no bearing* on them, but *wholly* on me.

I must leave the public, and that humane portion of the public in Europe and America interested in such Asylums, to judge of the daily situation of a person in whom is combined the duties both of *physician* and *superintendent*, and who is hourly or at every step in collision with servants in a Mad-house, hostile in their feelings, and taught to excuse themselves for any act, not on the ground of obedience to an immediate superior, but on a constructive license to obey or disobey.

“The superior power”, says the minute of council, “resides in the commissioners.” By their commission (as, indeed, in all similar institutions) they are empowered to organize the Asylum, and enact the necessary by-laws. But when in the exercise of that superior power, they have, by their legislation, vested the *control* of the servants in another, they cannot, while the by-law exists, interfere with his official relation with them without dissolving it. It would be a monstrous assumption that they could, contrary to the by-law, take unto themselves the medical treatment upon the Thompsonian or Hydro-pathic system, and desire the medical superintendent to look on the while. The by-law of their own passing, interposes, in such a case, between them and the lunatics, by vesting that department in another. An injunction in Chancery might be obtained against it. And by like reasoning it appears, that, although the hiring and discharging have been reserved, yet the *control* having been granted to the executive officer, he cannot while on duty be lawfully deprived of it for an instant. When the medical superintendent exercises this control, to keep away from the lunatics and from all intercourse with them, a drunken keeper or a violent one, they can no more order, under the by-laws, the medical superintendent to submit them to such a doom, than order him to blister them or afflict them with the actual cautery. While on the one hand, therefore, the commissioners hire and discharge the servants, the medical superintendent can alone decide whether they ought to be or shall be actually used by him in the medical or moral treatment of the patients. Suppose he is satisfied of his insanity, and the Board doubt it, must he *passively* put a madman over madmen? It is only in a degree worse than putting over them an unsober or cruel keeper.

This doctrine of passive obedience, claimed by the Board and sanctioned by the government, is inconsistent not only with the powers delegated by them through the By-laws to the medical superintendent, but also with the derivation of his independent appointment from the crown, to whom, and to the public, and to the patients, he is morally and politically liable. The Board have reserved to themselves the power of discharging a lunatic when cured. Suppose the commissioners (mistaking eccentricity for insanity) should refuse (as commissioner Roaf once did) to discharge, must the medical superintendent still forcibly retain him? and must he, if violent, coerce him, or confine him, or put a strait-jacket on him? Would a medical superintendent, simple enough to be thus “made subordinate to the Board”, be safe in such a case from an action of false imprisonment, and assault and battery? But if, on such an occasion, it would be my duty to reiterate my demands for his discharge, and complain aloud against the wrong till redress arrived, why the less a duty to contend by re-suspension against the imposition of drunken or cruel keepers upon the unhappy inmates! It was within my province, within my duty—and worthy of my zeal, to exercise the *control* vested in me over the servants, in any way to correct such an evil. The attempt is full of palliation; but the offence is without palliation in the Board who so acted, and in the government who sustained them.

It is unsound reasoning to assume that because there may be collision between the medical superintendent and the Board, that the power in the former, causing that collision, cannot or ought not to exist. This very collision is often a source of safety and a correction of abuses. The want of collision led to that harmonious action in the evils of the Penitentiary, which admitted of the fearful accumulation of abuses, the investigation whereof is said to incur an expence above ten thousand dollars. The want of collision led to that

harmony among the learned wrong doers in the University, which ended in corruptions demanding the same expensive inquiry and legislative correction. The want of this collision reduced the Asylum to the state in which I found it. The late collisions improved the domestic police, and ameliorated the condition of the lunatics in clothing, cleanliness, and ventilation—services for which a just and generous government would have rewarded and sustained me—services, however, which led to my ruin under an administration unfaithful to those professions of political honesty and those principles of reform in all public abuses, by the abandonment of which, in these transactions, there will be added nothing worthy to their present fame or future heraldry. The Legislative Council has not less the power of rejecting bills from the House of Assembly, because doing so renders the legislation of the latter, abortive; nor is the dissent of the crown objected to, because it annuls the doings of two co-ordinate Houses of Parliament; so collision between me and the Board would not, in the eyes of a true statesman, be deemed injudicious, or held to offer a constructive argument against the conflicting powers themselves. If it was *wrong* in the commissioners to return unsober and turbulent keepers on me and the lunatics, it was *right* in me to withstand it; and it became a just government to interpose its ultimate authority to correct it at the present and prevent it for the future.

The By-law, the reason of the law, and justice in its application to the respective parties in their relative duties and responsibilities, require that the *control* of the servants should be in the medical superintendent as long as the relation of responsible authority and obedient co-operation subsist between them. The Board can destroy the relation by discharging, but not by interfering to authorise, against the By-law, insubordination.

The Rev. gentlemen further state that no Keeper or nurse “would ever be retained whom the Medical Superintendent thought unsuited to his duties;” and also that keeper Hungerford “would have been dismissed on the recommendation of the Medical Superintendent had it been alleged that he did not well discharge his duties.”

Yet these gentlemen, on their return from Montreal, on the 23th day of September last, aided only by Commissioners Eastwood and O’Berne (the latter being in the Chair) after voting their proceedings with the Government “entirely satisfactory,” immediately re-instated keeper Craig, whom the Medical Superintendent thought and had represented in writing to the Board as unsuited to his duties and necessary to be discharged, “from irregularity of conduct, habitual insolence to the Steward and Matron, and violence to the patients.” This marked inconsistency between profession and practice is an acknowledgment of the truth of much of my representation, is a vindictive against the charge of “falsehood and treachery” and is a justification of my seeking through the government to avert from the Asylum the evils springing from this source—evils intolerable to the Medical Superintendent—most unwarrantable towards the Steward and Matron, and atrocious towards the Lunatics.

It is stated, indeed, in reference to Hungerford, as a reason for his restoration, that the Temporary Medical Superintendent declined making the allegation “That he did not well discharge his duties.” In the memorandum to the Board recommending his discharge, I find it stated, “that there are no qualifications in Hungerford as a Keeper to compensate for his gratuitous misbehaviour.” This language is quite as strong as should be required of a Medical Superintendent against a servant; particularly as it was connected with a complaint against him of intoxication on duty and other unfitness—any thing said by Dr. Rolph in his evidence must have been strangely misconstrued to bear such an inconsistent meaning.

It is alleged against the Medical Superintendent that “he directly aimed at subverting the authority of the Board, and sought the power of dismissing the servants by re-suspending Hungerford.”

But the suspension of an unworthy servant, with a recommendation for his discharge, cannot truly be said by the Board to be aimed against their authority, when they have so repeatedly professed (even to the government) to dismiss servants “upon the mere suggestion of the Medical Superintendent.” I can no more be charged with seeking by a re-suspension,

power to dismiss the servants, than the Legislative Council could be charged with seeking sole power of legislation by annulling the Bills of the House of Assembly.

It is one thing to deny the right, and another thing to vindicate the Crown, oneself and Lunatics against its injurious exercise. For if the Board (giving the right under any circumstances of a suspension (in order to secure due consideration of a case) claim the power of co-opting a Medical Superintendent to receive and inspect, and manage the police, the power of the Crown in such appointment would be unimpaired, and I should hold myself not during the pleasure of the Crown, but during the pleasure of the Board, as expressed and effectually enforced by embarrassing me with such servants as would either disgrace by failure in my duty, or by submission to indignities for the sake of peace or place. If, therefore, I am charged with undermining the authority of the Board, it is only by the adoption of a course opposed to what would undermine the authority of the Crown and ruin itself.

This truth is apparent in the Minutes of the Executive Council; a government brow-beaten by Commissioners into their terms.

As "The Commissioners entirely leave the treatment of the patients to the direction of the Medical Superintendent, finding for him such assistance as he from time to time reports to be requisite," it is inconsistent with their professions to render a re-suspension necessary; or to evade the requisition of the Medical Superintendent for a better servant, by making his estimate of keepers square with their own; or to require, when one and of objection is made by him to a keeper, that, forsooth, he must make another, and, probably, another. If the complaint is only enough, it is too trivial. If it is made gravated, it is either audaciously overlooked, or denounced as proximately vindictive in its character, utterly unworthy of the feelings and position of a Medical Superintendent, towards servants.

The Rev. Commissioners, in that part of their explanation, intended to operate as a veil of the truth of my representation respecting the past keeping of the accounts omit the and confine themselves to the present tense. But as they simply allege what is true, that the accounts "are regularly kept", without alleging what would not be true, that they have always heretofore been so kept. I cannot be justly charged on the authority of their own explanation with "falsehood and treachery"; while, on the contrary, this avoidance of the *direct denial* affords evidence of my truth which the books themselves by their action would corroborate; and fixes on the Rev. Delegates a method of misrepresentation refined though not less objectionable than the one unjustly charged against me in words coarse and vulgar to be here repeated.

The above remarks on the document of the Rev. Delegates, are unavoidably imperfect, as the only available sources for facts, were the admissions apparent in the document, and the equally imperfect records of the Asylum.

The antagonism between the Board and myself having been mutually submitted to the Government, and taken into their consideration, they sent to both of us the following Minute of Council (of the 14th October 1848,) as their adjudication upon the matters in difference.

MINUTE OF COUNCIL.

These documents contain a variety of statements, many of which it appears to the Committee, would have been better omitted inasmuch as the original question, upon which differences appear to have arisen, was one respecting the construction of the Rules and Regulations under which they respectively act, as those Rules and Regulations affect the respective powers of each.

This point having been disposed of by an appeal to your Excellency, would have left the Commissioners and the Superintendent to pursue their respective duties, without giving occasion to the irritation which would appear unfortunately to have arisen in the course of the present controversy.

The Institution, as its name imports, is strictly of a provisional character, and the Rules and Regulations for its Government, it appears reasonable to suppose, must have been framed with a view to the ultimate transfer of the establishment to the permanent Asylum, so soon as the Building should be put up. The Rules and Regulations must therefore, in the opinion of the Committee, be construed with reference to the statutory provisions, by which the permanent establishment, when in operation, is to be governed.

Neither can this question, in the opinion of the Committee, be disposed of by any con-

sideration of the expediency or in expediency of the existing provisions upon the subject of it. It must rest solely upon what is the true construction of those Rules as they stand. And upon a careful perusal of them it appears to the Committee that it is clearly in the Commissioners, and not in the Superintendent, that the superior power, in the Institution, in the particular referred to, is lodged. Any doubt that might have been entertained on this point, upon a perusal of the Regulations alone must, in the opinion of the Committee, be removed, when reference is had to the expressed opinion of the Legislature, which, in its provisions for the permanent Institution, has vested even the appointment of the Superintendent himself in the Commissioners.

It is true that by the second article of the printed Rules and Regulations, the Medical Superintendent is to superintend every thing connected with the internal management of the Institution, and the well being of the patients, and to see that his directions, relative to the Medical and moral treatment of the patients, are properly attended to. But to give such a construction to this provision as would place the dismissal of servants, directly, or by indirect means of repeated suspensions, in his hands, would, in the opinion of the Committee, be a strained construction of the provision itself, and be moreover entirely inconsistent with that of the first article of the Rules by which "the hiring and discharging servants" is expressly placed in the hands of the Commissioners. It appears to the Committee also that the opinion expressed in Mr. Secretary Daly's letter to the Commissioners, of the 24th July, 1846, was not intended to interfere with the superior authority of the Commissioners in those matters, but rather to provide for that mutual harmony of action, which ought to subsist between them and the Medical Superintendent. Indeed the Report of the Commissioners, of the 24th April following, shows clearly that such was the construction put upon that letter, and that it was not considered as transferring any part of these powers to the Superintendent. This construction put upon Mr. Secretary Daly's letter by the Commissioners, was evidently acquiesced in by the Government at the time, as no step appears to have been taken to correct this opinion of the Commissioners, which, had they fallen into an error, as to the intention of the Government in so important a particular, it seems reasonable to suppose, would have been done.

The Committee are therefore of opinion that the renewal of the suspension of Keeper Hungerford, after the case had been heard and disposed of by the Commissioners without, as it would seem, any new cause for suspension, was beyond the powers vested in the Medical Superintendent by the Rules and Regulations of the Institution.

The Committee having thus disposed of the original issue between the parties, cannot avoid repeating the expression of their regret at what appears to be the state of feeling that has unfortunately sprung up in the course of the transactions out of which it originated. And they would respectfully recommend that the Commissioners should be reminded how much it depends upon them to secure that deference towards the Medical Superintendent on the part of the servants of the establishment, and that order and discipline amongst the servants themselves, without which the Institution cannot be satisfactorily or usefully conducted. The air or manner of a person may frequently be more really destructive of such discipline than some act of negligent omission, or even of direct disregard of orders. The Committee have been led to this remark not only from the general character of the complaints made by the Medical Superintendent, but from observing that the Commissioners have thought proper to restore to his place in the Asylum a party reported by the acting Superintendent, as of a temper ill calculated for any employment in the management of Lunatics, as having been negligent in his attendance, and as having been guilty of actual violence to one of the patients.

The Committee, under all the circumstances, do not feel called upon to advise a direction to the Commissioners to remove this person at present, but they feel convinced that unless an entire change takes place in his carriage and demeanour, as represented in these Documents, the Commissioners themselves will find it necessary to do so ere long.

The Committee also feel it necessary to express their entire concurrence in the opinion expressed by the acting Superintendent, that no such force as that reported to have been made use of towards the frantic patients, by the four keepers, should have been applied without the authority of that officer, when the supposed occasion for it arose, while he was within reach to express an opinion as to its necessity.

The Committee feel some apprehension that unless prevented by a rigorous exertion of authority on the part of the Commissioners over the servants of the establishment, enforcing at once deference towards the Superintendent and harmony of action among themselves, the Commissioners will ultimately find it necessary to resort to a substitution of an entirely new corps of servants for those at present employed. Such is often found the only remedy for evils of this kind, and the Committee trust that should the necessity for such a measure arise, the Commissioners will act with promptitude and vigor in carrying it into effect. It is not to be endured that the quiet of the establishment, and consequently the welfare of the patients, is

to be sacrificed to such jealousies or jeopardized by protracted investigations for the purpose of adjusting nicely the exact amount of blame attached to each. Every officer and servant of the establishment must be made to feel his subordination to his superior, and the report of each superior ought as a general rule to be conclusive as to his misconduct.

If it be objected that this would place the subordinates too much in the power of their immediate superiors, the Committee would remark that unless this amount of dependence can be placed in such superiors, they are themselves not fit for the station which they fill.

The Committee trusts that both the Commissioners and the Superintendent will lose no time in bringing the Institution into a proper state of order and discipline, preparatory to the transfer of the Establishment to the permanent Institution, understood that the new buildings will probably be ready for the reception of patients in the course of the ensuing Spring or Summer. While the confidence reposed in both the Commissioners and the Superintendent by the Government and the anxious desire to discharge their duty to the Public, which the Committee are confident must be felt by both, so imperatively calls for.

Certified.

(Signed)

J. JOSEPH.

The above Minute of Council thus decides between the parties the points in issue :

SUPERINTENDENT.

1. That the Superintendent ought not to have disclosed to the Government the defective condition of the Institution, as appears to be intimated in the first paragraph.
2. That the renewal of the suspension of a servant deemed however unworthy, is an excess of power, without fresh cause of complaint.

THE BOARD.

That the Board ought not to have reinstated Keeper Craig, "reported by the Medical Superintendent as of a temper ill calculated for any employment in the management of Lunatics, as having been negligent in his attendance, and as having been guilty of actual violence to the patients."

2. That they should enforce deference towards the Medical Superintendent on the part of the servants and harmony among themselves.

3. That they should not disturb the Institution with protracted investigations upon complaints.

4. That every officer and servant of the Establishment should be made to feel his subordination to his superior, and that the report of such superior ought, as a general rule, to be conclusive as to his misconduct.

5. This is summed up in the subsequent Minute of Council in these words : "The power of the Commissioners, as respects the servants of the Institution, ought, except in very extreme cases, to be always exercised in accordance with the views of the Superintendent and in support of his authority."

6. That they should, with the Superintendent, "lose no time in bringing the Institution into a proper state of order and discipline."

7. That the Government continued its confidence in both parties.

To the adjudication of the government I most cheerfully assented, and by it afterwards scrupulously regulated every action. Had the Commissioners with due deference to the Government, acted upon the principles above laid down (in conformity, too, with their professions) there could never have been any room for re-suspension, irritating inquiries, or injurious collisions.

But disappointed by the contents of the Minute of Council, and writhing under the just censure inflicted, and the wholesome advice administered to them, the Commissioners undertook against me a new series of persecutions, and at the same time chided the government for their unwelcome rebukes; till, in the end, they brow-beat them, as will be hereafter seen, into my dismissal.

It was after their return from Montreal, in possession of the views and instructions of the government from their intercourse with them; and after they had in their document to them declared, as Ministers of God, "that no person would ever be retained whom the Medical Superintendent thought unsuited to his duties;" that these very Reverend Delegates restored keeper Craig. This breach of goodfaith, violation of their official pledges and high contumacy towards the Government, entitled the Lunatics, myself, and the officers under me, to a full measure of protection. But the very men who could dismiss me, merely for convenience sake, could not screw their courage high enough to *direct* the dismissal of the servant, though the conduct, to be sure, is condemned. The antagonism, however, having been referred to them, and its adjustment assumed, it was not a proper occasion with high-minded and independent men, to condescend to this pusillanimity in official duty, this unequal adjudication of pending difficulties and undignified concession to an acknowledged wrong, even in ecclesiastics and their followers.

Suppose the Ministers of State in Europe or America were informed that the overseers of their country estates persisted in retaining servants guilty of turbulence in their behaviour and violence to their masters dogs and cattle—or suppose the same is reported to be the cruel position of their own children—would these men of official rank thus write: "*We, under all these circumstances, do not feel called upon to advise a direction to remove these servants at present*"? Yea—would they not instantly leave the affairs of state, to look after these affairs at home for instant correction? Very well—should they feel less sympathy for Lunatics than for dogs and cattle. And if the promptings of nature are more tender for their own children than for dependent Lunatics, where, in behalf of the latter, are the appointed and all-sufficient substitutes, viz, the influences of an enlarged philanthropy, the responsive benevolence of exalted station, and the voice of conscience answering to the touching appeal of so many benighted souls?

It would have been satisfactory had several members of the administration, when visiting for weeks their own happy families and sumptuous homes, during the pendency of these difficulties, been graciously pleased to cross the threshold of the abode of our humiliated nature, to search after the truth with the spirit of the christian, or the eye of the statesman, or the general interest of citizens.

