

LUNATIC ASYLUMS (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 26 May 1862;—for,

COPY “of any CORRESPONDENCE that has taken place between the Governors of the District Lunatic Asylum at *Limerick*, or any of them, and the Irish Government, with reference to the new Code of REGULATIONS for the government of IRISH LUNATIC ASYLUMS.”

(*Mr. Monsell.*)

Ordered, by The House of Commons, to be Printed,
20 June 1862.

SCHEDULE.

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COPY of CORRESPONDENCE that has taken place between the Governors of the District Lunatic Asylum at *Limerick*, or any of them, and the Irish Government, with reference to the new Code of REGULATIONS for the government of IRISH LUNATIC ASYLUMS.

Sir,

District Lunatic Asylum, Limerick,
4 January 1862.

I HAVE the honour to enclose a copy of a resolution passed this day by the Board of Governors of this Asylum, and I have the honour, on their behalf, to ask for a copy of the draft rules as referred to therein.

I have, &c.
(signed) *Wm. L. Joynt*, Mayor of Limerick,
Chairman.

To the Secretary to the Board of Control, &c.,
Dublin Castle.

MINUTES of Proceedings of the Board of Governors of the Limerick District Lunatic Asylum at Monthly Meeting held 4 January 1862.

Right Worshipful William L. Joynt, Mayor, in the Chair.

THE Honourable S. E. Spring Rice having stated to the Board that he had applied to the Board of Control on behalf of the committee of this Board, for reconsidering the books and the regulations of the asylum, for a copy of the draft rules now under consideration of Her Majesty's Privy Council, and deeming the same to be essential to the further proceedings of the committee; but he regretted to add that his application had not been attended with success:

Proposed by Henry Maunsell, Esq., seconded by Michael R. Ryan, Esq., and—

Resolved,—That this Board do apply to the Board of Control for a copy of the intended regulations for lunatic asylums now under the consideration of Her Majesty's Privy Council, in order that the same may be considered by this Board, and such representations or suggestions made as may appear desirable, and that Mr. Mayor, as chairman, do write therefor.

(signed) *W. L. Joynt*, Mayor, Chairman.

Limerick Lunatic Asylum.

Sir,

Dublin Castle, 25 January 1862.

IN reply to yours of the 4th inst., enclosing copy of a resolution of the Board of Governors of the Asylum, I am directed by the Commissioners of Control to inform you that the new rules referred to have only now passed the Privy Council, and that copies of them will shortly be sent to all the district asylums in Ireland.

I am, &c.
To the Mayor of Limerick. (signed) *R. M. Ardagh*, Secretary.

Sir,

Mount Trenchard, Foynes, 28 February 1862.

I HAVE to request you to lay before his Excellency the Lord Lieutenant the resignation of my seat as a Governor of the Limerick District Lunatic Asylum.

Within the last few months an application was made by the Board of Governors requesting to be furnished with a copy of the rules then under consideration, which it was proposed to issue for their guidance. With this request the Irish Government did not comply, and a similar refusal to a similar request was, I am told, given to the Board of Governors of the Cork Asylum.

Upon this point I will only here remark that, in England, the rules of the local institutions are framed by the local governors, subject to the approval of the Secretary of State, and that I am at a loss to understand why the Irish gentlemen of similar position are insulted by being refused all information until a body of rules is thus made imperative upon them by his Excellency in Council. I have now had an opportunity of examining the new rules and the system they establish. They contain matter which I strongly disapprove, and omit matter which I think of essential consequence. But if not of more ultimate importance, it is of more primary necessity that I should consider the position in which I find myself placed in common with all other Governors of Asylums in Ireland. Our position is, that having been pronounced unfit to be consulted as to the rules to be imposed, we are, for the administration of those rules, placed practically under the control of the inspectors. Now, I am of opinion that if the State needs clerks to carry out the instructions of Drs. Nugent and Hatchell, and make reports and returns to them, the State can afford to pay clerks for the performance of that drudgery; and I consider it simply absurd to expect its execution by the peers, bishops, privy councillors, and principal gentlemen of the district, whose position entails on them many duties, and who in many cases reside at such a distance from the asylum as makes their attendance at Board meetings most inconvenient.

I have, &c.

(signed) *Stephen Spring Rice.*

Major General Sir Thomas Larcom, R.E., K.C.B.

Sir,

Dublin Castle, 4 March 1862.