But considering myself an officer of the government, I felt myself bound while in office, to submit myself to their pleasure, even should it to my mind appear at variance with governmental dignity and executive rectitude towards the insane.—I, therefore, did not suspend Craig, but allowed him to renew his old career in the Asylum, and bowed to the indignity.—Keepers Hungerford and Craig having been reinstated by the Board, it was not long before fresh dereliction of duty obliged me, in my own defence, again to request their discharge. But even when a strong and irresistible case is made out, the Board still make their compliance a ground for insult and injury to the Medical Superintendent. This is exemplified in the following instance:—

Asylum, 2nd November, 1848.

To the Board of Commissioners:

GENTLEMEN,—On the evening of my return from Montreal I visited the asylum at nine o'clock. On my arriving at the attic dormitory, I found the night watch, composed of keepers Craig and Hungerford, undressed and in their beds, sleeping soundly; an open candle was left burning on a box in the apartment; a Lunatic was walking about the ward; the clothing of the patients was carelessly strewed about their beds, and many of them with their day-caps on their heads, and two with their drawers on—all of which was directly

contrary to the order recorded on the Superintendent's minute book, and expressly understood by all of the keepers, as well as the steward and matron. A furious patient might, under such neglect of duty, have fallen on others and re-enacted the scenes of violence and personal injury which, in a serious degree, recently occurred in the case of Daniel Kerr; and all this might have happened with as little noise as was required to awaken them. The evil arising from a lighted candle thus left, is an obvious source of danger, greatly enhanced by the presence of unguarded lunatics, often disposed to deeds of mischief.

In requesting of the Board the discharge of these keepers, who have already heretofore so abundantly proved their unworthiness, I feel it to be the only way to exonerate myself.

I have the honour to be, Gentlemen,

Your obedient Servant,

G. H. PARK.

This complaint against these favourite keepers of the Commissioners, was received by them in a spirit faithfully comporting with their past conduct towards me and my predecessors. Having so far already felt their way as to know how successfully they could coerce and deceive the Government, they set at nought the injunctions conveyed to them in the minute of council; and, instead of acting on my representation, they questioned its truth. The steward was required to corroborate my statement, just as the Mayor had to corroborate the Rev. Commissioner Roaf's. Nor was this deemed sufficient; other keepers were called up to see if conflicting testimony could not be obtained to justify their refusal. The evidence, however, being conclusive, they displayed the mortification by recording their action in terms which were sure to impress the Government and every reader of their minutes in present and future times, with the belief, that I had obtained the dismissal upon frivolous grounds, to which they had yielded in a spirit of questionable concession to a tyrant of a Medical Superintendent.—Omitting all the most essential particulars of the complaint, contained in my representation to them, they thus record the discharge of the keepers and the reasons for it.

“2nd November, 1848.

“The Rev. H. Grasett in the Chair.

J. ROAF,
J. EASTWOOD,
J. EWART,
M. T. O'BEIRNE,
DR. BEAUMONT,

“That the keepers Craig and Hungerford, having contrary to orders allowed the patients in the attic ward, to have their body clothing during the night on, and about their beds, be discharged.”

The confidence of the keepers in the laxity of the Board, and the disposition to embarrass me either by corrupt acquiescence or injurious refusal, will appear in the following transaction. Without awaiting any previous communication with me, they came to a resolution to allow the Assistant Steward, Cronyn, to attend the Medical Lectures during the session 1848 and 1849 at the University of King's College, with the permission at the same time to retain his situation in the Asylum on full pay; *provided* he could obtain the concurrence of the Medical Superintendent, as is shown by the following Minutes of the Board.

Board of Commissioners, Thursday, 26th Oct. 1848.

Present—Rev. J. Roaf in the Chair,—Rev. J. Grasett, J. Ewart, Esq., J. Eastwood, M. J. Obeirn, Doct. Beaumont.

Received a memorial from Mr. J. Cronyn requesting permission to attend certain courses of Medical Lectures in the University.

Resolved,—That Mr. J. Cronyn, the Assistant Steward, be allowed, as he was in the years 1846–47, to be absent from the Asylum for as many hours during the day, for the purpose of attending Medical Lectures, as the Medical Superintendent may think he can spare from his duties in the Asylum, without injury to the Institution, provided that he does, as heretofore, apply his medical knowledge in assisting the Medical Superintendent, by compounding medicines, cupping, bleeding, &c., when required; and if it should be found that the interests of the Institution in any degree suffer, that immediately the privilege of absence be withdrawn.

If I acquiesced, it was doing wrong; if I dissented, I incurred from the disappointed keeper and his confederates, fresh hostility. Assuming (however) honesty to be the best policy, and confiding in the integrity of the Government to sustain me in rectitude of action, I addressed to the Commissioners the following letter.—

To the Board of Commissioners: :

Asylum, 2nd Nov. 1848.

GENTLEMEN,

I have carefully considered the minute made by the Board upon the subject of Mr. Cronyn's application for leave to attend the University Medical Lectures. It appears inconsistent with my duty to give the assent desired from me. It would be, in my opinion, an unwarrantable interference on my part, with an attendant whose time belongs wholly to the Institution, and whose absence would impose increased labour on the other attendants, whose duties are already sufficiently onerous.

I have the honour to be, Gentlemen,
Your Obed't Serv't,
GEO. H. PARK.

They next assailed me with a *star-chamber* inquiry, accusing me of professional incompetency in the treatment of two surgical cases, and of the offence of employing the Porter (Byrne) and head-keeper, Cronyn, in the compounding of medicine, and of habitual inattention to the patients:—

Copy of a Letter of Accusation against the Medical Superintendent from the Board of Commissioners.

[Copy.]

Temporary Lunatic Asylum,
Toronto, 30th November, 1848. }

To the Hon'ble J. Leslie, Provincial Secretary.

SIR,

I am directed by the Board of this Institution, to forward to His Excellency the Governor-General, a Statement this day adopted by them in reference to two cases of apparent neglect of patients on the part of the Medical Superintendent, together with the testimony in full on which that statement is based.

My instructions also are to inform His Excellency that the Board did not call in the Medical Superintendent, during the investigation in which that testimony was elicited, the reason for that omission being the difficulty there is in the Board holding any communication with that gentleman.

I have the honor, Sir,
to remain your ob't Serv't,

J. ROAF, Chairman pro.tem.

A true copy,

WM. RAMSAY, Steward,

Extract from the Report of the Commissioners, complaining of Dr. Park's Employment of Byrne

"Some time afterwards he told Edward Byrne to wash the wound and dress it with adhesive plaster. This Byrne was a gardener till he came into the institution, where for nearly two years he was a Keeper, and has for almost three years been the Porter. He cannot read Latin: and has never been instructed as to the preparing of Medicines, or dressing of wounds."

Upon the employment of Cronyn the Report says:

"Upon the patients removal to the Branch Asylum he was in a similar manner left to the judgment and care of the Deputy Steward." (Cronyn)

Although the Government did never honor me with a copy of any documents sent to them by the Board, yet I addressed the Provincial Secretary the following letter:

SIR,

I have received from the Steward documents purporting to be a copy of a letter to you, with a statement adopted by the Board, and the testimony in full on which that statement is based.

These documents are intended to impeach me as Medical Superintendent before His Excellency.

I have therefore without delay addressed myself to you on the subject, and request the honor of your conveying to His Excellency my perfect readiness and ability to meet and repel all these charges whenever His Excellency may be pleased to afford me an opportunity of doing so.

It is, indeed, true that I was neither apprised of the proceeding of the Board nor invited to attend. Their personal animosity is avowed as the ground for denying me the benefit of those rules of impartiality and fairness, which distinguish similar proceedings, affecting the reputation of public or private men, in every country in the world that is free and civilized. This acknowledged animosity would have been a good reason for the most scrupulous regard to my just rights of defence before my accusers and judges; but it fails as a reason for subjecting me to an inquisitorial proceeding where this animosity could display its activity without a check and consummate its purposes in secret without the light of day.

I make no comment on the witnesses thus brought against me, because His Excellency is already aware of the facts bearing upon this point. No one charge against me is more untrue than another; but I may be permitted to advert to the cruelty of the allegation that I had improperly employed an incompetent Porter to make up the medicine for the patients. The Commissioners had allowed him (as his evidence shows) to discharge this duty for Dr. Telfer for two years, with their acquiescence; and during the earlier part of his employment, there might have been room for questioning his capability. But it is not just to forget their former license, in order to make it now appear as a charge against me. I have only continued him in his duty, after his past employment had insured his fitness. The intimation in the evidence that he cannot read Latin, might induce a belief that the prescriptions are written in that language, though it is known and is apparent that they were by Dr. Telfer, and are by me, written in English. If it was wrong in me to continue in the duty a man who was once a "gardiner and farmer, and ignorant of Latin," it was still more objectionable to sanction it when he began. He was in Dr. Telfer's time examined by Dr. Beaumont, and by him pronounced fit.

Mr. Cronyn has been a Medical Student for three years, and attended the Medical Lectures at the University in the winter of 1846 and 1847. He also fills the situation called the Assistant Steward, at the Branch.

I rely upon the justice of His Excellency to afford me the amplest justice which my case requires.

I have the honor to be, Sir,

Your most obedient and humble servant,

GEO. H. PARK.

The reader may contrast this insinuation to the government with the Resolution of the Board, of the 26th October, above given.

Next to the atrocious acts already mentioned, is this most unprincipled proceeding. Although placed directly by the crown as Medical Superintendent over the Asylum; yet the Board of Commissioners, without any previous communication, with or from the Government, erect themselves into a secret tribunal to try me for mal-practice in my surgery, and for hazarding the poisoning of the patients through the porter and head-keeper. Reputation is justly valued by every man—professional reputation is doubly so: for its loss involves not only general fame, but worldly fortune; the very means of living.

Conceive, then, Christian Ministers joining, I ought to say seducing, others of the Board to conspire in a secret act basely calculated to ruin me in character as a man, and as a physician.

To this most presumptuous assumption of jurisdiction is added the criminal mode of proceeding. The Commissioners take the evidence of the keepers, even of Hungerford and Craig, the two *discharged keepers*: and if I am not bound to give them credit for more refinement in their moral sense than is herein displayed by the Board itself, a man's reputation stands in fearful hazard—I am not allowed an opportunity of hearing the evidence or cross-examining the witnesses. The evidence is not given under the sanction of an

oath :—I am not allowed an opportunity of calling professional men to justify myself against the crude notions of ignorant, discharged and irritated keepers.

The base and calumnious result of this star-chamber proceeding is transmitted to the government! It is filed as an everlasting record against me in the archives of my native country! It is emblazoned by the Commissioners on their minutes to render my professional infamy as lasting as the Asylum. I ask for an inquiry, and the government refuse it!—The government dismiss me! Dismiss me with all this imperishable scandal, to tarnish my name and utterly blot my professional reputation. Dismiss me when there is much besides which malice has indicted in the minutes of the Board, and which has emanated from them in anonymous libels, and unblushing falsehoods in the newspapers of the day! Dismiss me without pronouncing “on the correctness or incorrectness of the statements!” Dismiss me without condescending “to condemn or acquit!” Dismiss me with a load of accusations—with the refusal of an inquiry! And yet supply these libels to Parliament to be read, printed, published, and distributed to my injury, without even proposing an antidote!—a course which has rendered the publication of this narrative necessary.

I have hunted for a precedent in the history of Tory government in the country, from the days of GORE to those of COLBORNE. I am humbled in finding none. The Tories have, in too many instances, been severe to their political opponents; but not an instance like this, of treachery and abandonment towards their friends—It is without its parallel.

I have sincerely to thank Dr. Workman and Dr. Morrison for their testimony, as conveyed in the following letters :—

Toronto, 12th February, 1843.

DEAR SIR,

I have received your note of this morning, in which you state that your “treatment of the cases of Daniel Carr and James McLelland, patients under your charge in the Temporary Lunatic Asylum, having been condemned by the Commissioners, upon the judgment of the servants of the Institution, you are desirous of having an expression of my opinion upon the subject.”

In compliance with the above request I have much pleasure in being able to bear testimony to the propriety and efficiency of the treatment pursued by you in both of the cases referred to. I visited the two branches of the Asylum in the first week of December last, for the purpose of ascertaining the condition of the patients, and the state of the wards, with a reference to certain sanitary precautions which, as Chairman of the Board of Health, I was desirous of recommending, in anticipation of the approaching pestilence, Asiatic Cholera; and I had a fair opportunity afforded me, on that occasion, of ascertaining from yourself and the ward servants, full and minute details of the cases of Carr and McLelland. I am convinced that any member of the profession to whom these cases should be submitted in the same terms as those in which they were brought under my attention, and before whom the patients themselves should be placed for inspection, would, without hesitation, concur in the opinion which I have herein expressed; and I cannot understand how it is possible that the Commissioners have, as you inform me in your note, felt warranted in impugning your treatment. I believe there is not a Practitioner in this Province who would feel at all ashamed of the cases of Carr and McLelland were he brought before a competent and impartial tribunal, to render an account of them, after having so well succeeded in restoring the injured parts to a sound state.

The loss of sight, in Carr’s case, was a result for which I was fully prepared, after hearing the details of the case, and examining the numerous scars remaining on the face. Had the treatment of the wounds been improper, the patient’s face would certainly have presented a different appearance from that which it had when I saw him.

I am, Sir, with much respect,

Truly yours,

(Signed)

J. WORKMAN, M.D.

Dr. PARK, &c, Toronto.

Toronto, 12th February, 1849.

DEAR SIR,

In reply to your note requesting my views of the surgical treatment of two of the inmates of the Asylum, who had been injured, my attention having been called to their cases, I beg to state that it was through the Steward on one of my duly visits, and on the occasion of a conversation with him relative to the general management of such an establishment, and the qualifications of the persons employed therein, that he mentioned these particularly unfortunate occurrences; and I saw nothing in their "surgical treatment" but what was to your professional credit, either in the case of Keerr's eyes, or McLelland's face, cut by a boe. The loss of sight of the former appeared to me to have been inevitable from the severity of the injury inflicted; and the wound on the face of the other was healed with far less deformity than I was prepared to expect after so mutilating an injury.

As to the Porter, so called, (his name I do not now recollect) who had dispensed medicine during the administration of yourself and Predecessors, I found by enquiry of him, arising out of my desire to be satisfied of his fitness for the duty, that he was qualified, and I accordingly entrusted him, and should feel fully justified in doing so again. You are permitted to make such use of this as you may think proper.

I am, Dear Sir, yours truly,

(Signed)

T. D. MORRISON.

Dr. PARK, &c., Bay-St.

The charge in the Star-Chamber inquiry, of inattention to the Lunatics, is sufficiently answered by the acknowledged improvements in the clothing, cleanliness and ventilation.

In their zeal, indeed, to traduce me, they have in their communication to the Government, proved too much. The Rev. Commissioner Roaf, for the Board, says that I "spent *in the wards* of the general Institution, where there are above a hundred patients scattered in eight or nine apartments, besides the cells only from five to fifteen minutes in a visit."—Now no man could in five minutes do much more than walk up stairs and down again.—If I spent, as stated, only 5 minutes in the wards, there would be about half a minute for each ward, inclusive of the time of going from ward to ward and from one story to another, besides the cells. And taking the maximum time of 15 minutes, then there would be 1½ minutes for each ward, inclusive of the necessary steps for access to them successive y. This is as preposterous as it is wilfully and maliciously untrue. The time specified may have been spent in a visit to one or more patients requiring special medical attendance; but the records of the Institution, the prescriptions, the directions, the admissions, the discharges, the recorded history of cases, the various improvements in progress or already perfected, and the increase of the comforts, happiness, health, and recoveries of the patients, afford irrefragable proof that this misrepresentation is based in malice and consummated by the natural fruit of the star-chamber, where the evidence was garbled, perverted, and suppressed, with barely light enough to render "the darkness visible."

The following, I find from the Parliamentary papers, is a main part of the complaints submitted by the Reverend Delegates to the Government:—

"Shortly after entering upon his duties, this gentleman manifested a disposition to interfere in the general affairs of the institution, which had previously been managed by the commissioners; for instance, he gave orders respecting the diet of the servants (of those of the domestic department, as well as those of the wards); prohibiting the use of beer, even in the small quantities which had always been allowed. He also made arrangements with a merchant, for the supplying of a large quantity of blankets; thus, not only assuming a duty belonging to the board but infringing upon the arrangements by which all articles involving a large expenditure, are to be open to competition, and purchased under contract. Then he insisted upon a right to be present at the meetings of the board, in defiance of the rules and regulations which provide for his attendance only when required."

I shall offer a few remarks on the above animadversions on my conduct.

I am charged with interfering with the duties of the Board about the clothing and blankets. These are briefly the facts: The deficiency in these articles rendered it necessary for the Medical Superintendent to make a requisition for a considerable amount of material for clothing, to which was added the item of blankets. This requisition was sanctioned by the Board, without any exception as to the blankets; and the Medical Superintendent was requested by them to attend to the purchase of the *large bills* (as they termed it); with which request I acquiesced.—*No contract* was ordered by the Board. The Bill was sanctioned, entered in the Steward's Book; and therefore as usual to be purchased under his discretion. Respecting the fulfilment of the order, I consulted Mr. McMaster, a wholesale Merchant. On a subsequent meeting, Mr. O'Beirue finding that his son-in-law, Mr. O'Dea, had missed his usual bargains, expressed his dissatisfaction in a manner unbecoming and unjust to me. I was glad, therefore, to be relieved from what I had, on request, agreed to do,—and I never in any other way or manner interfered in such matters. On another occasion they advertised for tenders for clothing, and after receiving them, violated good faith with the parties, by distributing the orders arbitrarily by way of patronage: Commissioner O'Beirue's son-in-law getting his share, while Mr. Lawson, being the lowest who had tendered the best article, should have had the entire contract, instead of a portion of it. It is, therefore, untrue that I, at any time, voluntarily obtruded myself upon such matters belonging to the Board.

Being required by the laws "generally to superintend everything connected with the internal management of the Institution," it was my duty to attend to proper diet; and if beer was used to excess to notice it, and secure its prohibition. The bill for beer exceeded £25 for the quarter previous to my entering on duty. Is this a small quantity or amount in the estimation of the Board? The next quarter was about £3 for beer—the next quarter nothing; thus saving £100 a year besides insuring sobriety. Are not intoxicating liquors and tobacco, *in an Asylum*, considered as *medicines*, distributed at the discretion of the Medical Superintendent, and not at the discretion of the Commissioners? As the Institution had been by the Commissioners in their late investigation, convicted of intemperance, and the late Steward disgraced, was it unwise in the Medical Superintendent to seek the abolition of such liquors, or unwise in the commissioners to complain against me for it? In the Asylums in the United States entire abstinence is the law.

It is alleged, I sought to be present at the meetings of the Board. To secure "the necessary harmonious action and co-operation between the Board and Medical Superintendent" existing in every other Institution, it is scarcely consistent to shut the door against me. There is nothing more proper than the presence of the Medical Superintendent in all deliberations on the "internal affairs of the Institution which he is required to superintend." If I, on first assuming my duties, erroneously interpreted the law to require my presence at the Board, without on any second occasion claiming it, it is still more objectionable in the Board to treat the Medical Superintendent with so little courtesy and confidence as to render the claim necessary. I certainly, at first, construed the law to *require* my presence.

In addition to the persecutions and accusations already mentioned, the Board (or the portion calling themselves the Board,) descended so low, as to engage in an anonymous newspaper libel against me; which will be found in full in the appendix, with the attacks made on me, and my defence, as they

appeared in the *Globe*. The defence might have comprehended more particulars and have been more effective, had I not wished scrupulously to keep within the narrowest bounds, so as to avoid the very appearance of going beyond the exigencies of the case. I had religiously avoided, by myself or my friends, being concerned directly or indirectly in any thing appearing in the newspapers beyond what duty required me to subscribe with my name; and therefore felt the injustice of the Government in giving their sanction to a further mode of attack upon me, unexampled in any kindred Institution in the world. The most malicious allegation is the one which charges me with the false entry of an order, dated the 20th June, upon a day long subsequent to its date. The following letter will enable the public to judge of its falseness, as well as of the general course of the commissioners who were thus assailing me :—

Toronto, 12th February, 1849.

To GEO. H. PARK,
Late Medical Superintendent of the Lunatic Asylum.
SIR,

We have examined the entry made by you, that, "there must not hereafter, be two excited patients put into the same cell at a time." And find that the entry itself carries with it (independent of circumstantial proof) the fullest evidence of having been written at the time of its date, the 20th June, and not subsequently in September, as alleged by the Reverend Commissioner Roaf.

(Signed)

J. LESSLIE,
SAM'L WORKMAN,
R. H. BRETT.
E. F. WHITTEMORE.

While attending to my official duties amidst the foregoing and many other perplexities around me, from the same source, I received the following Minute of Council :—

Extract from a Report of a Committee of the Honourable the Executive Council on Matters of State, dated 29th November, 1848, approved by His Excellency the Governor-General in Council on the same day.

The Committee of Executive Council have had under consideration, upon Your Excellency's reference, a letter from the Rev. Mr. Graetz, one of the Commissioners of the Temporary Lunatic Asylum at Toronto, with the accompanying Memorandum of the sixth of November instant, signed by himself and certain others of the Commissioners.

These gentlemen, for whom individually, as well as collectively, it is almost superfluous to say, that the Committee feel every respect, seem by the course of their remarks in this document to have forgotten that the original reference to Your Excellency commenced by an appeal made by the Medical Superintendent.

That appeal arose specifically out of the suspension of a Keeper by the Acting Medical Superintendent. This suspension was attempted to be enforced by a re-suspension of the same party by that Officer, after the Board had disposed of the case. Which re-suspension having been resisted by the Board, an appeal was thereupon made by the Medical Superintendent to Your Excellency—and that this was the light in which the Board itself at the time viewed it, is evident from their own resolution, adopted at a meeting held ten days after the date of the Superintendent's first letter to the Government, and called expressly with reference to the "antagonism," as it is in their minutes termed, between the Medical Superintendent and the Board. In this resolution the Commissioners submit the whole matter to the consideration of the Government, "in order that the Board or the Medical Superintendent may be sustained in the position which they respectively assumed as the Government may see fit." A Resolution to which issue is thus joined on the appeal, and the object of such appeal thus explicitly declared.

As regards the case of the Frantic Patient referred to in their former Minute and alluded to in the document now before them the Committee would remark—

That reference to it in the former Minute, was rather an illustration, by way of example, of what they conceived the proper course on such occasions, than a condemnation, even of the Keeper, in respect of the given case, much less as a condemnation of the Commissioners—and it was so referred to expressly “as reported,” without assuming that there might not exist explanatory circumstances, which, had the matter been taken up as one of complaint to be enquired into, might have exonerated all from blame.

The Committee had hoped, that when the subordination of the Medical Superintendent to the Commissioners had been settled by Your Excellency's decision, both the Commissioners and the Superintendent would have addressed themselves to their respective duties—the Medical Superintendent in a spirit of respectful deference to the Commissioners which their position and authority required from him, and the Commissioners with the resolution of affording every just and necessary support to that officer in the discharge of his very responsible and delicate duties—and that the irritation arising out of past difficulties and the indiscreet use of terms, unnecessary as respected the party to whom they were applied, and objectionable as respected the quarter to which they were addressed, would by means of those mutual explanations and concessions so perfectly consistent with the dictates of the highest self-respect, have been forgotten by both, in a common desire for public usefulness. They further hoped that the expression of the opinions which their former Minute contained respecting the spirit in which the acknowledged power of the Commissioners ought to be exercised in matters of the kind under consideration, would have conduced to that end. But though in their opinion such suggestions were called for by the circumstances of the case, they saw no reason to advise the withdrawing of Your Excellency's confidence from Gentlemen performing gratuitously a public duty of so arduous and responsible a character as that with which the Commissioners are entrusted. And believing that the difficulty in which the Medical Superintendent is involved was in a great measure caused by his having unfortunately mistaken the scope of his authority in relation to the Commissioners, and taking into consideration his recent appointment and the fact that by the admission of the Commissioners themselves he had already effected salutary improvements in the Institution, they did not deem it expedient to advise the withdrawal of Your Excellency's confidence from that officer.

Having come to this conclusion it appeared to the Committee but due to the two parties, whose collision appeared to them to have grown out of this unhappy mistake, to express their continued confidence in both.

The Committee have learned with surprise and regret, that the decision come to by Your Excellency in their former Minute has been unsatisfactory to the Commissioners. That decision was in direct support of the Commissioners and of their authority, and the Committee are not aware of any instance in which the Commissioners have not been sustained in the most ample manner by the Government.

The action in the case of the late Superintendent affords sufficient proof of the consideration given to the advice of the Commissioners.

Finally for the same reason that, the power of the Commissioners as respects the Servant's of the Institution ought they think, except in very extreme cases, to be always exercised in accordance with the views of the Superintendent, and in support of his authority, the Committee are of opinion that the power of the Government so long as it sees no sufficient reason for withdrawing its confidence from the Commissioners, ought, except in like cases of extreme necessity, to be exercised in accordance with the views of the Commissioners and in support of their authority.

The Government, placed at a distance, finds it necessary to delegate to persons on the spot those powers required for the constant supervision, control and direction of the Institution. The responsibility of the Government rests in the selection of proper persons for this duty, while the more immediate responsibility for the administration of the Institution rests with the persons thus appointed.

The Act of Parliament for the management of the permanent Asylum fully establishes this—and without at present expressing an opinion upon the provisions of that Act it appears to the Committee, that had the Temporary Lunatic Asylum been originally placed upon the like footing as to its government and management, difficulties of the kind which have recently arisen would have at all events been avoided. The Committee, for the reasons already stated, had hoped that these difficulties would, in the manner suggested, have been overcome.

If this has become impossible, it is for the Board of Commissioners to assume the responsibility of recommending a specific course to the Government, and it will be time enough for Members of that Board to speak of resignation, when such recommendation shall have been disregarded in any manner to deprive them of that moral influence which unless maintained it will be impossible for them to conduct the Institution with success. The Com-

mittee hope therefore, that these Gentlemen will see that they have been premature in tendering their resignation.

The Committee adhering therefore to their former Minute see no reason to relieve the Board of Commissioners from the responsibility that properly belongs to them, and have only to remark in conclusion, that whenever that Board, so long as it continues to retain Your Excellency's confidence, have any recommendation to make, such recommendation will, the Committee feel confident, receive from Your Excellency's Government its best consideration.

Certified.

(Signed)

J. JOSEPH.

EXTRACT.

The Committee of the Executive Council have had under their consideration upon your Excellency's reference, the letter of the Medical Superintendent of the Temporary Lunatic Asylum at Toronto of the 13th Nov. instant, expressing his consciousness of the truth and integrity of his actions in the matters referred to by the Commissioners in one of their communications with the Government on the subject of the difficulties which have unhappily sprung up between them, and conveying to your Excellency the expression of his readiness and ability to repeal them, whenever your Excellency may be pleased to afford an opportunity for doing so.

The Committee doubt not that the Medical Superintendent feels the confidence that he expresses. They do not however think that it is the province of the Government to decide the matter of personal feeling between that officer and the Commissioners, and the temper manifested in the course of the contest sufficiently satisfies them, that such would most probably be the sole result of entering upon such an investigation as the Medical Superintendent desires.

The Committee cannot therefore, recommend your Excellency to direct any such inquiry. They have, in the minute on the letter of the Commissioners, sufficiently expressed the hopes they entertained that the irritation arising out of past difficulties might have been removed by judicious explanations and concessions. Having been disappointed in that hope however, they can but await such action on the part of the respective parties as may require further action on the part of your Excellency in the matter.

Certified.

(Signed)

J. JOSEPH.

From the above Minute of Council it appears that the Government understood that they had settled the antagonism, between me and the Board, which had been by both parties referred to them. My subordination to the Commissioners was settled, and I, therefore, submitted to the restoration of Craig, submitted without, what many might rightly think, becoming notice of the offensive vituperation addressed against me by the Reverend Delegates insultingly to the Government, and pursued my duties in the Asylum without affording the slightest ground for complaint. How could there be any other explanation or concession on my part, and how could it be *mutual*, when the Board, or those Commissioners who called themselves the Board, refused to submit to the Executive adjudication and officially declared to the Government that they would "hold no further communication with me"? And they further offer official indignity by the threat that should I still retain the confidence of the government (as the Government had avowed) they should resign. This is *cornering* the Administration. — It was bringing them up to the mark, viz., dismiss Dr. Park or we will resign. The Government, giving an undignified and unjust submission to this predicament, and after hesitating, like King Herod, which of two disagreeable things to do, humbly begged the Commissioners to retract their painful threat, and to relieve the Administration of the burden by taking upon themselves the responsibility of recommending a specific, unjust and inconsistent course, viz., my dismissal.

The inquiry sought for and refused, was not merely due to me, but most especially due also to the *Lunatics*. Their well-being must most materially depend upon the conduct of the Commissioners, and their conformity to such

just views as may be recommended by *their* immediate superior, the Governor General. Their contumacy in so grave a matter, seriously jeopardising the inmates, required the Government to accept their resignation, not to succumb to their conditional threat of it. The whole of the last Minute of Council, while it pointedly abstains from even a general approval of their conduct, contains intimations so pregnant with just reproach that no men, not merely seeking to be satiated with the revengeful pleasure of 'my ruin, would or could under it honourably have retained their position. Thus the Council, in gentle terms felt by sensitive minds, charge them *with forgetting the original reference*; and convey a rebuke for their contumacy by stating that they "*had hoped* the Commissioners would (when the subordination of the Medical Superintendent to them had been settled by His Excellency) have *addressed themselves to their duties*"—*had hoped*, they would do so, "*with the resolution of affording every just and necessary support to the Medical Superintendent in the discharge of his very responsible and delicate duties,*" (a principle so egregiously outraged in the very face of the Government, by the reinstatement of Craig over the Lunatics—*had hoped* (perhaps the keenest cut of all) that they would have forgotten irritation caused "by their indiscreet use of terms, unnecessary as respecting the party to whom they were applied and objectionable as respected the quarter to which they were addressed," viz., the pertinaciously retained offensive language insultingly addressed by the Rev'd Delegates to the polished mind of Lord Elgin—"had hoped that the expression of the opinion, which their former Minute contained, respecting *the spirit* in which the acknowledged power of the Commissioners *ought* to be exercised in matters of the kind under consideration, *would have conduced to that end.*" And because it did not conduce to that end, for the well being of the Lunatics, they ought to have been dismissed, even had they not tendered their resignation; particularly as the Government had already in their former Minute of Council, reminded them of the impropriety of their conduct towards the Medical Superintendent upon the complaints he submitted to them, and "that it was not to be endured that the quiet of the establishment and consequently the welfare of the patients should be sacrificed to such jealousies or jeopardized by protracted investigations for the purpose of adjusting nicely the exact amount of blame attached to each," instead of accepting, "the report of such superior ought as a general rule, to be conclusive as to his misconduct."

It is stated in the last Minute of Council that "the Government *placed at a distance*, finds it necessary to delegate to persons on the spot those powers required for the constant supervision, control and direction of the Institution." But on that very account it is either necessary (as seems intimated) that the Seat of Government should be more in the centre of the sphere over which it exercises administrative vigilance, (which would again bring the Seat of Government to Toronto) or that the persons so delegated should be active, effective, faithful and conscientious in the discharge of their duties, and cheerfully amenable to an ultimate appeal. If this delegated authority is not to be questioned or controlled by the power conferring it, it becomes absolute; and it becomes, too, *irresponsible* (the most dangerous and corrupt of all secondary authorities) when the exercise of the superior power, in advising, awarding and directing, is met by contumely, by resistance, by open violation, and by threatening of resignation. If the Commissioners are to be sole and autocratical, above a word of advice or the duty of acquiescence, it would more com-

port with things as they ought to be, that the Commissioners should assume the Executive department of public affairs, and the Administration condescend to act a second part in the sphere of delegation.

It is important to remark, that the Reverend Messrs. Roaf and Grasett, with Dr. Beaumont, Messrs. O'Beirne and Eastwood, out of the eleven composing the Board, were the only agents in all the bitter agitation against me; and were the only persons, present at the Special Meeting to assume the responsibility, thrown off, nominally, by the Government, to require my dismissal; but the names are artfully omitted in the communication to the Government, to whom the resolution is reported as carried *unanimously*: Yet even of the five present, four were the same unscrupulous persons as formed the meeting of the Board on the 20th day September, (see page 25,) when Messrs. Roaf and Grasett entered on record, the satisfaction of the Board with their conduct as Delegates, and at the same time reinstated Craig. Was it just, in the Government to ground their decision, in my case, on the acts of a minority of the Board, when that minority was composed of the very persons whose vindictive feelings had been already actually expressed to them by the Delegates in Montreal, and contumaciously displayed in their subsequent mis-conduct? Is it right that I should, or that the Lunatics should, in such grave matters, be conclusively injured by, possibly, such a *quorum* of three, allowed by the Commission?

“*Placed at a distance.*” And what better is the accountability before us, than the accountability to Downing Street, the inefficiency of which is painfully proverbial to this day? If the local government becomes fearfully corrupt upon the odious doctrine (of the Colonial Bureaucracy) of always supporting them, right or wrong, against Parliament and people; in what better condition will be our divers local institutions, if their local authorities are to be amenable to no actual control, no effective counteraction under complaints, but always to be treated with a complaisant evasion of their culpabilities, and a tolerance of disgraceful and acknowledged abuses! Still more dangerous is this exceptionable doctrine when connected with services held to be less amenable to reformation because *honorary*! Is a debt of honor less binding morally than a debt of law? If a friend, refusing compensation, assumes an important agency in my affairs, is he the less bound well to discharge the duty, or the less morally answerable for corruption about it? Do not the aristocracy in church and state owe something, in the nature of benevolence, to the community in which they aspire to personal and official distinction? And how can the gratification of their ambition or of their hunger and thirst after usefulness, justify this doctrine of meritorious exemption, on account of their “*onerous and gratuitous duties,*” from rectitude of action or the fullest responsibility to the fountain of honor and power in the State? The rule laid down by the administration, is the reverse of truth, and inconsistent with their professed principles; for the rule expected from them was, *that if responsibility was expected and would be exacted from any, it would be from the rich and lofty ones of the world, placed over the interests, the feelings and the wants of the poor and lowly.* No people in the world have suffered more than the people of Canada from the abominable maxims laid down in my case. Throughout the suffering history of the country, the scourge of the magistracy, (ever holding “*their onerous and gratuitous offices*” from the crown, with perfect immunity from the punishment of their oppressions) was keenly felt and daily complained of, without redress. And the aristocratic Commissioners of the Asylum, empowered with their keepers, to beat, bruise, strait-jacket and incarcerate in cells the de-

fenceless Lunatics, ought to be regarded with no corrupt partiality; but the same principles of honor, justice and goodfaith should have been equally extended to me and the inmates, as to the Board. How did the inmates in the Penitentiary in Kingston suffer from their Commissioners "with their onerous and gratuitous services"? How long they suffered, at their irresponsible hands, flagellations of body and deteriorations of mind, because *gentlemen* and *priests* could not be supposed to do wrong, or be subjected to the *low practice* of being *called to an account*; inasmuch as such democratic conduct towards them, would astound our reform government with the dreadful threat of a "resignation"! In truth, the Penitentiary, the University, and the Asylum, have fallen, from the same objectionable policy, into the same condition; those in the former have relief because seen and heard by their friends, while those in the latter are doomed to unchanging hands, because uncredited in their appeals and unsupported by the sympathy of those, who have literally converted an *Asylum* into a *prison*, upon whose threshold comparatively few have ever deigned to cast their shadow, or have power or influence to afford redress.

Suppose the case reversed. Suppose I had been thus truly reported to the Government—(thank God, it is not my position)—that I had allowed to lie in a state of disgraceful nudity (even beyond the unseemliness of *savage life*) those who most needed that sympathy and redress, which I had never extended to them, while the humane Commissioners had covered my shame in the matter by clothing these naked and brutally treated objects of human misery;—that during years of careless duty, I had allowed, without a recorded order against it, excited patients to be put together in the same cell;—that I had allowed these loathsome cells to be the scenes of the daily and nightly punishment of lunatics, made more frantic by the abuse;—that I had insulted the Commissioners with insulting importunities for the retention of Keepers who fomented internal dissensions, and were convicted of intoxication on duty;—that I had encouraged violence and cruelty to the patients by insisting on the reinstatement of Craig, an act unmanly towards the Matron, and an outrage against humanity and the Lunatics;—that I had destroyed all effectual discipline, by contriving to have unworthy servants fully paid during the whole period of penal suspension;—that I had with unchristian apathy allowed these friendless sufferers at my mercy, to pant under a summer's sultry heat, by dooming them to act the part of beasts of burden in drawing water from the bay to the Institution;—that I had attended neither to the ventilation nor the fumigation of quarters imperatively needing it;—that I had not secured even a bath in the Asylum, so essential to the comfort and cleanliness and to the physical, moral and mental improvement of the inmates;—that I had introduced inhumanity and insobriety, by allowing (besides a large amount of other intoxicating drinks) Beer at the rate of four hundred dollars a year, besides tobacco, no-one knew how much;—that I had manifested such marked reluctance to attend the meetings of the Board, where my advice upon the affairs of the Institution were naturally wanted, that they felt my longer cooperation unwelcome;—that from deficient interest, I even complained of the trouble of aiding the Steward in purchasing the very articles they had ordered at my request;—that I had allowed the Lunatics to acquire habits of wildness and disorder at their meals, incalculably affecting the moral improvement of the patients;—that I had advertised for tenders, and on receiving them, had broken good faith, by a corrupt distribution of the patronage among my friends;—that I had allowed, even after complaint by the Commissioners, the patients to be fed with bad potatoes, not fit for swine;—that I had allowed

them, against their repeated remonstrances, to go in a suffering condition without shoes or stockings ;—that I had allowed the windows of their dining room, and the very sheds erected by the Commissioners for the happiness and exercise of the Lunatics in bad weather or under a burning sun, to be filled with wood, —that I had officially recorded official approbation of my own conduct, when it was done only by myself ;—that I had accused them in the most indecorous language of “falsehood, treachery and illiterateness,” and that after forcing it on the Government, I had emblazoned it on my prescription and order books before the whole household ;—That I had written in the Asylum a libel against the Board and obtained its anonymous publication in the *Globe* newspaper ;—that I had accused them in the newspapers of making false entries in the Minute Book of the Asylum ;—that I had in a secret way, without affording them intimation or access, collected, as in a star-chamber, the evidence of servants hostile to them, to prove them guilty of high crimes and misdemeanors ; had suppressed known facts to make this criminality falsely appear, and had (after dressing up the report and evidence with wilful perversions and exaggerations) transmitted the same to the Government to effect their disgraceful removal ;—That I had even allowed Miss Land, paying £30 a year, to be literally imprisoned in an ill-lighted, ill-ventilated cell ; —That amidst the most fearful and frantic yellings of a Lunatic under violent management, I had turned the key on my door for security, and never ventured to the scene of distress and abuse, to do my duty ; *—That, I had by my whole conduct reduced the Asylum to the lowest grade in the known world for sobriety, cleanliness, clothing and ventilation.