HAVING laid before the Lord Lieutenant your letter of the 28th ultimo, resigning your seat as Governor of the Limerick District Lunatic Asylum, I am directed to acquaint you that his Excellency accepts with regret the resignation you have felt it necessary to tender.

His Excellency desires me to observe that, in declining to send the rules to the Board of Governors prior to their approval, he stated the reasons on which he was advised to come to that conclusion, and his Excellency desires me to assure you that nothing could be further from his intention than to offer or imply any slight on the Board of Governors.

I have, &c.

(signed) *Thos. A. Larcom.*The Honourable Stephen E. Spring Rice,
Mount Trenchard, Foynes.

Sir,

Limerick District Lunatic Asylum,
6 May 1862.

I HAVE the honour to transmit to you, for the information of his Excellency the Lord Lieutenant, the accompanying Minute, and Report of the Committee, of the Board of Governors of the Limerick District Lunatic Asylum, referring to the Privy Council rules and regulations for management of the institution, having been directed to do so by the Board.

I have, &c.

(signed) *James Bodkin,*To the Chief or Under Secretary,
The Castle, Dublin.

Clerk and Storekeeper.

MINUTES of Proceedings of the Board of Governors of the Limerick District Lunatic Asylum
at Monthly Meeting held Saturday, 3 May 1862.

PRESENT :

Heffernan Considine, Esq., in the Chair.

Henry Maunsell, Esq.
Sir Vere de Vere, Bart.

Stephen E. de Vere, Esq.
Michael R. Ryan, Esq.

THE following resolutions were proposed by H. Considine, Esq., seconded by S. E. de Vere, Esq.:—

1st. *Resolved*, That the report of the Committee of this Board on the new Code of Rules and Regulations be approved, adopted, and entered on the minutes of our proceedings.

2d. *Resolved*, That the Board having carefully considered the report of the Committee, cannot but perceive that the governors of lunatic asylums, men selected by the Crown for experience in business, and for that responsibility which arises from their social position, are collectively placed by the new rules in a situation unsuited to their office, and detrimental to their powers of usefulness.

The governors are placed in subordination to a single Government officer, who under the former code was specifically placed "under the direction of the Board."

The responsibility of this officer is no longer to the governors; it is to the inspectors, and to them alone.

At the same time that the due authority of the governors has been diminished, alterations have been made in the rules defining the duties of the resident superintendent, which diminish the wholesome checks previously in force for securing the due performance of his functions.

The functions of Boards of Gaol Superintendence, and of Boards of Guardians, are in many respects analogous to those of Boards of Governors of Lunatic Asylums, and the Legislature has wisely confided to gaol and Poor Law Boards the selection and appointment of officers, the absolute power of concluding contracts, and, in a word, that free exercise of their powers, which proves that the State looks upon men entrusted with local administration as worthy to be trusted, whilst the "new code" breathes throughout a spirit of unwise and derogatory distrust. This has been so keenly felt by a most valued member of our Board as to induce his retirement.

The Governors of the Limerick District Lunatic Asylum have no personal motive for retaining their seats at the Board. As a public duty they accepted them, and as a public duty are willing to retain them, so long, and so long only, as that position may enable them to be of use; but it is equally their public duty to protest, as they do, against regulations which limit their honourable independence in the administration of their own local funds, and which control the legitimate exercise of their judgment in the discharge of their functions.

3d. *Resolved*, That the Board think it desirable upon the present occasion to direct the attention of the Government mainly to the injurious tendency of the new rules and regulations; they think it right to declare their conviction that justice and sound policy require that the powers of the Boards of Governors should not be less than those of gaol superintendence and Boards of Guardians, and that the principles of self-government should be effectually and substantially carried out.

4th. *Resolved*, That the report of the Committee, adopted by this Board, be transmitted by our clerk to the chief secretary, to be by him submitted to his Excellency the Lord Lieutenant, with the expression of the anxious desire of this Board that his Excellency will cause the new Code of Rules and Regulations to be carefully reconsidered, with a view to giving effect to the numerous suggestions embodied in the report of the committee; suggestions involving many important questions both of principle and of detail, for which the Board respectfully refers his Excellency to the report itself.

5th. *Resolved*, That no public duty appeals so strongly to our humanity as the due management of our lunatic poor. Our lunatic establishments are maintained at an enormous cost, and that cost is supplied by local taxation. Their administration has been confided to local Boards of the highest character and most eminent position.

It is the earnest hope of the governors that a change in the system, opposed to the spirit of modern legislation, will not be now made, which must have the effect of diminishing the interest which such local bodies feel in providing for the wants of their own lunatic poor, and may have the effect of ultimately transferring their functions to less worthy hands.