It is an awful catalogue for an Asylum ! But with such an array of facts against me, I could neither expect or desire to be retained on duty without an inquiry. Why, then, have the Commissioners been shielded ? Why with such charges, amassed from the records of successive Medical Superintendents, are not the Lunatics (the most interested of all the parties) allowed such an investigation as shall either redress their wrongs or disprove their existence ?

I am told, indeed, that my dismissal was preferred, because I was a paid officer, while the Commissioners acted gratuitously, and were therefore entitled to every concession from the Government. But the Government, when appointing me, knew, and told both myself and my friends, the spirit with which they expected me to be received and treated. The Government withdrew me from my practice, knowing that it was surrendered and my property sold at a loss. The Government, neither in the first Minute of Council nor at the time of my appointment, concealed their intention to bestow upon me the permanent office, and thereby led me into expectations and expences, which could not, without good grounds, be justly or honorably disregarded. To accept the resignation of the Commissioners was to comply with their own offer ; to dismiss me, was to take away the very office with its emoluments, which were the substitute for my lost business, and the remaining expectation of my family. To accept the resignation of the Commissioners was to afflict them with no pecuniary loss ; to remove me was to take away the salary on which I and my children depended. To accept the resignation of the Commissioners, was to relieve them, in their own language, of “onerous and disagreeable duties” ; to discharge me was to inflict a positive and serious injury. To accept the resignation of the Commissioners, was leaving them to the result of

* NOTE:—See page 14.—The evidence of the Medical Superintendent before the Board on the case of Craig.

their own choice; to dismiss me after "promptly and fully admitting my improvements in the clothing, cleanliness and ventilation of the Asylum" was directly inconsistent with my acknowledged deserts. To accept the resignation of the Commissioners was in accordance with the just censures conveyed to them in the several Minutes of Council; to dismiss me was the infliction of a wrong after every difference had been formally settled by the Government by the first Minute in Council, without the shadow of offence after my avowed submission to it. To accept the resignation of the Commissioners was due to the contumacious act of repelling the Executive adjudication; to dismiss me was undeserved, upon my respectful acquiescence. To accept the resignation of the Commissioners was to give them their chosen substitute for an investigation, which they dared not to ask or consent to; to dismiss me with the refusal of an investigation, under the most atrocious charges, was cruel and ungenerous, and unjust in the extreme. The Government chose rather to *ruin me*, than to *relieve* the Commissioners. And in the midst of my unabated and unoffending exertions, in obedience to the Order in Council "to bring the Institution into a proper state of order and discipline preparatory to the transfer of the establishment to the permanent institution", I received the following singular, and perhaps unexampled letter of dismissal:—

Secretary's Office, Montreal, 26th December, 1848.

SIR,—I have the honour, by command of the Governor General, to inform you that His Excellency has had under his consideration in Council, certain resolutions adopted by the Commissioners of the Temporary Lunatic Asylum, at a meeting held on the 11th instant, (of which a copy was transmitted for His Excellency's consideration, on the same day), requesting that you might be relieved from your duties as Medical Superintendent of the Institution.

His Excellency regrets much to find that the antagonism between the commissioners and yourself has continued unabated, as His Excellency had hoped that the difficulties existing between those gentlemen and yourself, might have been removed by mutual explanations and concessions; as, however, that expectation has unfortunately not been realized, His Excellency feels himself constrained, from a regard to the interests of the Institution and of the public, to dispense with your services, as Medical Superintendent of the Institution. You will therefore consider yourself as relieved from those duties, from the date of the receipt of this communication.

His Excellency feels the more pained at being compelled to take this course, in consequence of your having so recently received the appointment in question from His Excellency's hands.

I am at the same time to state, that in adopting this course, His Excellency does not in any way mean to pronounce upon the correctness or incorrectness of the facts alleged either by the Commissioners or by you, nor to condemn or acquit either party as respects the matters in issue between them.

I have, &c.,

(Signed,)

J. LESLIE,

Secretary.

G. H. PARK, Esq.,

Medical Superintendent Temporary Lunatic Asylum.

Upon this letter, the Editor of *The Examiner* offered the following striking and stringent remarks:—

(From the *Toronto Examiner*, Jan. 3rd, 1849.)

LUNATIC ASYLUM.

DISMISSAL OF DR. PARK, AND APPOINTMENT OF DR. PRINROSE.

In this number our readers will find a letter from the Provincial Secretary to Dr. Park: we give the whole of it: it will best convey to the public his dismissal as Medical Superintendent, and the official explanation of the act.

Fearless truth is expected from us by that public by whom we are sustained: and could we be induced to bestow our sanction on evil deeds, from mere party considerations, we should

only deem it exchanging one form of corruption for another. The despatch bespeaks its own condemnation. A public officer, for many years the unchanging friend of liberal principles and liberal men, was placed by the present Government as Physician and Superintendent of one of the most important institutions in the country. Known and respected for his moral worth and professional experience, he enjoyed the esteem and confidence of more than the Western section of the Province. From the steady exhibition of political fidelity he could as little expect as deserve unmerited abandonment. Placed in this position by men whom he had personally served in their career for place and honour, he had a right to expect, and the community have a right to demand, the extension to him of those maxims of justice in the violation of which every man, private or public, is deeply interested. Wrongs which have been perpetrated against one friend to day, may be as unscrupulously visited upon another to-morrow; and it is, indeed, only by such acts, that we can judge of the true character of the policy which forms the secret springs within the bosoms of compromising public men.

The letter recognizes an antagonism between the Medical Superintendent and the Commissioners; this antagonism it was the duty of the Government to enquire into and adjust; instead of avowing a determination repugnant to every upright and conscientious principle, "*neither to admit or deny—neither to condemn or to acquit;*" but unceremoniously to immolate a medical man, directly appointed from the Crown, for the corrupt purpose of appeasing an antagonism between themselves and the Board of Commissioners—an antagonism which the Government has not the courage to meet, or the manliness to put down. Who is right and who is wrong is without a blush renounced. It is like gambling away the fate of others, and dealing out official ruin with a reckless hand.

The duties of a Government (if Government ours can now be called) are far more important in the righteous administration of all public affairs than in adding to the burdens of our Statute Book, or in aggravating our condition, for centuries to come, under the artful plea of reforms in Law and Equity! If the decision of such questions, affecting the purity of Governmental proceedings, and the right expectations of the people, is to be reduced to a game of hazard, in order to relieve our well paid public functionaries from the pusillanimous complaints of embarrassment and annoyance, it would be better economy, and even less uncertain wrong, to let these gentlemen at once occupy the berths said to be already ripening for them respectively, and leave the clerk of the Council to throw the dice to see on whom the blow may chance to fall.

The Commissioners have required the dismissal of Dr. Park, and the Government have obeyed. But the people have made their appeals in vain. Dr. Park himself *solicited an impartial investigation, but the government peremptorily refused to grant it.* A contrast necessary to hold up political delinquency must not be viewed as invidious because it is painful.—When, and why, and from whom did the Rev. Egerton Ryerson obtain his present office, from which his very presence operates offensively on the people, and is known to be most repulsive to their educational views and very domestic relations! Why was it not in his case deemed unnecessary "to pronounce a judgment upon the correctness or incorrectness of the facts between him and the people, or to acquit or to condemn, the one or the other," in exercising a summary jurisdiction for "relieving him from the duties of Superintendent of Education, from the date of the receipt of a despatch?" The Ministry that paused to make the Rev. gentleman yield his place to the high-toned expression of public opinion, stand convicted by the wonton sacrifice of a long tried friend of the people, in order to heed the bullyings of a Board of Commissioners, hostile, without any reasonable or just cause, to one whom they had recently appointed, (after sacrificing a lucrative but laborious profession in the country) to fill the office of Medical Superintendent in the Provincial Asylum.

Where is Mr. Joseph also, the Tory Clerk of the Executive Council! This very gentleman, against whose political history and principles they used publicly to indulge in impassioned condemnation, and whom they openly avowed their determination not to retain on acceptance of office, continues as their Clerk, closely to observe their acts, record their proceedings, and perhaps overawe their deliberations. But if some mysterious agency staid their purpose in his case, could not truth and justice have overawed their subserviency to the animosity of a Board of hostile Commissioners?

Who now discharges the duties of the office this tyranny has vacated? Dr. Primrose. Of his personal and professional merits the country must judge. But when the people in a great struggle have prevailed, they little expect, and most certainly will not endure, to let the enemies of their principles supercede their long tried friends. This learned gentleman, kindled, with others, by a mistaken zeal, gave his countenance to the unconstitutional disturbance at the celebrated Durham meeting generally called (the Ministers know why) "*the Durham Races,*" which will long live in public recollection. This honour now conferred upon him, emanates from the very men whose heads were threatened with bludgeons, and whose constituents were outraged—not merely by a large amount of public injury but even with the loss

of life;—from the descendent of one (the late venerable Doctor Baldwin) whose "gray hairs," he was told in meek expectation of his fate, alone staid the blow which his political virtues were about to provoke from some unknown infuriated hands;—from another, whose fleetness alone saved him to live to sacrifice an honest man;—and from a third, who evaporated no one knew where.

Every rule of public duty, every sentiment of public faith, every association with the living and the dead, might well have palsied the hands which subscribed the wanton and avowedly causeless spoliation of a Reformer's place and fame. We have been guilty of extenuating their significant leaning to our political adversaries. Never will we be guilty of vindicating their own tergiversation, and demolition of our friends.

A P P E N D I X .

From the Globe of the 22nd November.

The *Examiner* of the 15th inst. commences an editorial article by saying, "Regarding the horrible affair in which a Lunatic had his eyes so injured that he lost the use of them, the *Canadian's* information is in the main correct. Dr. Park, almost immediately after entering on his duties in the Asylum, gave orders to the keepers, on no account to permit more than one excited patient to be in one cell at the same time." This statement, by the evidence of the Steward, and of all the keepers, is untrue, and such orders were not given to any of them until after the 10th September last, that night on which one patient (Carr) was so injured by another patient (Rickerd) as subsequently to lose his sight; and that by the injuries then received. This deplorable event, both by the injury and the consequent loss of sight, was kept by the Medical Superintendent from the knowledge of the Commissioners, and they first were apprised of it by their deputation to government receiving the information at Montreal, as the basis of one ground of complaint made by the Medical Superintendent against the Board.

The *Examiner* says, "the keepers were instructed to keep a strict watch on the cells containing a plurality of excited patients." All the keepers say that they received no instructions, before the injuries done to Carr, *i. e.*, before the 11th September, and then an order was made by the medical superintendent that two keepers should remain during the night in the attic ward, keeping watch alternately, and that the other parts of the house, where the male patients are kept, should be visited by them three times during the night. Now the cells in which the excited patients are placed, are on the basement floor, and consequently, even if this watch and their visits had been ordered and carried out before the injuries done to Carr, it is a mere chance whether this order of the medical superintendent would have prevented the calamity, the watch being stationed in the *attic*, and the patient having been confined in the *basement* at the time of the accident."

The *Examiner* says, "A violation of these orders * * * led to the frightful injury of one of the patients!" meaning Carr. This is necessarily untrue; as neither the orders nor anything approaching to them had been given before the injury had been inflicted.

The *Examiner* says "the Commissioners took up a position wholly incompatible with the proper power and authority of the medical superintendent, and therefore subversive of that strict discipline necessary to the safe keeping and efficient treatment of the lunatics." The Commissioners assumed no more power than that which they have always exercised, and which is in accordance with the statute detailing the powers of the Commissioners of the permanent Asylum:—and the present medical superintendent having appealed to the Government on this subject, the decision given was that the Board had not exceeded their powers. It is also untrue as relates to discipline; for all the keepers state that they distinctly understood from the Board that they were implicitly to obey the medical superintendent in every thing relating to the patients, and to behave towards him with the respect due to the principal officer of the Asylum. The *Examiner* says, "Emboldened by the injudicious and ill-timed support rendered them by the Commissioners, the servants of the Institution thought themselves at liberty to attend to or disregard the instructions of the medical superintendent." This statement is necessarily untrue; for the Commissioners gave the servants no such support. They all declare that they never believed they would be sustained by the Board for any disrespect to the medical superintendent or to his orders relating to the patients. It so happened that the keeper who put these patients together and was on watch through the night, was John Whiteside, of whom the Doctor had never complained, and whom he has since that occurrence strongly recommended to be made a regular and permanent keeper. The Doctor at the time exercised the power of suspending keepers (and did this for very trivial errors) but for the keeper's conduct on this occasion did not suspend, report, or even censure him.

The *Examiner* says, "Accordingly on the night on which the injury in question was inflicted, the night watch, instead of attending to their duty, had consulted their own ease in preference to the safety of the patients, and gone quietly to bed." From this it would be inferred that the medical superintendent had, before the injuries were done to Carr, ordered two or more persons to keep a night watch; but no such order had been given by the medical superintendent, and his practice was, prior to this sad occurrence, to retain but one keeper in the attic ward during the night, whose duty it was to remain throughout the night in that ward, unless called from it by any disturbance in other parts of the building.

The medical superintendent desires to have absolute power in employing and dismissing servants; the Board in every case consult him, and require his approval, but do not consent to leave him uncontrolled. A short time back he assumed the power to suspend a keeper for a very trivial fault, and then brought in, to fill the vacant place, a man discharged from the General Hospital, for assisting the stealthy removal of a dead body, and the substitution of billets of wood in its place. This in a Lecturer in a Medical School was enough to call forth caution on the part of the Board.

The *Examiner* misrepresents the case when he speaks of the Commissioners acting against the Doctor; for they are merely on the *defensive*, and the Doctor *commenced* and has been urging *on* the existing disagreement. He, contrary to all the previous practice, took upon him to suspend a keeper, and that for a matter not at all in the Medical department—when, after the Commissioners had allowed the punishment, and obtained an apology, (and this contrary to their own view of justice, and merely to uphold the authority of the medical superintendent,) the keeper was re-instated, the Doctor re-suspended him, then turned him out into the street, and, at last, again had him violently put out. He afterwards appealed to the Government, several weeks before the Commissioners followed the example,—and did this without informing them of his doing so, and by means of statements not only entirely untrue, but some never even heard of by the Commissioners. The representation, then, of the Commissioners being the promoters of the difficulty, is a mere ruse to divert the public eye from the real state of the case.

To the Editor of the *Globe*.

LUNATIC ASYLUM, 29th November, 1848.

SIR,—Your paper of the 22nd November contains an article on the Asylum, in answer to some editorial remarks in the *Examiner*. Upon inquiry I find it was handed to your office through the Rev. Mr. Roaf, who stated that it had been drawn up by Dr. Beaumont, sanctioned at a meeting of the Commissioners, and ordered by the Board to be printed. As the statements are most unfounded, and at the same time calculated to injure the institution as well as myself, I deem it my duty to offer for your columns the following retutation of the material points in reference to the occurrence on the night of the 10th of September last, by which a lunatic had his eyes so injured as to lose his sight—it is denied that I had before that time given any order "not to permit more than one excited patient in one cell at the same time." In answer to this bold and astounding declaration I can say, that any gentleman in the city or country is at any time at liberty to visit the Asylum, and see the following order, made by me in writing in the book appropriated to entries of the treatment of lunatics, *on the 20th of June last*, viz. :—"There must not hereafter be two excited patients put into the same cell at a time."

This order and the practice on it were again brought to the knowledge of the Board on the 14th of August, by Dr. Rolph, then acting for me, who, in a document addressed to the Board, for the immediate ventilation of the cells, states that "in one of these [cells] sometimes four females are shut up, while a whole cell is appropriated to another, whose habits and violence render it unsafe to admit of an associate."

With the like incorrectness the antecedent existence of the order is thus farther denied. "This statement, by the evidence of the Steward and all the keepers, is untrue, and such orders were not given to any of them until after the night of the 10th September last," when the outrage occurred. I immediately applied to the steward to explain this reference to him and his evidence. Without hesitation he assured me that this reference to him was unwarranted; and he farther repeated to me what he had already stated to me and others, that though the order had been made before he was steward, the keepers had admitted to him its existence. Any gentleman can call and learn from the steward the truth of this statement.

With the like boldness of crimination it is said that "this deplorable event, both the injury and the consequent loss of sight, was kept by the medical superintendent from the knowledge of the Commissioners." Any gentleman, upon calling at the Asylum, may see in the Keeper's Report Book *the morning entry of the accident, by the keeper*.

Any gentleman that pleases may also see the Prescription Book, which farther contains the name of the patient, accident, and treatment,

Any gentleman may also see the bed where the patient laid in the attic ward, subject while under treatment to the view of the Commissioners.

The above public entries on the records of the Asylum bring all important events to the knowledge of the inquiring Commissioners; nor is it any part of my duty, nor is it the practice, beyond such public entries, to make to the Commissioners any verbal or written report.

By the printed laws of the Asylum "the Commissioners shall meet regularly once a week (Thursday, at 10 o'clock) for the purpose of examining into the state of the Institution and condition of the patients." And the visiting Commissioner in rotation for the week is required "to inspect the Institution daily, and see that the patients are properly attended to." It was, therefore, their neglect of duty, not my concealment, which kept these matters from their knowledge.

Having thus refuted the main charges, I leave untouched some subordinate matters which, however, may with equal readiness be answered should circumstances need it.

From the above, it will be seen that my unacceptable appointment to the Asylum has not been less embarrassing to me than to my predecessor. But in the faithful and efficient discharge of the duties entrusted to me, I shall rely upon the approval of the Crown from whom I receive my appointment,—upon the support of an intelligent public, and of an honourable and enlightened profession.

I am, Sir,

Your obedient Servant,

GEO. H. PARK, M. D.,

Medical Superintendent.

To the Editor of the Globe.

LUNATIC ASYLUM, 30th Nov., 1848.

SIR,—By order of the Board of Commissioners of this Institution, I request permission to make a few explanations of matters referred to in Dr. Park's letters in your number of November 29th. In doing this we overcome a great reluctance to refer publicly to incidents in a hospital, and that a hospital for the insane:—but, as they are already divulged, we think it best that accurate information should be abroad.

Before proceeding to other matters, I would relate that the paper which you were so polite as to publish, was Nov. 22, drawn up mainly by Dr. Beaumont, in consequence of his having taken down, as amanuenses of the Board, minutes of the investigation from which it resulted, and partly by myself, as chairman during the investigation,—but it contained suggestions from several Commissioners, and all of it was adopted by the whole Board, which body, therefore, is to be considered as its author.

When it was asserted that the Medical Superintendent had, previously to September 10th, given no orders prohibitory of two excited patients being put together into a cell, it was done upon the unanimous testimony of the Steward, Porter, and Keepers, (regular and supernumerary), that no such orders had they received or heard of. True, some of the keepers, explained that on one occasion the Doctor had remarked upon the undesireableness of such a practice, but they added that he had not forbidden it, and that it had been continued as unavoidable with his full cognizance. The Steward also said that he had frequently reported to the Doctor such proceedings, and had never heard a complaint or prohibition respecting them. Nor could the Board find a report any more than a recollection of such an order. There was, and is, kept, a book for the Medical Superintendent's orders, but no such entry as is referred to, was discovered there. Hence the full conviction that such an order had not been given before the appalling occurrence of September 10th. We are now told of an order made on June 20th, and indeed there stands one under that date. But *where* is it? Not in the order-book, but in a prescription-book, kept in the Doctor's own office, and which as belonging strictly to the medical department, is never seen by the Board, nor consulted by the Steward or the Keepers. While the books which come before the Commissioners are regularly bound, this is merely enclosed in paper, and is cover with scratches, commonly made when people are sitting in listlessness and using materials which are private and unimportant. Entered there, it was not likely to be seen by any besides the Doctor and the Porter, whom he leaves to compound and administer his medicines as well as to dress his patients' wounds. There it

remained unknown, and even admitting it to have been made on June 20th, could not be regarded as binding on the Keepers, or within the views of the Commissioners. In fact there was not, properly speaking, an order, at all. One proof that it was not expected to be seen by the Board, is the circumstance that while the Doctor has had his mis-spelling corrected in the books which come under the Commissioners' notice, his errors in this book remain untouched. I have said, "admitting it to have been made on June 20th," because of this there is not sufficient proof. The entry, whenever made, was open to the Porter, and yet it was not seen by him on June 20th, nor until within the last few days,—it was not mentioned by the Doctor during the period between June 20th and September 10th,—it was not referred to when the accident occurred, but a *new one* was given,—no censure was administered to the keeper by whom (if by any one) it had been violated, and whom the Doctor has since recommended for permanent employment—and it was not once pointed out even to the Steward during any of the recent explanations of the occurrence.

Add to these facts that several of the Doctor's entries in his regular order book, are altered—that the entry in this case is at the bottom of a page, and that in this book he has never put another general order of any kind, and it will be evident that there is yet wanting the proof that the order in question was made on the 20th of June.

We repeat that neither by Dr. Park nor by Dr. Rolph was this order at any time brought under the notice of the Board.

As to what passed between Dr. Park and the Steward, after the appearance of the explanations in the *Globe*, we know nothing, excepting that the Steward says that he never denied his ignorance of the order in question. Dr. Park, to prove that he did not keep the knowledge of the accident from the Commissioners, refers to the "Keeper's Report book" as containing the morning entry of the accident, by the Keeper. True—but that book also is one of the books of the Medical department, is used for reporting to the Doctor the state of the patients during his absence, and is never on ordinary occasions seen by the Board. Had the criminal error which is imputed to the keeper actually been committed, it was the Doctor's place to report to the Board the offence, and its results—this was not done, and the inference is, that as the Doctor was at the time complaining of even trivial misdemeanors, he was silent on this matter because he saw in it no disobedience. On the very day after the accident there was recorded a long complaint of another affair—but of this serious one nothing was said. An order for a night watch was also made, but no mention of the dreadful accident by which that order was caused. As to "the bed where the patient laid in the attic ward," it is not expected that the Commissioners will enquire into the individual maladies of the patients, and in fact they studiously avoid interference with the Medical practice in the institution. The sittings of the Board and the visits of the weekly Commissioner are intended to meet cases of complaint against officers and servants, to give orders for whatever may be required by the Doctor and Steward, and to maintain within the Institution the needed attentions and harmony, but without the slightest inquisitiveness as to the medical or moral treatment; thus it would not come before the Board that the dreadful affair had occurred unless it were reported, and reported it was not. It is not for us to divine motive; but a sufficient explanation of the non-mention of the case might be found in the fact that after its taking place, the Doctor saw that he could prevent excited patients being put together (for this is now forbidden), and that it was not by "gouging," as has been rumoured, but by *subsequent inflammation* that the man's sight appears to have been lost.

Having thus shewn the real state of the case, and the nature of Dr. Park's statements, the Board will not feel itself called upon to answer every representation which he or any other party may see fit to send abroad. At the Board there is but one view of these unhappy affairs; and we feel no willingness to be in any relation (not even that of controvertists) with a person who can publicly vilify a servant whom he privately recommends, and who drags before the gaze of the community the suffering of his deranged and wounded patients.

Yours respectfully,

JOHN ROAF.
Chairman, *pro tem.*

The following letter from the gentlemen whose signatures it bears, affords the most abundant testimony I could desire—their high position in society and in the commercial circles, renders my obligation to them the greater. To all but Mr. Lesslie, I was a perfect stranger; but upon presenting my request in person, unsupported by the presence of a single friend, I received from them that urbanity and generosity in manner and conduct, which I cannot, without

emotion, thus publicly acknowledge. Had not the same generosity been manifested by the citizens of Toronto, for which I owe a lasting debt of gratitude, I could not, nor could any man, have bourned up against the abandonment of the government, and the persecution of certain Commissioners.

Toronto, 12th February, 1849.

To Geo. H. Park,
Late Medical Superintendent of the Lunatic Asylum,

Sir,

We have examined the entry made by you, that, "there must not hereafter, be two excited patients put into the same cell at a time." And find that the entry itself carries with it (independent of circumstantial proof,) the fullest evidence of having been written at the time of its date, the 20th June, and not subsequently in September, as alleged by the Reverend Commissioner Roaf.

(Signed)

J. LESSLIE,
SAM'L WORKMAN,
R. H. BRETT,
E. F. WHITTEMORE.

TORONTO, Dec. 6th, 1848.

To the Editor of the *Globe*.

SIR,—Your paper of the 2nd December, published a letter signed by the Rev. J. Roaf, as temporary Chairman of the Board of Commissioners in the Asylum, and further assailing me as Medical Superintendent.

The former publication was anonymous, a method of injuring against which I publicly protest. We are now informed that this anonymous libel was not wholly drawn up by Dr. Beaumont, inasmuch as the Rev. J. Roaf and others not named made contributions to it. And it is further revealed that "it was adopted by the *whole Board*, which *body*, therefore, is to be considered as its author." But upon inspecting the minutes of the Board, I found no record whatever of any such meeting; no minute of the preparation of this injurious document, no minute of any vote on it, or of any adoption of it, or of any order for its publication. And I could not have believed that the mysterious assault came from the gentlemen at the head of the Institution of which I was Medical Superintendent, had not Mr. Brown's authority put its origin beyond question.

In the letter addressed by the Rev. J. Roaf, by order of the Board, to the Editor of the *Globe*, in that paper of the 2nd December, it appears a main object to prove that I made the entry of the accident in the "Prescription Book" instead of making it in the "Order Book"; and it is put before the public in a way to induce a belief that I had an option to record the accident in either book. It is further charged that the order shown them was entered falsely and subsequently.

Now on the 20th June there was no other book than the prescription book, known to me, the present Steward, or the Board, for such entries. It was known, and is *now apparent*, that from and after the 20th June I had made many subsequent orders in the same book; although, in the very face of this written evidence, the Rev. Mr. Roaf in his letter denies it to the public. It was known that the "Order Book" referred to as the one in which I ought to have made the entry in question, had not at that time any existence, as appeared to the Board, from the Steward's book containing a requisition for it, signed by Dr. Rolph, and from the purchase of it from James Lesslie, Esq., after the 25th July last, and from its having been audited in the accounts by the Board.

It is for the public to judge of the magnitude of my cause of complaint, against such injurious misrepresentations.

The charge that the entry is a false one, is best met by an invitation to any gentleman to visit the Asylum and judge by inspection. Had the Board possessed no opportunity of examining the entry, the injurious allegation might be somewhat inexcusable; but to do so against known and internal evidence to the contrary, entitles me to complain of a wrong for which one can scarcely find a remedy.

The Board are further made to say that the order was not referred to by me when the accident occurred; but a "new one was given" This is easily answered, I never made a "new one." Having made one on the 20th June, I deemed it needless to repeat it; though the timely repetition would have justified no such crimination as the Board attempts. Any other order made was not made by me.

The Board, indeed, are made in this letter to say and repeat, "that neither by Dr. Park nor by Dr. Rolph was *this Order* at any time brought under the notice of the Board." But though the order itself may not have been shown to the Commissioners, yet the *established practice* under the order, as well therefore as its presumed existence, was brought to their knowledge by Dr. Rolph on the 14th day of August, in the following written terms, viz: "In one of these cells—sometimes four females are shut up: while a *whole cell* is appropriated to another, whose *habits and violence* render it *unsafe to admit of an associate.*"

The above shows what was the practice, and that even peaceable lunatics were crowded painfully together into small cells, much in need of ventilation, in order to prevent a violation of that practice. The practice is the order in operation. Yet it is attempted to impeach my veracity on this point by the servants and steward, whose letter for that purpose stands at the head of that of the Rev. J. Roaf's. This is done for effect, that it may appear as if I had alleged of the present steward's declarations more than is true.

But the Rev. J. Roaf acknowledges the following admission by the keepers, viz:—"True, some of the keepers explained that on one occasion the Doctor had *remarked* upon the *undesirableness* of such a practice." Is this not, in every well regulated institution, considered and respected as an order and a prohibition too? Yet the Board complacently add for the keepers, "but he did not forbid it!" When Ministers preach on the *undesirableness* of falsehood or prevarication, do they not regard it, and is it not received, as a pulpit prohibition? What sort of servants will there be in the Asylum, it, when they hear *remarks* upon the *undesirableness* of any practice, the Board will thus openly and publicly encourage them in disregarding the admonition, and further tamper with their moral sentiments by making it short of a prohibition? And all that I have said as to the present steward is also true, viz: "that although the order has been made before he was steward, the Keepers had admitted to him its existence, "and in connexion with these *admissions* of and *references* to this undesirable *practice*, it is scarcely to be assumed that the existence of the order of the 20th June had not been made known, by the instructions communicated to the keepers on it.

I cannot on this occasion add more.

I am, Sir, Your obedient Servant,

GEO. H. PARK, M. D.,

Medical Superintendent.

To the Editor of the *Globe*.

LETTER FROM THE REV. JOHN ROAF.

MR. EDITOR,—Before the public eye is turned from the recent accident within the Lunatic Asylum, permit me to refer to some personalities against myself which have been thrown up in the course of the newspaper discussions. I believe that there is only one point in the case of the Commissioners upon which further explanations is required by the community, and will, in passing, here advert to it. I mean the circumstance of an order-book being purchased after the 20th June, and the inference that before that purchase there was no order-book in existence. The fact is, that ever since 1842 there has been kept a regular book, labelled on the side in gilt letters "daily order-book," and appropriated to the orders of the medical Superintendent. It was used by Dr. Rees, Dr. Telfer, and Dr. Prinrose, the last named gentleman made an entry in it on June 5th, and on June 13th left it, not half filled, for the use of Dr. Park. Dr. Rolph being some time afterwards on duty, and not knowing of this book, nor hearing of it from the Steward, who also had just come into the institution, ordered the purchase of a new book, but there the old one remains, and in that should any order of June 20th have been placed, and in that only would the keepers be likely to find it.

My principal object in now addressing you is to explain my own position respecting the affair in question. When, without expecting it, I received an appointment to the office of a Commissioner, I, after consideration, accepted it upon a conviction that I ought so to do. By the best of all examples, I had learnt that the afflictions of men, and especially mental afflictions, are to have the attention of Christians and Christian Ministers—and in a case in which it is open to none but selected individuals to act, and it appeared that I might be useful, I determined to render such services as my time and abilities could furnish. When the present difficulties arose I saw no grounds for refusing to perform my duty. The matter had to be dealt with by some parties—why not by myself as well as by others? To stand aloof at a critical moment might be *prudent*—it might evade labours and annoyances—but it would be unfaithful to my trust and unjust to other Commissioners. I resolved to do my part and bear my part, in conducting these affairs wisely and successfully. It is true that my son-in-law was a disappointed candidate for the situation of Medical Superintendent—but that did not remove

me from my office or release me from its duties. I had to do nothing more and nothing less on account of that circumstance. I had at the moment of defeat told my family that Dr Park had as much right as any one else to apply for the situation, that we had no reason to suppose that he had obtained it unfairly, that it was to be presumed that the Government had done its best to decide wisely and well, and that disappointments are to be borne manfully and generously. I had also myself on meeting Dr. Park, congratulated him upon his good fortune. When the disturbances commenced I sat down to a consideration of them with a desire to do what was just and likely to be beneficial, and I was as much at liberty to exercise my judgment as if the competition for the office of Medical Superintendent had not taken place. Of course I could expect the imputation of unworthy motives—but while I love all men I fear none—though to defy none—my actions I leave to be judged, but my motives are reserved for the judgment of God. I care little for insults and slanders and injuries from the ungenerous, and have no expectation of reproach from the better part of the community, and I should have been unworthy of my position, had I from regard to my own peace or interests stood back when my services were wanted, or had I left other Commissioners to bear more than their own share of responsibilities and duty. For the proceedings of the Commissioners I am no more accountable than the rest of the Board—and while I do not remember one of their acts which I do not think honourable to them, I neither claim nor accept any special participation in their adoption. There is not apparent any difference of opinion at the Board—all the members who ordinarily attend to the business of the Institution have attended to this—several of them have drawn up documents and presided at meetings—and as many as ten concurred in the principal proceeding in the matter, the only absentee being a gentleman who is never present. If under these circumstances a vindictive spirit singles me out and concentrates upon me its spite, it will not make me draw back my foot a half step—after it has done its utmost, it will find me at my post, but will meet with no retaliation in word or act. I neither am, nor wish to be without feeling when maligned—and I deeply feel when on my account a friend is wounded; but no true friend would wish me to avoid a clamour by grieving my conscience, or would expect me to blanch before malicious whispers or published insults.

It is publicly reported that a Commissioner thanked the Hon. R. Baldwin for the appointment of Dr. Park, and I think it likely that not only one did this, but that other members of the Board have done as much. The feeling with which Dr. Park was received quite harmonizes with this fact. How strong then is the presumption, that as these gentlemen have since felt compelled to act against Dr. Park, it has not been because they were predisposed to do this, but because justice, truth, and the welfare of the Asylum demanded it. As for myself, excepting in moments of irritation at what was done to the Board and those who are under their protection, I have no unkind feelings towards Dr. Park, who never offended or injured me as an individual, and never crossed any of my plans—he, for all that I know, won the situation fairly, and might have kept it for his life—and even now I should be pleased to hear of his getting into some position for which he is suited. But I unhesitatingly assert that I do not believe that any ten men in Toronto having a regard to justice towards humble, but worthy servants to kindness for the sick and insane, and to honour in the Board, would have been more forbearing to Dr. Park than the Commissioners of the Asylum have been. It must be borne in mind that there has not been brought before the public, the substance of the existing dispute. All that has been brought out is the defence of the Commissioners and Keepers from the charge of disobeying Dr. Park's order not to put two excited patients together. No endeavour has been made to inculpate Dr. Park even in this particular case, and if he has been injured by the explanations made, it is the incidental result of evidence brought out for quite another purpose, brought out, too, through assaults from himself and his friends. The whole affair is before the Government—(only one item is before the country)—the government will of course, aim to do what is righteous and safe—and whatever may be their decision, I for one, shall be satisfied with having faithfully discharged a weighty and delicate trust.

I remain, Mr. Editor,

Your's respectfully,

JOHN ROAF,

TORONTO, 15th Dec., 1848.

Lunatic Asylum, 20th December, 1848.

To the Editor of the Globe,

Sir,—Your paper of the 16th inst. contains a letter from the Rev. Mr. Roaf, who states that “his principal object” in appearing before the public was “to explain his own position respecting the affair in question.” Had he confined himself to that purpose, I should most certainly not have noticed it. And I shall now pass over without remark all that portion characterised by an altered and subdued tone (although containing irrelevant reflections and insinuations against me) lest I should, in needlessly enlarging my defence, weaken his own with the christian community to whom it seems specially addressed.

But that portion in which he is again voluntarily put forward by the Board against me, respecting the "only one point in the case of the commissioners upon which further explanation is required by the community" I shall notice with all forbearance. The Rev. Mr. Roaf says, "I believe there is only one point in the case of the commissioners upon which explanation is required by the community, and will, in passing here, advert to it. I mean the circumstance of an order book being purchased after the 20th June, and the inference that before that purchase there was no order book in existence." The fact is, that ever since 1842 there has been kept a regular book, labelled on the side, in gilt letter, "daily order book," and appropriated to the orders of the Medical Superintendent. It was used by Dr. Rees, Dr. Telfer, and Dr. Primrose. The last named gentleman made an entry in it on June 5th, and on June 13th left it not half filled for the use of Dr. Park. Dr. Rolph being sometime afterwards on duty, and not knowing of this book, nor hearing of it from the steward, who also had just come into the institution, ordered the purchase of a new book, but there the old one remains, and in that should any order of the 20th June have been placed, and in that only would the keepers be able to find it."

In the first place the Board is aware that the existence of a former order-book was not known to me, or to the steward, and that in consequence of that ignorance *another* was procured. Can it be truly said that I ought to have entered orders in an unknown book? Again, if this concealed book really existed in the Asylum, and was "the one which any order of the 20th June should have been placed," how came it that neither the steward nor myself was informed of its existence, and how is it that the Rev. Mr. Roaf, with his own hand, endorsed in the book of the steward the order of Dr. Rolph to purchase the above-named new order-book?