6th. *Resolved*, That a copy of these resolutions be transmitted, together with the report, to his Excellency the Lord Lieutenant.

(signed) H. Considine, Chairman.

3 May 1862.

REPORT.

THE Committee appointed by the Board of Governors of the Limerick District Lunatic Asylum, for the purpose of examining the Revised Code of Rules and Regulations, and reporting to the Board how such rules might and ought to be amended, have considered the revised code, and compared the same with the rules heretofore in force.

Your Committee cannot but see with regret that the general tendency of the new general rules is to diminish the influence and discourage the exertions of local governors, to increase unduly the power of the resident superintendent, and to render it more irresponsible.

The rules heretofore in force were confessedly defective, and the governors of lunatic asylums might have expected that their errors would have been corrected and their deficiencies supplied in a new and revised code. Such, unfortunately, has not been the case. The new rules afford evidence of want of careful consideration, and many omissions, many errors of detail, and some most important errors of principle, are to be found in them, which your Committee proceed to lay before you.

1. The first general rule of the old code, 1843, reiterated by the order of 1844, and which provided for two general meetings for a general examination into the affairs of the establishment, and the revision of the accounts, has not been re-enacted. Such a periodic and deliberate examination appears to be usual, and in the opinion of the Committee advantageous.

2. Rule 1. New code provides for an inspection of the establishment by two or more governors on a certain day. Your Committee fear that this rule may be held to limit the power of the governors to visit and inspect the establishment at other times.

Rule 20 gives to the resident superintendent uncontrolled authority over the establishment, and he might refuse admission to the governors at any time, except that appointed by rule 1. Your Committee submit that it is most important that the governors' right to visit should be prescribed without limitation.

3. Rule 4. Your Committee do not object to their minutes being transmitted to the inspectors for their information, but they submit that the words "for their information" should be inserted after the word "inspectors" in the third line.

Your Committee are strongly convinced that the quarterly accounts and estimates should not be transmitted to the inspectors, but that an auditor should be sent down to audit the accounts of the establishment at certain fixed periods, a course which has worked satisfactorily in the administration of the poor laws.

4. Rule 5. Your Committee object, in the strongest manner, to this rule, which is not to be found in the former code. The Board of Governors are competent to examine tenders for contracts, and to accept or reject them upon their responsibility. This is a duty which they, and they alone, can properly perform, and it is highly derogatory to their character that they should be required to transmit to the inspectors, "for their information and approval," the tenders, whether accepted or rejected, which have been opened and signed by the Chairman. Your Committee protest strongly against the petty distrust, which has no precedent in the proceedings of Boards of Guardians or presentment sessions. The acceptance of a tender, and the completion of the contract thereon, ought, of course, to be entered on the minutes, as part of the proceedings of the day.

With regard to the portion of the rule which provides that receipts for disbursements duly authenticated by the Board shall be sent to the Commissioners of Audit in London, your Committee suggest that it should be the duty of the auditor, who should be periodically sent down to examine the accounts, to forward those vouchers when he had himself used them for verification of the accounts.

5. Rule 6. "The general dietary shall be regulated by the Board," &c. ; your Committee think that the following words should be introduced after the word Board, "with the advice of the resident superintendent."

6. Rule 7. The description of the application papers is awkward, and not very intelligible. Instead of "in the prescribed form, to the satisfaction of the Board," your Committee propose to substitute the words, "in such form as the Board shall prescribe." No form is prescribed in the general rules.

7. Rule 8. Your Committee propose to add to this rule the following words: "But it shall be in the power of any three governors, in case of urgency, to order the admission of a lunatic, certified as such by a registered physician or surgeon, and for whom papers of application are filled up, who shall be provisionally admitted until next Board, unless the resident superintendent shall see good reason to refuse, in which case he shall lay the application, and his reason for refusing the same, before the next Board."

8. Rule 12. Your Committee propose to re-insert, at the end of this rule, the proviso contained in the analogous rule of the code 1843: "The physician is authorised to order deviations from this rule in individual and exceptional cases."

9. Rule 18. Your Committee recommend the insertion of a proviso enabling the resident superintendent to alter the hours in individual and exceptional cases.

10. Rule

10. Rule 14. This rule provides for the appropriate placing of the patient when admitted. The duty is imposed upon the resident superintendent, or, "if he shall be absent on leave, the consulting physician." Your Committee remark that rules 26 and 33 (post) are not sufficient to ensure the attendance of the latter officer in the absence of the resident superintendent.