On the other hand, if this concealed book *was known* to the Board and regarded as the one in which I should have made my orders, and in which only the Commissioners, the Steward, and the Keepers would be likely to find them, how came the Board to allow the period from the 13th June to the 30th Nov. (the day it was brought to light) to elapse without requiring the orders to be therein entered, where they expected to find them?

Again,—How can it be said that ever since 1842 there has been kept a "regular book," when, after the commencement by Dr. Rees, there are no entries in it through a period of two years and five months, as may be ascertained by inspection? How can it be called "a regular book" when my predecessors were allowed, with at least the tacit acquiescence of the Board, to enter their orders in the Prescription Book?

And as a part of the *truth* should never be concealed, ought it not to have been stated "to the community," that my predecessors had entered orders in the same Prescription Book as contains my order of the 20th June, and that there were orders therein entered by me after that date, with the tacit acquiescence of the Board, till the requisition by Dr. Rolph of the 25th July?

Had I made the entry of the 20th of June in the concealed book by any chance discovery of it at the moment, it would have been charged against me as a secret entry in a lost abandoned book, so irregularly in use as to have been unused for two years and five months; and that I ought to have entered it in the Prescription Book, where the gentleman preceding me had just done so, and where, as it related to the treatment of the patients, the Board expected but failed to find it.

I am, Sir,

Your obedient Servant,

GEO. H. PARK, M. D.,

Medical Superintendent.

LETTER FROM REV. JOHN ROAF.

To the Editor of the Globe.

TORONTO, Dec. 21, 1848.

SIR,—Now that Dr. Park has allowed his case against the Commissioners to become a question of facts we can make short work of it.

The principal item in his last letter is the following:—1. "The Rev. Mr. Roaf with his own hand endorsed in the book of the Steward the order of Dr. Rolph to purchase the above-named new order book." Mr. Editor, neither I nor any one else endorsed that order as will be seen by the following copy of it and the certificate:—

"JULY 27.—A book to enter the visits of the medical attendant, conformable to the printed regulations.
JOHN ROLPH."

"A book called the Requisition and Order Book of the Toronto Lunatic Asylum has been shown to me, from which book the foregoing is a true extract.—dated 27th July, 1848. No other signature being attached thereto, but that of John Rolph.

GEO. GURNET,
Mayor of Toronto.

Toronto, Dec. 21, 1848."

2, Dr. Park calls the "Daily Order Book" *concealed*—not lost, but concealed—repeating the term *seven* times in his letter. Now, Sir, Dr. Telfer, was succeeded by Dr. Primrose, who gives the following:—

"I certify that the daily order book belonging to the Lunatic Asylum was open and unsealed during my attendance as Medical Superintendent, up to the 13th day of June, 1848.
FRAS. S. PRIMROSE."

Thus the Book was handed to Dr. Park. Why could not he, as well as Dr. Primrose, see it where it ordinarily lay. Dr. Rolph got another procured and therefore the old one was neglected—and yet, in November, when the porter was interrogated respecting it, he went and put his hand upon it—lying upon the pile of old books, and says that he could have found it at any time. It is probable that as some furniture in the Doctor's office was removed a few weeks after his coming into the Institution, the book may have been put amongst the others, and thus not being known to Dr. Rolph or the Steward, was not enquired for, when Dr. Rolph (knowing what is wanted in an hospital) required one. But this fact does not explain Dr. Park's affected ignorance of the book—for he was in the Institution several weeks before the removal of the furniture, and, if he knows any thing of hospitals, must have at once felt the need of the book, which, too, at that time lay where Dr. Primrose found and left it. Besides, the question is why an order of June 20th, was not put into it, and as the removal of the furniture did not take place till some weeks *after* that date, does not explain his not using the book *at* that date. There is not the slightest appearance of the "daily order book" having been even out of the Doctor's way—but there is every appearance of its having been *neglected* by himself.

3rd. He says that in my last letter, I was "again voluntarily put forward by the Board against him." Mr. Editor the Doctor evidently knows the falsity of this statement; for he says that my letter was "especially addressed 'to a Christian community'" and with this, of course, the Board could have nothing to do. He has, in many instances, maligned the Board to the Government; and seems to be so eager to do it, as to go on, even when his readers have before them, the disproofs of his assertions.

4th. He alleges that "these were orders therein, (that is, in "the same prescription-book" entered by me after that date, with the tacit acquiescence of the Board, till the requisition by Dr. Rolph, of the 25th July." Now, by *orders*, are of course meant, not prescriptions, or temporary arrangements, but general or standing rules, such as that, "two excited patients shall not be put together"; and, sir, upon an examination of the said prescription-book, by several parties in succession, it is found that there is *no such general order* made by the Doctor. This fact, too, has been admitted by himself in conversation; but now, to influence some country people, who get only one side of the question, he boldly asserts the contrary.

For the same deceptive purpose, he strings together, in his letter, questions, which he well knows, have no real force. For instance, "How came the Board to allow the period from the 13th June to 30th Novr. (the day it was brought to light), to elapse, without requiring the orders to be therein entered, where they expected to find them? Answer—Because, as the Doctor well knows, the orders were presented to the Board in the *new* book, and therefore, the old one was out of use. "How can it be called a 'regular book', when my predecessors were allowed, with, at least, tacit acquiescence of the Board, to enter their orders in the prescription book? Answer—Because the Board, never meddling with the Doctors' prescription-book, knew nothing of orders being there; and because, if they had known it, they would probably not have interfered, unless some dispute as to such orders, had arisen; in which cases, the Doctors would have had to show, that they had brought such orders before the attention of the servants. "How can it be said, that ever since 1842, there has been kept 'a regular book', when, after the commencement by Dr. Rees, there are no entries in it, through a period of two years and five months, as may be ascertained by inspection." Answer—Because sometimes, Doctors have no *general* orders to give, for a long time together; and because sometimes Doctors are inattentive to rules; and because the Board does not examine the order-books, except when some difficulty arises,—such books being kept principally, to promote definiteness in the orders of officers, and evidence in cases of complaints."

From these trumpery questions, as well as the preceding strong assertions, you will see the spirit in which the Doctor is trying to push through the minor parts of the case. From the larger facts he draws his readers—such facts as the concurrent testimony of the Steward and

Keepers—the order not being seen by the man who made up the prescriptions lying on the same page, and all that follow—the non-enforcement and non-proclamation of the order for several months—the absence of punishment and censure upon the Keeper who put the Patients together, &c., &c. It is unnecessary to touch any assertion made by such a party, and the public will now understand the Board's resolution to hold no communication with him.

I remain, Mr. Editor,
Yours truly,
J. ROAF.

Lunatic Asylum, 271 1848.

To the Editor of the Globe.

SIR,—In a late No. of your paper, the Rev. Mr. Roaf makes short work of the fact of his having endorsed the order for the new Book, or of its having been done by *any one else*. He denies it: and, appealing with the Steward's book in hand to his worship the City Mayor, George Gurnett, Esq., obtains a certificate intended to corroborate the Rev. gentleman's word upon the matter.

As every one cannot obtain the like view of the document in question, I subjoin a fac simile:—

This is nearly the exact space between Mr. Roaf's signature and the line separating the previous regulations, which, he says, it is intended to sanction.

J. Roaf.

July 26th. 2 long handled scrubbing Brushes,
2 White-wash Brushes,
1 Tea pot for Servant's kitchen,
2 large Iron Cooking Spoons,
1 Meat Fork.

William Ramsey,

John Rolph.

J. Roaf, Med. Attendant pro temp.

July 27th. A Book to enter the visits of the Medical attendant conformable to the printed regulations.

John Rolph.

Orders or regulations in official life, requiring confirmation, are customarily endorsed in various ways; for example, on the face of the order, on the margin, on either side, above it, or any where below it, or about it. To the first order of the 26th July, the Rev. Mr. Roaf's signature appears, close upon its upper margin, and a strong line with red ink separates this signature from the order, that is above it in the original, by the space above represented, an inch.

The order for the book is also separated from the order next above it by a line with red ink, and Mr. Roaf's signature is placed below this line and immediately above the order dated 27th July, as represented above.

The inference on inspection is irresistible, that each signature is intended for the order in immediate and close relation to it.

The above evidence, taken in connexion with the fact of his not visiting on the 26th July, the date of the first order, is conclusive of the correctness of my former statement: if he had visited on this day, his name would have appeared on the Com. Visiting Book, in accordance with the printed regulations as well as the constant practice. The 27th was Board day, Mr. Roaf attending to meet the Board; and, as there was no Board on that day, must have signed his name on the day of the date of the order in question, after the order was placed in the Steward's book to be sanctioned by the Board or a Commissioner.

Again; if it had not been so sanctioned by the Rev. Mr. Roaf, the Steward who never neglects this duty would have had the order in question sanctioned by Mr. Ewart who (became visiting Com. in his turn on the 27th above mentioned) visiting on the 28th July (the day after) as is proved by the Commissioners' own Book.

The following is a fac simile of another order sanctioned by the Rev. Commissioner. His signature appears in the margin to the right of and a very little above the border of the order :—

	<hr style="border-top: 3px double black;"/>
	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-left: 1px dotted black; height: 80px; width: 100%;"></div> <div style="text-align: right; padding-right: 20px;"> Ordered J. Roaf </div> </div>
Nov. 30th. 1 Dozen of Nuisance Pails,	<div style="display: flex; justify-content: space-between;"> - . . - . Pocock, </div>
3 do. Cups and Saucers,	<div style="display: flex; justify-content: space-between;"> - . . - . Harris, </div>
60 yds. of Factory Cotton,	<div style="display: flex; justify-content: space-between;"> - . . - . William Ramsey, </div>
1 Hand Basket,	<div style="display: flex; justify-content: space-between;"> - . . - . Geo. H. Park, Dallas. </div>
	<hr style="border-top: 3px double black;"/>

His Worship the Mayor has arrived, apparently, at a different conclusion. The fact of endorsement by the Rev. Mr. Roaf, is unimportant to the point at issue—for the book in question has been bought, audited, and paid for by the Board, thus bringing the date of its existence, its use, and its licensed substitution for the old one so lately discovered to their fullest knowledge.

I am, Sir,

Your obedient Servant,

GEO. H. PARK, M. D.,
Medical Superintendent.

LEGISLATIVE ASSEMBLY

TUESDAY, MAY 29th, 1849

Dr. Park's Case.

(Taken in Short Hand by a Montreal Reporter.)

Hon. Mr. BOULTON, of Norfolk, rose to bring before the notice of the House, a subject of great importance to both the House and the country. He rose to bring the complaint of Dr. Park, who had been dismissed from being the Medical Superintendent of the Temporary Lunatic Asylum at Toronto, before the House, and he hoped that as it was the appeal of one of the constituents of the country to the Representatives of the country in parliament, it would be listened to with due attention, and the merits of the case be fairly estimated. The petitioner, it was well known in Western Canada, had always been the warm supporter of the politics of the majority of this House; he did not mention that fact from any wish to influence hon. members, nor did he wish to ask for any thing which he could not ask for any body else. The petitioner's complaint was against the Commissioners of the Lunatic Asylum. It was important in the first place to say a few words relative to their appointment.— They were appointed under the hand and seal of Lord Metcalfe, and not under the great seal of the Province; and they were twelve in number.— But on the death of Lord Metcalfe, those persons who had been thus appointed Commissioners under his private seal, ceased to be so. While, however, this fact was known, they were still left to exercise a void authority. This is as much the case as if this House should presume to continue legislating after a

dissolution; or as if a man should persist in acting on a power of attorney after the death of the person who gave it. This was a strange laxity in official matters; and he should show there was the like laxity of principles in action. Dr. Park, appointed by Lord Elgin, was the only person in the Institution who was acting lawfully; the Commissioners must have known they were acting unlawfully under a void commission. Dr. Park was appointed by the Government to fill the situation he had occupied, and he had accepted it with the view of being appointed to fill the permanent situation in the new Institution, which was about to be put in operation in a few months. Dr. Park, previous to accepting this situation, was in the enjoyment of a large practice, which it was not to be expected it would have been worth his while to have abandoned, were it not with the view of obtaining a permanent situation, and he had more than a reasonable right to hope that if he honestly and beneficially performed the duties of the temporary office, he would be appointed to the permanent one. His appointment was made in May, 1848. He might mention that some of the so-called Commissioners for themselves and others for their friends, were also candidates for the situation. For some reason he must say, that Dr. Park was not courteously received by them, and affairs therefore never went on smoothly. He (Mr. B.) was, however, happy to say, that Dr. Park was a man of too much spirit to

allow himself to be treated in an improper manner by the Commissioners, so called, and much less was he a man to allow the defenceless objects of his special care and trust, to suffer from the continuation of past abuses and neglect. The conduct of the Commissioners had been exceedingly improper towards Dr. Park, and they had had the indelicacy, not to say the indecency, to publish in the *Globe* newspaper an anonymous article, written in the Asylum, reflecting on him. When the Commissioners had so far descended from their dignity as to become libellers by writing and publishing anonymous slanders against the Medical Superintendent, he (Mr. B.) thought that fact alone sufficient reason why Dr. Park should have redress granted to him, and such Commissioners be removed. If such delinquencies were allowed by the Government in Commissioners, what must be expected from inferior officers instructed by their example? Perhaps *intemperate* Commissioners would be readily pronounced pernicious in their influence, and unworthy of so high a trust; but clandestinely to concoct a libel in an asylum against its physician and superintendent, and promulgate its injurious calumnies by the prostitution of the Press to its basest purposes, was a revolting violation of official rectitude and moral principle; and no wonder that the Institution was, under such auspices, in a most dilapidated state, characterised by essential deficiencies, tolerated cruelty and habitual drunkenness, as disclosed in a melancholy degree in the official reports before the House. He (Mr. B.) might ask why these Commissioners were, under these circumstances (and there were others still more glaring), retained, and Dr. Park, at their instigation, sacrificed to their effrontery towards the Government and their vindictiveness towards him. It was a fact well known, that it required men of a peculiar disposition to take the charge of lunatics; this was required not only on the part of the

medical attendants, but also on the part of Keepers, and it was more especially required on the part of the latter, that they should be humane and sober, and possess all the qualifications necessary to preserve the Institution in a state of cleanliness and order; points which were all-important to the health, happiness and final recovery of the insane. What was the state of the Asylum in question when Dr. Park went there? He found it in an exceedingly disorganized and filthy condition, and as there were no females present in the house, he (Mr. B.) might without indelicacy say, that the very walls were covered with ordure from the excrements of the patients, and corruption in the most disgusting and indecent manner; this filth had been left after those poor people, who, from the aberration of their intellects, had been unable to look after themselves. And this and other kinds of filth not only incrustated the walls, but incrustated too the attic floor and corners, requiring in the process of cleaning hoes and deck-scrapers. There was not even a bath to keep the persons of the lunatics themselves clean, and hence the lunatics and the establishment abounded with vermin; and not only did Dr. Park find this filth and dirt, but he also found some of the poor lunatics in a state of perfect nudity; this was notorious in the city of Toronto. In this state of brutal nakedness they were left to sleep on straw thrown on the ground for their bed; and either disgracefully at large, as injurious spectacles to the moral and mental improvement of the other lunatics, or shut up for decency in cells unfit for the habitation of human beings. Five of this most suffering class, were reduced by this most unprecedented cruelty and friendless abandonment, to the most pitiable fatuity of mind and ruin of health! Such was in truth and without exaggeration, the condition of the Asylum, besides the drunkenness which was allowed to exist; and he was at a loss to

know on what principle of good faith to the public and to the defenceless lunatics, or upon what principle of party government, such Commissioners could be sustained, who had been guilty of such a dereliction of duty in such matters. As soon, however, as Dr. Park went there, he set about making a reform, as a man of strong mind and vigour, under a full sense of duty, ought to do, and whether in so doing he acted prudently for himself or not, he did not stop to consider. In the first place he required that proper clothing be provided for the lunatics, and the naked be clothed; and that all the dirt and corruption should be cleaned away and all the rooms be made sweet and well ventilated; he likewise required that a proper bath should be provided (which had never been apparently even thought of by the Commissioners—neglect in so obvious and essential a particular being certainly unpardonable), and that all the lunatics should be kept properly washed and clean (and without a bath it could not be done), and not unnecessarily confined in cells. For acting in this manner, he had been rewarded with the antagonism of the Commissioners, which ended in their procuring his dismissal. It was also discovered further, that some of the Commissioners had friends in town who were in trade, and who occasionally got some little pickings from contracts furnished to the Asylum. He (Mr. B.) had been authorized to make those statements, as a ground why the Commissioners might have a little stronger antipathy against Dr. Park, than otherwise might have been the case. The greater part of the contracts were given to persons who had not tendered the lowest for them, and were given to relations of some of the Commissioners, who furnished inferior articles, while other persons who had tendered the lowest and best articles received a very small portion. Another thing was, that the servants in charge of the lunatics were allowed a certain portion

of strong drink daily, amounting to over \$100 a-quarter for beer, besides other liquors as brandy, wine, &c., and this Dr. Park would not allow to any of those who had anything to do with lunatics. He had taken this step not only as a matter of right in ordinary circumstances, but from the scandalous fact of seeing persons drunk and feverishly excited, when they had lunatics under their charge; and he (Mr. B.) was sure that he would be borne out by the medical gentlemen in the House, that none of those who were in the charge of lunatics, should be permitted the use of strong drink. This action of Dr. Park gave great umbrage to the Commissioners, and they directed that those servants should, in defiance of the orders of Dr. Park, be permitted to have beer, and passed a resolution to that effect. Their conduct towards Dr. Rolph was similar to that towards Dr. Park. Dr. Park had occasion to absent himself for a short time, during which Dr. Rolph performed his duties at the Asylum, and he soon perceived all the inconveniences of which he (Mr. B.) had spoken. He had occasion to find fault with keepers Hungerford and Craig, [the Visiting Commissioners not having at all visited for the week,] and to suspend them for causes which are thus officially reported by the Steward, in the documents before the House:

“1st. I only allow one hour for the keepers to have each meal, and they usually, as they say, had longer time.”

“2nd. I have prohibited the cook, housemaids, and laundresses, going in and out of the institution without permission from the Medical Superintendent, Matron, or myself; this they were never used to before.”

“3rd. The Steward will not advance money to the servants before it is due; this they have not been accustomed to.”

“4th. The Steward will not allow the keepers boarding out of the institution to have any fire-wood from the stock belonging to the institution, as heretofore; the keepers say they always paid Mr.

Cronyn for what he gave from the house supply."

"5th. The Steward refuses to be responsible to any tradesman for flour, groceries, wood, or anything else, for any servant in the institution; this is likewise contrary to their past usage."

"6th. The beer struck off the keepers boarding out of the institution, and receiving full pay from the Government; consequently they are not entitled to such a treat—two of these are keepers—Hungerford and Craig."

"Cautioned by yourself for loose and improper conduct, for smoking tobacco in the attic in your presence, when visiting the patients."