11. Rule 15 properly gives the inspectors, between the meetings of the Board, a power to order the discharge of a patient. Your Committee propose to expunge the words, "except at the request of the resident superintendent," being of opinion that the inspectors should in no case discharge without a personal inspection; and your Committee further propose to append to the rules the following words: "And every such discharge, and the circumstance attending the same, shall be reported by the inspectors to the next Board."

12. Rule 18. Your Committee are of opinion that a removal from the central asylum to the district asylum should be reported to the governors 10 days before it is carried into effect.

13. Rule 20. Your Committee remark with the greatest regret that the wording of the old rule (16) has been here materially altered by the omission of the words, "under the direction of the Board."

The Committee feel that the rule as drawn frees, and was intended to free, the resident superintendent from all responsibility to the Board of Governors, and is founded on an entire misapprehension of their respective positions; and the Committee recommend that the words, "under the direction of the Board," be inserted after the word "shall" in the first line.

14. Rule 21. Your Committee had considerable doubt whether the servants ought not to be hired by the Board, but they are willing to vest that power in the hands of the resident superintendent, as more practically convenient; but the rule should be drawn as the analogous rule (66) of the code of 1843, beginning thus: "As the manager is responsible for the character, conduct, and qualifications of all servants of the asylum." These words have been omitted in the Revised Code, and should be restored. Your Committee are also of opinion that the resident superintendent shall not have any absolute power of dismissal without the sanction of the Board.

15. Rule 26. Your Committee are of opinion that the provisions of this rule respecting the absence of the resident superintendent are not satisfactory; an asylum for lunatics should never be without a head. Under rule 26 the resident superintendent may be absent at any time during the day, or for the whole day; nor is there anything in the other rules, or the duties prescribed by them, which would enforce his attendance.

Under the code of 1843 the manager was obliged to inspect the whole establishment daily, and to inspect every patient personally, before 12 o'clock. He was obliged to walk through the galleries every night, and to see that the patients were properly placed; and he was obliged to examine the dining-rooms during meal hours, and to observe the state of the provisions. Under the Revised Code he is similarly bound to make a morning and a night inspection, but the rule as to attendance at meal times not being re-enacted, the superintendent has it in his power to absent himself without leave, from an early hour in the morning to a late hour at night, without the positive neglect of any prescribed duty.

Your Committee remark that, as the rule is drawn, no substitute is provided in case of the superintendent's absence, except the matron. The superintendent, when about to be absent, must indeed inform the consulting physician; but by rule 33 (post) the consulting physician is only obliged to attend when required by the resident superintendent.

Your Committee cannot acquiesce in a state of things which may place the male lunatics, for many hours, under the insufficient charge of a female, nor can they advise that the resident superintendent should be empowered to require the consulting physician to occupy his place, and to perform his duties as often and as long as he chooses to absent himself, the consulting physician having no residence within the establishment.

Your Committee recommend the alteration of the rule to the following terms:—"He shall reside constantly in the asylum. He shall never be absent from the asylum at the same time as the matron, nor ever for more than four hours without special leave from the Board of Governors, who shall provide such temporary substitute as they shall think necessary; and upon every absence he shall enter in the book the date and period, and inform the consulting physician, who for the time shall exercise a general supervision over the establishment."

16. Rule 27.—Books of the establishment.—This rule prescribes the books to be kept, but not the forms in which they should be kept. Your Committee suggest that, to insure accuracy and simplicity in the books of each asylum, as well as uniformity, as between the books of the different district asylums, printed form books should be furnished to each establishment, and charged for at a fixed price, such forms being first revised, as those now in use are open to objections, and involving too much detail to be here discussed.

17. Rule 29. Your Committee conceive that contracts and bonds should be made in the name of the Board of Governors, unless there be some legal objection. At the end of the rule your Committee propose to insert the words, "reporting all such cases to the next Board."

18. Rule 30. The reports of the resident superintendent should be in writing, and should become matter of record. They should be prepared from an official journal, to be kept by him, and submitted to the Board, in which should be contemporaneously entered all matters which shall be a proper matter of report to the Board, and all occurrences connected with the discipline of the establishment.

In the code of 1843 such a book is clearly contemplated. Amongst the books enumerated is a "memorandum book, to be laid before each Board, in which an entry shall be made of all matters to be submitted for consideration, as well as a communication from the manager to the Board, in order that such communications may remain on record, with the decision of the Board thereon, to be noted in the margin by the chairman."