"Sent Hungerford to breakfast at half-past seven o'clock, A.M., and directed him to proceed up Queen-street, near the Blue Bell Tavern, to search for Jennings, a patient who made his escape from the institution; he returned at half-past eleven o'clock, A.M., under the influence of liquor, after being four hours absent."

"Craig, keeper, cautioned by Doctor Rolph, for improper conduct in showing and using threats to a patient, and being impudent to the Matron when spoken to about it."—28th July, 1848."

"Craig, keeper, absent 2 1/4 hours at tea, and, when spoken to about it by the Steward, his conduct and his answers were highly improper; in all his general conduct in the house, he is turbulent and disrespectful."—3rd August, 1848."

"Craig, keeper, absent at breakfast two hours."—13th August, 1848."

These keepers were thrown back on Dr. Rolph against his consent. This unwarrantable act ill comported with an extract from a despatch from Lord Metcalfe, which he would read to the House:

"His Excellency also considers that the selection of keepers, and other persons employed to attend upon the patients, should be vested in the Medical Superintendent, subject to the approval of the Board of Commissioners, as he ought to be the best judge of their fidelity, and from the observations on the state and progress of the patients, to form an accurate judgment of the fidelity of the attendants."

Gentlemen who could so far forget

themselves, as not to act in accordance with the spirit of such advice from the very Governor-General who had appointed them, were guilty of conduct proving them unworthy of their trust, of the sanction of Government, or the support of this House,—particularly, as they had with the grossest indelicacy, he should rather say in a most dishonorable way, called in the servants to collect from them in secret, behind the Medical Superintendent's back, what they could elicit against the doctor,—and he felt most concerned to find such dark proceedings and such ex parte statements, received with complacency by the Government. When circumstances of that kind took place, how was it possible that the Medical Superintendent could preserve order and discipline in the institution? The Medical Superintendent in an institution of that kind, ought to have a similar kind of control to that of the Colonel of a regiment. It ought to be sufficient for the Medical Superintendent to say, that a man was not of a proper temperament to have him at once discharged; and no institution of the kind could be properly conducted, if the servants were to be under the management of the Commissioners. It was the duty of the Commissioners to look after the place, and see that it was kept clean and neat, which they had not done; but they had no right to interfere with the duties of the Medical Superintendent. The continued care, superintendence, and treatment of the patients for the recovery of their reason, belonged to Dr. Park; and he could only fulfil those duties through the keepers and servants, and he could no more do so with bad keepers than with bad medicines. Indeed, the Commissioners (bearing in mind, however, that they really were not Commissioners,) had no more right to interfere with the treatment of the Physician, administered through the keepers, than with his treatment by medicine. Besides the irregularities before mentioned, a num

ber of violent and excited lunatics were kept sleeping in one cell ; this Doctor Park desired to be put a stop to, and even this was made a matter of crimination. [Here some hon. members from Lower Canada cried "question," "question," and got impatient. Mr. Cartier, and some other Lower Canada members however, said a few words to the effect, that the question was one of importance, and desired the hon. member to continue.] The whole matter being made a subject of complaint to the Government by both parties, a dispute arose on the point, if the Medical Superintendent possessed the power to suspend a servant. Here the hon. member read the resolution, &c., also from the report of the Government, to the effect that it was clear that the Commissioners possessed the right of dismissing servants, according to the regulations of the institution. He might here observe, that at Utica, in the State of New York, in a similar institution, one of the best if not the best in the world, the Medical Superintendent had the right to engage or dismiss servants according to his individual discretion, and he (Mr. B.) thought properly so. Which regulation reads as follows :

"The Superintendent shall be the chief executive officer of the Asylum. He shall have the general superintendence of the buildings, grounds and farm, together with their furniture, fixtures and stock ; and the direction and control of all persons therein subject to the laws and regulations established by the managers. He shall daily ascertain the condition of all the patients and prescribe their treatment in the manner directed in the by-laws. He shall have the nomination of his co-resident officers, with power to assign them their respective duties, subject to the by-laws ; also, to appoint, with the managers' approval, such and so many other officers, assistants, and attendants as he may think proper and necessary for the economical and efficient performance of the business of the Asylum, and to prescribe their several duties and places, and to fix, with the manager's

approval, their compensation, and to discharge any of them at his sole direction." Which well accorded with Lord Metcalfe's direction which had been so strongly and impertinently superseded. Great care ought to be taken on the part of the Commissioners with regard to the manner in which they acted towards the Medical Superintendent. The Commissioners were not satisfied with the first report of the Government ; but wished to appropriate to themselves all the praise, and to heap on the head of Dr. Park all the reprobation. He (Mr. B.) was certain that no disinterested person could read the statements of both sides, without feeling satisfied that there had been great disingenuousness on the part of the Commissioners. They sent to the Government a strong remonstrance against their report, and threatened that they would resign, if Doctor Park were not discharged. Here the honorable member read from their remonstrance, to the effect, that they considered either Dr. Park, or the Commissioners must be unworthy of the confidence of His Excellency ; that they could not hold further intercourse with him, and that if he longer continued in office, they would resign. The government then made another report, instructing the Commissioners to take some specific step, and that if it had become impossible for them to continue as they were to recommend some special course. They assumed the responsibility of removing Dr. Park, and the government while it did not approve of the step, at the dictation of the Commissioners did remove him. The Commissioners called all the servants into a room, and examined them on the business of Dr. Park, and made a statement behind his back. Such conduct had been condemned in the House of Commons over and over again, it had also been condemned by the hon. Attorney General himself in a similar case to day. He (Mr. B.) would also mention another fact, that those persons called Commissioners had charged Dr.

Park with making a false entry in a Book of the Institution, relative to which he (Mr. B.) would read the following letters :

MONTREAL, 25th April, 1849.

MY DEAR SIR,—Dr. Park has requested me to mention to you the state in which I found the Lunatic Asylum when I visited it with him in the month of December last.

I visited the several wards, the whole of which were perfectly clean, and the patients seemed as contented as they well could be. I heard several of the Keepers state that the cleanliness and improved ventilation had been caused by Dr. Park's reformation in the Institution.

Dr. Park showed me the book in which was written the order that two patients should not be confined in one cell. It had every appearance of having been written at the time of its date—and on any other supposition it would be difficult to account for its similarity to the preceding and succeeding parts of the book, or why half a page should on the supposition that the order had been inserted at a later period, have been left vacant.

I am,

My dear Sir,

Yours faithfully,

(Signed) JOHN WETENHALL.

Hon. H. J. BOULTON, }
&c. &c. &c. }

“TORONTO, 12th Feb., 1849.

To GEO. H. PARK,

Late Medical Superintendent
of the Lunatic Asylum.

“SIR,—We have examined the entry made by you, that ‘there must not hereafter be two excited patients put into the same cell at a time,’ and find that the entry itself carries with it (independent of circumstantial proof) the fullest evidence of having been written at the time of its date, the 20th June, and not subsequently in September, as alleged by the Rev. Commissioner Roaf.

[Signed] “J. LESSLIE.

“S. WORKMAN,

“R. H. BRETT, and

“F. E. WITTEMORE.

He (Mr. B.) had also examined into it himself and had found the statement contained in the letters correct. He would not occupy more of the time of the

House, and would conclude by moving his Resolution. The hon. member then moved the following Resolution :—

“That it is the opinion of this House that an investigation should be made by some disinterested persons, into the subject of complaint preferred by *George H. Park, Esquire*, late Medical Superintendent of the Provincial Temporary Lunatic Asylum at Toronto, against the persons acting as Commissioners of that Institution, as well with a view of doing justice to the Petitioner, by affording him an opportunity of defending his character against aspersions cast upon him by them, as of ascertaining whether any change be required in the law regulating the management of the Lunatic Asylum, now being erected there, and expected shortly to be placed upon a more permanent footing.”

Mr. Attorney-General BALDWIN regretted that the hon. member for Norfolk, had not brought the present question before the House at an earlier period of the Session, as more time would then have been afforded for its discussion. The hon. gentleman might put whatever shape he pleased on the matter, his motion was still an attack on the Government, and unless the House were prepared to sustain the Government in the course they had taken in that matter, it would not in anything. There were a great many collateral circumstances connected with the case, involving matter of a great deal of irritation on both sides; but any body who knew nothing of the case, would have inferred from the speech of the hon. member, that all was proper and calm and cool on the part of the Medical Superintendent, and that all the heat and ill feeling were on the part of the Commissioners,—in fact, that the Medical Superintendent was all right, and the Commissioners all wrong. In the first place, he (Mr. B.) would ask of whom did the Commission consist, and whether they formed a tribunal or a board from whom Dr. Park had the right to expect any prejudice against him. [Here the hon. member read the names of the

Commissioners.] There was Dr. Beaumont,* a most respectable man, and as regarded his politics they were doubtful, but he was always considered to be a Reformer, and he could not at any rate be supposed to be prejudiced against Dr. Park. Then there were Hon. R. S. Jameson, Mr. Ewart; Rev. H. J. Grassett, Rev. J. J. Hay, William B. Jarvis Conservatives; and they were men whom it was not to be supposed would lend themselves to do an act of injustice towards Dr. Park or any body else. Then there was Dr. Gwynne, the Rev. Mr. Roaf, Mr. Eastwood, Mr. M. J. O'Beirne, and William Moore Kelly, Reformers. It was totally absurd to suppose that a Board of Commissioners thus composed, could have any political or any other bias against Dr. Park. The present motion was condemnatory of the course taken by the Government.

Hon. Mr. BOULTON here rose and denied that the motion was an attack on the Government, in any other manner than that they allowed themselves to be made use of by the Commissioners.

Mr. BALDWIN of course accepted the explanation of the hon. gentleman. He would observe that the commencement of the attack was made by Dr. Park. To form a correct judgment of the case, it was necessary to revert to what was the first issue. It arose out of the case of a keeper named Hungerford. [Here the hon. member read from the 2nd page of the Government Return of the Correspondence, &c., in this case.]—The hon. member read in so low a voice as to be nearly inaudible, as were also the commentaries he made. He was understood to speak to the effect that the business of Dr. Park requiring his ab-

*Dr. Hall says in his February No. of the *British American Medical Journal*, in reference to this most respectable man:—"We believe in Dr. Park's perfect competency to the task which he was called upon by the Government to discharge, although a disgraceful and most unprofessional attempt has been openly made by a medical member of the Board, to impugn his surgical treatment of a case at the Asylum."

sence from the town, he got Dr. Rolph to perform his duties during his absence. Dr. Rolph found fault with one of the servants and suspended him,—and that the Board of Commissioners were of opinion that the offence which had been committed by the servant, was not of a nature which justified his dismissal. That the Commissioners had the power to dispose of this matter, nobody would deny; and the question that the Government had to dispose of was not whether it was expedient or desirable to alter the law, but to decide upon it as it stood; and by the law it was clear that the Commissioners had the power to interfere and prevent a servant from being discharged, if they did not deem the offence he had committed sufficiently grave to justify it. Then, instead of making the matter an appeal to the Government, he immediately re-suspended the servant, in direct defiance of the Commissioners, while they were his superior officers; the question was in whose hands was the general superintendance of the place,—it was clear that it was in the hands of the Commissioners; and also in defiance of the Commissioners another servant was placed in the room of the one who had been suspended.* When Dr. Park returned he chose to make the act his own. Had he (Mr. B.) been the Commissioners he did not say that he would have used the forbearance they had used, and that he would not have asserted his authority. *They did not take any step until the return of Dr. Park himself, on the 9th of September.* It was on this point the issue was joined by the parties themselves, and not on general terms, which was clear from the letter of Dr. Rolph. [Here the hon. member read from the letter of Dr. Rolph.]

The hon. member read from a letter of the 13th September, and also from a letter of the Commissioners on the 18th September in the Government return, in

* NOTE.—Not in defiance, but for reconsideration.

which they assented that this point was the subject of issue between them. Both parties made this the subject at issue, the commissioners asseverated that it was so. He (Mr. B.) had already read the rules of the Institution, and he asked how the Government could have come to any other conclusion than the one they had come to ; that the Commissioners had the power in this matter and not the Medical Superintendent.* That was the position in which the government were placed in that matter, as the Institution at present existed, and he asked how any government could ask Commissioners gratuitously to perform their duty, when they had the government of the Institution vested in them, if the Medical Superintendant chose to put himself in such a position as Dr. Park had done, to show that the temper had not been all on one side, he would mention that Dr. Park chose to thrust himself in the presence of the Commissioners after he had been told that they did not want him, and that they could not regard him in any other light than that of an intruder. Of necessity the government must have withdrawn their confidence from the Commissioners and told those twelve men whose name he had read that they must be dismissed or take the course they had taken, when they had been informed that the Commissioners could not go on with Dr. Park. He had to say, that there had been no circumstances since they had been in the government which had personally given them so much pain as had the case of Dr. Park, but they found

* The following is taken from the *British American Medical Journal*, edited by Dr. Hall, who, on giving his opinions on the conduct of the Commissioners in this case, says :—“ We venture to assert, that in no hospital in the United States or the British Empire can a similar example of collision be adduced between a managing board and the medical officers. We know that in the Montreal General Hospital, the suspension of a nurse by the attending physician is her virtual discharge by the committee of management. It has occurred with ourselves, and we therefore speak from personal knowledge of the working of this Institution, one of the finest on this continent ”

themselves compelled to take the course they did. As far as regarded appointing a Commission of enquiry, the Temporary Lunatic Asylum would only exist a few months longer, and he (Mr. B.) saw no use of appointing a Commission, as the new Asylum would be in operation in a few months, and then there was nothing which could not be better brought before the new Commissioners than before a Special Commission. The hon. gentleman talked of the appointment of a special Commission as if it were a matter of no expense ; and then considering the persons whom they would have to try, he would ask the hon. member whom of the twelve Commissioners he would select to try. The whole of the responsibility that the government had was in the appointment of Commissioners, to select persons in whom the public had confidence, and when they had done that, it was all that they could be expected to do. He (Mr. B.) would ask any body if he would remain a Commissioner after he had received the direct defiance the Commissioners in question had received from the Medical Superintendent when they were unquestionably his superior officers, and if Dr. Park had not committed the same offence towards the Commissioners, which had been imputed by him to the servants and against which he protested. He (Mr. B.) had hoped that there would have been a better understanding and that a better sense of the respective duties of each would have led to a more amicable result ; but he repeated the government could by no possibility have taken any other course than the one they had taken ; that they could not have appointed a Special Commission without great expense, and that it could have done nothing which the Commissioners of the new Institution could not better do. He (Mr. B.) however painful it might be to him, was prepared to take the responsibility of the course the government had adopted.

Hon. Mr. BOULTON could not agree with his hon. and learned friend that this

was necessarily a question against the government and he regretted that he should have put it in that light, though he by no means admitted that a Responsible Government could make itself irresponsible by counteracting inquiry into their own acts. The hon. member here went again over the circumstances of the temporary appointment of Dr. Rolph, during the absence of Dr. Park on his own private business in the country. He stated that it had been done with the consent of government. He thought that when a gentleman of such high talent as Dr. Rolph was acknowledged by the country to possess, and who when he received no pay for the services which he performed, found it necessary to take the steps which he had taken, to vindicate himself and the Lunatics against filth and dirt, nakedness and cruelty, and drunken and violent keepers; he (Mr. B.) thought that this gentleman was a good and substantial witness of the fact that the Commissioners had acted improperly. The hon. and learned gentleman had read over the names of the Commissioners, and had remarked that a great part of them were Reformers and could have had no prejudice against Dr. Park. He (Mr. B.) would remark that if this were so, it was a sword which would cut both ways. It was not a question between Dr. Park an isolated reformer and an opponent, but with one Reformer against a number of Reformers, and further, all this statement about those Commissioners (who, however, were not Commissioners) that they were too respectable and honorable to do wrong and so forth, is the old language of old times, when all the delinquencies brought to light by Lord Durham had ever been denied effectually, by the same convenient official phrase viz: "such honorable men cannot do wrong!" But this was begging the question for their misconduct was the point in issue. The hon. and learned gentlemen when the opposition was in power, never allowed as evi-

dence of their good government, that they "were honorable men." How can the hon. and learned gentleman defend himself in the like way against a charge of mal-administration. But how can the hon. and learned gentleman pretend to allege that these Commissioners could not be supposed to wrong Dr. Park, when the most grievous wrongs by them are to be found in the very documents laid before the House, wrongs both to the Lunatics and to Dr. Park? Had the Commissioners been guilty of no wrong to the Lunatics, in forcing back upon them drunken and cruel keepers? in leaving them in a state of nudity and brutality? In allowing deficiencies in cleanliness, clothing and ventilation, in which points the documents admit Dr. Park had made improvements? In allowing the Lunatics to be converted into beasts of burden to carry the water from the Bay to the Institution? Was it no wrong to advertise for tenders and break good faith? To charge Dr. Park with a false entry as of the 20th June, a charge denounced as untrue by the hon. member for Halton, and by Messrs. Workman, Lesslie Whittemore and Brett? To combine to write and publish in a newspaper an anonymous libel against Dr. Park? Was it no wrong to Dr. Park, was it no grievous insult to the government, to deceive them with the charge that Dr. Park had intrusted the making up of the medicine to unskilful hands, by suppressing and concealing the fact that they had themselves licensed the same persons to do so to other Medical Superintendents for years before? These are matters which appeared in the official documents he held in his hands—and how can the hon. and learned gentleman in truth and candor say, that these hon. gentlemen could do Dr. Park no wrong? And how could the hon. and learned gentleman allow such wrongs to remain unredressed? How could he lend executive countenance for any expediency, to such foul proceedings? How could he conscientiously al-

low a Public Officer to be so unjustly, cruelly, and vindictively maligned without redress, and without an impartial enquiry? And how in the name of everything just and honorable among men had he brought himself to leave it as the government had done, to such Commissioners to decide for them whether Dr. Park should or should not be continued Medical Superintendent? And that it would be better to offend one, than a number. He (Mr. B.) did not say that such was actually the motive on which the government had acted, but he laid the fact before the House, and it might form its own opinion of its merits. The issue raised between the Medical Superintendent and the Commissioners, if Commissioners they could be called, was raised in August and joined in September. It arose from the desire to obtain the dismissal of two men, over whom the Medical Superintendent could not keep proper control, one had been drunk, and the other cruel. The hon. and learned gentleman had in effect complained that Dr. Rolph was not quite as good a Medical Superintendent as he, the Attorney General, would have been; that Dr. Rolph had *re-suspended* Keeper Hungerford, instead of appealing to the government. What? embarrass the government with it? He had heard a great deal and too much about embarrassing the government—it was a side way of getting rid of questions great and small. But had that way been adopted, the hon. and learned Attorney General would not have been without a ground for crimination. It would have been said by those hon. Commissioners (and what would they not say and do after the disclosure in these documents before the House) that the embarrassing complaint was pitiful and vexatious; that Dr. Rolph or Dr. Park had only to have repeated their dissatisfaction by bringing the matter again under the consideration of the Commissioners to have insured their cheerful acquiescence—yes; and the government would have said so too, and

have said (not without some grounds for it) that the Medical Superintendent should have first tried to adjust the matter with the Commissioners by a rehearing of the matter instead of embarrassing the government with it captiously in the very first instance. Indeed, a government might have to sigh over embarrassments without number, if every point of difference was immediately referred to them instead of being settled or attempted to be settled amicably by the elements of adjustment in the Institution itself. To avoid this grave charge of embarrassing the government the adjustment was sought for in the right way, as he (Mr. B.) thought, by bringing the matter by a re-suspension, a second time under the notice of the Commissioners; and as there were only a few Commissioners present when the objectionable keepers were returned, it was fair to presume that a re-consideration of so improper an act by the whole Board, would have avoided the continuance on duty, against the wishes of the Medical Superintendent, of Keepers, one of whom, as appears from the documents before the House, had been drunk on duty, and another addicted to cruelty. He (Mr. B.) must say that both Dr. Rolph, and Dr. Park would have fallen far short of their high sense of official duty, had they tacitly and corruptly allowed such monstrous abuses to be practised. He (Mr. B.) thought it ten thousand times better to suspend, and re-suspend and discuss, as long as room was left for so doing, than that the interests of the Lunatics should be disgracefully compromised. The hon. and learned gentlemen had asked how the government could have dismissed those twelve men who had nothing to gain and nothing to lose. He (Mr. B.) considered that as a proof that there was no responsibility anywhere. The Commissioners had been treated as if they had been appointed according to law, and he (Dr. P.) had been appointed by them. Had such been the case, Dr. Park would at once have said,

“ Well, I am your servant, appointed by you, and I can't help the servants of the Institution being drunk, and having a jolly spree, &c., if you choose to have it so.” But this was not the case, Dr. Park was appointed independently by the government, and was answerable, not to the Commissioners but to the government and the country, not only for what he did, but for all wrongs which he allowed to exist, or corruptly assented to. And Dr. Park had a right to expect support from the government, this house and the people in resisting such monstrous abuses as existed in the Asylum. Even had Dr. Park been appointed by the Commissioners, he (Mr. B.) could not say he should make himself a willing party to their violation of official duty. The following facts are revealed; he (Mr. B.) would read them to the House :

“ Your Petitioner further represents, that the said Commissioners consented to the request of Assistant Steward Cronyn, of the Branch, to be allowed to absent himself daily from his duties, for as many hours as might be needed, for his attending the Medical Lectures at the University, if your Petitioner would consent thereto in writing. Whereupon, your Petitioner respectfully represented to the Board, that such consent on his part would be ‘an unwarrantable interference on his part with an attendant, whose time belongs wholly to the institution, and whose absence would impose increased labor on the other attendants, whose duties already were sufficiently onerous.’” Would the hon. and learned Attorney General say that such a fraud upon the Institution was to be endured, or such an abstraction of the safe-guards provided for the Lunatics? Would it have become Dr. Park to consent to this corrupt proposition? Had he not done honor to himself and to the government who had appointed him, by politely negating it? It is out of all governmental propriety (if propriety can be held to belong to modern governments at all) to require a physician, who has a professional and moral character to sustain, to be a party

to the official delinquencies of others; and, as in the case of Dr. Park, should his honesty expose and irritate Commissioners, he was to be turned over to their tender mercies and even prompted to demand his dismissal—“ hon. men who could be supposed to do Dr. Park no wrong!” and the government exonerate themselves by saying, “ oh, the Commissioners demand it?” (Here the hon. member was for a short time interrupted by a message from the Legislative Council.) He proceeded to observe that the hon. and learned gentleman who had preceded him had spoken of the Commissioners as a dispassionate body, and that the government had recognized their right of dealing with the case of Dr. Park. He (Mr. B.) could not see on what principle of justice they had the right to do so. It was admitted by government that nothing was imputed against the character of that gentleman. It was true that Dr. Park, might have shown some warmth, but then was it unlikely that he should do so, when he was treated by the Commissioners like a common menial servant—that when called into their room he was left standing, and when he had listened to their questions, he was told “ now sir, you may retire.” He (Mr. B.) asked if this were the way, a gentleman standing in the position that Dr. Park did to the Commissioners, ought to be treated, he having been as well as themselves, appointed by the Crown, and answerable to the Crown, and not to the Commissioners for what he did? Here were matters of dispute between the respective parties; and considering the late conflict in which they were engaged, he (Mr. B.) considered it too much to refer the question back to the Commissioners to be adjudicated upon by them. The government did not desire to have a quarrel with the Commissioners, who, as he had said, were their friends, Dr. Park was also their friend—and the question might be, would it be better to disoblige one friend or several? The government in their report of the

14th Oct., wound up by recommending both parties to bury their troubles, and expressing confidence in both of them. The Commissioners spurned the advice of the government. They showed exceedingly great warmth and made use of language that would be odious when applied to anybody—the language of common Billingsgate was not the language which should have been made use of on such an occasion by them. The course the government had adopted had precluded Dr. Park from taking action against anybody. If the Commissioners had been appointed under the Act, and they had turned out Dr. Park, he would have had the right of appealing from their decision to the government. The government should have said to the Commissioners, “we have given you advice which if you don’t like to follow, why we are obliged to you for what you have done, but we must accept your resignations however reluctantly, rather than perpetrate a wrong against a public officer, equally as yourselves, entitled to our just and unpolitical consideration.” Instead of taking this course, they suffered themselves to be dragooned by the Commissioners, and Dr. Park was left without any other remedy than the one he now sought. In his present position the Commissioners of the new Institution could not entertain his application, they would say “No Sir, we can have nothing to do with you, you have been dismissed from the office you held, in the last Institution, and we must presume your guilt, as the government have dismissed you summarily without inquiry, and even refused it.” He (Mr. B.) could not agree with the hon. and learned Attorney General that the *general superintendence* of the Asylum was in the Commissioners, because the by-laws passed by the Commissioners, and sanctioned by the government, voted the *general superintendence* in the Medical Superintendent, while the *general supervision* (which was a very different thing) belonged to the Commissioners, and was

expressly reserved for themselves. How could Dr. Park be *Superintendent* and not *superintend*? Why call him Superintendent, and by By-laws make him Superintendent, and then say, the Commissioners are the Superintendents? If there was anything wrong in the superintendence of the Asylum, Dr. Park as Medical Superintendent would be blamed. His hon. and learned friend had said “of what use is it to appoint Commissioners if you have no confidence in them.” But does it follow because they were appointed from having confidence in them, that they are to be sustained when they have proved themselves unworthy of it? It was as much the duty of the government to dismiss bad Commissioners as it was to appoint good ones, and far more was it a duty to sustain a faithful Medical Superintendent, than to sustain from any motives of expediency, corrupt Commissioners. But sending Dr. Park back to those in question, and inviting them to demand his dismissal, was like sending the lamb to the wolf. These gentlemen had libelled anonymously Dr. Park in a newspaper—had charged him with false entries—had held an odious, disgraceful secret inquiry against him, telling the very government itself, that they had closed the door upon the accused, desiring the inquiry, merely because they did not like him. And to those very same Commissioners, the government dragooned by them, had left the decision of Dr. Park’s case and fate. He had been left to his enemies, instead of receiving the ordinary protection even of his official and professional character, by the government who appointed him. The House too, had received, and printed, and distributed all the false, scandalous, and malicious communications of the Commissioners—and can the House refuse in fairness an inquiry, due to the reputation of Dr. Park, which they had thus injured? All that he (Mr. B.) desired was to give him an opportunity of clearing himself.

Mr. PRICE rose to speak.

Mr. BOULTON did not think it right that he should then rise to do so. He (Mr. B.) had waited after his hon. and learned friend the Attorney-General had sat down, to see if any other member of the Government were going to rise, and it was only for that he (Mr. B.) should have the reply.

Mr. PRICE would not have spoken if the hon. and learned gentleman had confined himself to replying to the remarks of his hon. friend the Attorney-General, but as he had not done so, he (Mr. P.) felt himself bound to speak in reply. He asked the hon. member for Norfolk, if he thought that he had done justice to his friend in putting off the consideration of his case until this late period of the Session. It was for this reason that impatience had been shown by some hon. members, and not because it was an Upper Canada question. He asked if Dr. Rolph was put on by the Government or by Dr. Park, for his own private business. The question was a simple one, and he defied any body to put his hand on his heart and say that the Government could have taken any other course than they had done. Dr. Park applied to him (Mr. P.) for his support when he wished to get the office, and he (Mr. P.) gave it to him; and it was a painful duty that obliged them to take the steps they had taken. When Dr. Park took the office of Medical Superintendent, he knew that the power of appointing and dismissing servants was vested in the Commissioners. While Dr. Rolph was performing the duty of Dr. Park he dismissed a man. The Commissioners were dissatisfied, not deeming the charge upon which he was dismissed sufficiently grave to justify his dismissal, and inquired if there were any further charge against him, they wrote a letter asking if there were no other charge, and they objected to the man being dismissed on that charge. The Commissioners waited until the return of Dr. Park, on the ground that he was

their servant, and not Dr. Rolph. On the return of Dr. Park, instead of recommending him as a drunken man to be dismissed, he chose to take up the challenge with the Commissioners, and to dispute with them, on what was their undoubted privilege. Then, because the Government had acted as they ought to have done, they were to be told that they had supported injustice because they were desirous of not offending a number of their supporters rather than one.

Mr. BOULTON had only mentioned that to take away the force of the argument of the hon. Attorney-General.

Mr. PRICE continued:—It was not to be expected that the Government could take upon itself the squabbles of the institution. And as regarded issuing a Special Commission, at the expense of thousands of pounds to the country, he asked if that were reasonable because certain persons had called each other bad names. The Commissioners were responsible to their country and their God, with two hundred lunatics under their charge, for the acts which they performed. The hon. member for Norfolk had adverted to Lunatic Asylums in the United States, and had told them that there the entire control was vested in the Medical Superintendent. That was not the question now; if he thought that ours was on an improper basis, why did he not bring in a bill in order to get it changed, and not bring a charge against the Government for having carried out the law. But he (Mr. P.) believed that the law as it stood was a wise one, and that Commissioners should not be mere ciphers. In the Medical Hospital of this city, they saw a similar power vested in the hands of the Commissioners of the institution. He (Mr. P.) did not believe that this was an improper principle. He for one would never consent to give one man the entire control over two or three hundred unfortunate human beings, who had lost their intellect; no, not if he were an angel from Heaven! And if he (Mr.

P.) were so unfortunate as to have a son, who should be so unfortunate as to lose his intellect, God forbid! that he should send him to any institution where one man had the entire control.

Mr. McDONALD of Kingston, thought that after carefully reading the papers which had been printed by the Government, and after hearing the remarks of the hon. Attorney-General West, that the Government could not have taken any other course than the one they had taken. It was a well known fact that Dr. Park had been appointed from political reasons, without any reference as to whether he were the most proper person or not. He (Mr. McD.) thought the Government had acted with great firmness in taking the course they had taken, and that they deserved great credit for it.

Col. GUY would like to know before the question was put, what party the hon. member for Norfolk supported?

The motion was then put and lost.

Yeas,—Messieurs Boulton of Norfolk, and Thompson—2.

Nays,—Messieurs Armstrong, Badgley, Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boutillier, Cameron of Kent, Cartier, Cauchon, Chabot, Christie, Davignon, DeWitt, Solicitor-General Drummond, Fortier, Fournier, Fourquin, Gagy, Guillet, Hall, Holmes, Jobin, Johnson, Laurin, Lemieux, Macdonald of Gleggarry, Macdonald of Kingston, Marquis, McConnell, McLean, Merritt, Methot, Mongenais, Polette, Price, Robinson, Seymour, Smith of Frontenac, and Smith of Wentworth—40.

The above proceedings in Parliament on my petition, are given in full as taken in short-hand by one of the regular Parliamentary reporters, of Montreal.

To justify my conduct, as Medical Superintendent of the Asylum, I am satisfied that it will be quite sufficient to give to the public an opportunity of examining for themselves the speech and reply of the Hon. H. J. BOULTON in sup-

port of the prayer of my petition, and the speeches of the Hon. Attorney General BALDWIN, the Hon. J. H. PRICE and Mr. McDONELL, of Kingston, against it, and in favour of the so-called Commissioners.

Upon a careful examination it will be found, that the gravest charges that can be brought against me are that I presumed to suspend a worthless, drunken Keeper, and that I placed another servant in the room of the one suspended "in defiance of the Commissioners" (which is untrue as far as it relates to its being done "in defiance of the Commissioners," but expressly subject to their sanction, as is fully proved by the documents published by the House); that I remained in the room while the Board of Commissioners were sitting, after I was told by them "that they did not want" me.

Now, what is the position of the Commissioners according to the views of the Hon. H. J. BOULTON, borne out as they are by the documents published by order of the House?

The Commissioners, from neglect and improper conduct, had allowed (during years of careless duty without a recorded order against it,) excited patients to be confined together in the same cells, from which practice serious bodily injury had occurred, and the patients made more frantic by the abuse of being so confined, they had, for years, allowed large quantities of beer, to the amount of \$100 a quarter, and other intoxicating drink to be used by the officers and servants of the Institution, and persisted in employing Keepers after they had been proved to be guilty of cruelty, drunkenness and other improper conduct while on duty, against the repeated remonstrances of the Medical Superintendent; by order of the Commissioners the friendless sufferers were unmercifully doomed to act the part of beasts of burden, in bringing water from the bay to the Institution; they had allowed the apartments to remain badly ventilated, until remedied by Dr. ROLPH and myself; they had never even procured a bath for cleansing the patients, which is so essential to their comfort health, moral and mental improvement, they had, according to the evidence on the records of the Institution, allowed the patients to be fed on bad potatoes not fit for swine, and allowed them to go in a suffering condition, without shoes or stock.

ings; during Dr. TELFER'S superintendence, rotten tea had been furnished for the use of the patients, by one of the Commissioners, which had been purchased by him at the rate of three pence a pound; they continued the employment of persons after the charge of speculation of sugar, tea, and other articles belonging to the Institution, had been made apparent against them—they published anonymous libels against me in the *Globe* newspaper; they wantonly charged me with making false entries in the books of the Institution; they charged me with falsehood, and treachery in matters which they admitted in the main to be correct; they, as in a Star Chamber, collected from servants hostile to me, evidence to prove me guilty of high crimes and misdemeanors, without allowing me any access to, or even affording me intimation, of their proceedings, until they had sent the same to the Government; they suppressed known facts to subserve their own vile purposes, and to this end, filled their report and evidence with wilful perversions and exaggerations; they advertised for tenders, and broke good faith by dividing the contracts among their friends, giving the party who had tendered the best articles for the lowest price but a small portion; (this is the effect of doing things in secret; the people's money is squandered, and important public trusts violated! no honest man would ever find it necessary to do anything in the Asylum, that he should be afraid to do in the face of day,) they allowed several patients to remain constantly in a state of perfect nudity, and otherwise cruelly treated them, while I caused proper garments to be prepared for the comfortable clothing of those most unfortunate and brutally treated individuals—they allowed the whole Institution to become filthy, and infested with vermin to an extraordinary degree, and I do not believe there was at the time I entered the Asylum, an Institution of the kind in the known world, in a more deplorable and disgraceful condition.

With such an array of facts, I cannot imagine how the Hon. the Attorney General could find any difficulty in deciding which of the Commissioners it would be proper to "try," as by looking over the records of the Institution, we find that most of them never attended to their duty

at all, and for such neglect, should have been relieved of office without delay. Those who did attend, and allowed one quarter of the charges above enumerated, to exist, should be discharged for gross ignorance or wilfully neglecting to correct such pernicious practices.

To enter into any comment upon the speeches would be superfluous, as every charge made against me, (all that could be made were made) by the Hon. the Attorney General and the Hon. Mr. Price, is ably and fully refuted in the speech and reply of the Hon. H. J. Boulton.

As to the "Responsible Government" aspect of the question, I have but to add, that as a warm and (I trust) ever-consistent supporter of the system, I cannot but look upon the course taken by the Administration in stifling enquiry into the merits of the case, as being destructive of its very first principles.

The appeal of the Hon. Mr. BALDWIN to the House on the ground that a vote for investigation would be a vote of censure on the Government, is unworthy of him and makes the case a thousand times more grievous. If the Government did not feel that it had acted improperly, why should it have objected to inquiry? If it were right in its decision, a Committee of the Legislature would have confirmed it after a due examination of the facts—if wrong, a strong and generous Government should have had manliness and courage enough to acknowledge its error. If the Administration for the time being can by threatening resignation, frighten the people's Representatives into a stifling of inquiry into alleged abuses, then Responsible Government is a delusion, a mockery and a snare. If, at the mere dictum of the Cabinet, the majority of the House is to be prevented from exercising its own independent judgment on the acts of its servants,—if the House is to be the echo of the Ministry, instead of the Ministry echoing the matured opinions and judgment of the House and country, then is the House and the people responsible to the Ministry, instead of the Ministry being responsible to them—a system of responsibility from which every lover of British fairplay, will from the bottom of his heart pray to be delivered.

It must not be supposed that because

I have omitted to record my obligations and deep sense of gratitude to those gentlemen who have so generously exerted themselves to obtain justice for me, both in and out of Parliament, that I am the less impressed with their kindness and good offices. I have throughout viewed the contest in which I have been engaged, less as a matter of personal feeling than as one involving the best interests of the public, and the removal of the gross abuses inflicted upon the unhappy objects of the most direful calamity to which the human family can be subjected; and so looking upon it myself, I have felt that the parties who have seconded my efforts have been actuated by the same motives. Had I consulted my own ease and pleasure, I could easily have evaded, by a ready connivance at iniquity, the many sore difficulties which a faithful performance of duty has brought upon me. As it is, although condemned by those from whom I confidently expected support and encouragement in my efforts to reform and correct long-standing and grievous ills, I, on looking back at the events of the short period of my incumbency of office, find nothing to accuse myself of and confiding in the judgment of an en-

lightened and just community, feel satisfied that the verdict given against me will be reversed by every disinterested and independent inhabitant of my native country who may peruse these pages.

With these few remarks I leave the subject for the present, intending to avail myself of the advantage of the suggestion offered in the first parts of the Hons. Messrs. BALDWIN and PRICE's speeches, viz., to bring the subject, at the next sitting of Parliament, "before the House at an earlier period of the Session," when they may have the time and opportunity (if they should happen to have the will,) to discuss more at length "a subject so important to the public; both in a charitable and moral point of view, as well as involving a large pecuniary interest," and thereby arrive at the proper mode of correcting all the evils now existing, and redressing the wrongs that have been so unwarrantably practised.

GEO. H. PARK, M.D.

Montreal, June 1st, 1849.

ERRATUM.—Page 79, eighth line from the bottom, instead of "then is," read, then are, &c.