This description, though accounts and minutes, does not fully comprehend all that your Committee recommends, but in the Revised Code this book is omitted, and the following substituted:—"The memorandum book for such observations and reports as any of the governors or officers may think fit to insert in it;" and even this the resident superintendent is not enjoined to keep. He shall merely be careful that it be kept with regularity, and be at all times ready for inspection.

19. Rule 39. Your Committee submit that the rules defining the powers and duties of chaplains are not sufficient for securing due liberty for the performance of their functions. Certain supplementary rules were issued by the Lord Lieutenant and Privy Council in 1853, amongst which we find the following:—"That the respective Boards of Governors, the managers and matrons of district lunatic asylums in Ireland, do afford every facility to the admission of the several chaplains appointed thereto, in order to enable them to officiate according to their respective creeds, and to afford religious instruction and consolation to all patients, except such as shall be declared by the physician to be unfit and incapable of understanding the nature of the service and of appreciating the effects of religion."

Your Committee suggest that this rule be re-enacted, changing the word "managers" into "resident superintendents," and the word "physician" into "resident superintendent," and that the latter paragraph of rule 39 (New Code) should then stand thus:—"The chaplains are to attend on Sundays and holidays to officiate according to their respective creeds. They are to visit the institution once in the week at least. They are sedulously to avoid all occasions of controversy. In case of illness he shall attend when called on. Each chaplain is to keep a book at the asylum, giving the result of his religious ministrations, to be submitted to the Board at its meetings, and to be retained in the office."

20. Rule 50. Your Committee propose that the apothecary shall be enjoined to keep a stock-book, which he shall submit quarterly to the resident superintendent duly balanced, and the resident superintendent shall thereupon compare the book with the stock on hand, and sign it, if convinced of its being correct.

21. Rule 51. The corresponding rule of code 1843 (rule 58) places the clerk "under the control of the Board and direction of the manager," whereas the revised rule places him solely "under the directions of the resident superintendent." Your Committee conceive that this is not the relation in which the Board should be placed with their clerk, and suggest that the following words, "he shall perform his several duties under the control of the Board and under the directions of the resident superintendent," shall be prefixed to the rule, and that the words, "under the direction of the resident superintendent," be cancelled in the first and second lines.

22. Rule 57. The duty of observing the patients at their meals, and judging whether they have received their regular allowances, is by the Revised Code transferred from the manager (now resident superintendent) to the clerk. Your Committee cannot this a judicious change. The duty is one which eventually belongs to the manager of an institution, who should attend daily at meals.

23. Rule 90. Your Committee can appreciate the propriety of that part of this rule which leaves to the inspectors the solving of any difficulty which may arise in the interpretation of these rules; but cannot perceive why misunderstandings between officers should be referred to the inspectors, and not to the Board of Governors, to whom they are primarily responsible.

24. Rule 91. The words, "or to any other subject of importance," are too vague, and should be either defined or omitted. The enactment, that no resolution of the Board affecting the discipline or management of an asylum, even though conformable with the rules now promulgated, shall take effect until submitted through the inspectors to the Chief Secretary, and approved by the Lord Lieutenant, is derogatory to the Board of Governors, and even takes away from them the power of enforcing and carrying out the rules themselves.

Your Committee have been unable to find any such rule in the code of 1843, or its subsequent revisions. Your Committee have to remark, in conclusion, that the foregoing criticisms and suggestions would have been made with much greater satisfaction, and a more sanguine hope of their leading to useful results, if they could have been offered before the promulgation of the Revised Code of Rules; and they must express their deep regret that the request of the Board of Governors, forwarded to the Board of Control on the 4th of

January,

January, asking that they shall be furnished with a copy of the contemplated alterations, was not complied with.

April 20. Committee met.

Present :

Right Rev. Dr. Butler, in the chair.

The Mayor of Limerick.
Heffernan Considine, Esq.

Michael R. Ryan, Esq.
Stephen E. de Vere, Esq.

The foregoing report, as amended, was unanimously adopted.

Adopted unanimously.

(signed) *Geo. Butler*, Chairman.

Sir,

Dublin Castle, 26 May 1862.

I AM directed by the Lord Lieutenant to acquaint you, for the information of the Governors of the Limerick District Lunatic Asylum, that the copy of minutes of proceedings at their monthly meeting held on the 3d instant, and copy of report therein referred to, transmitted by the clerk and storekeeper of the asylum by order of the Board, for his Excellency's information, on the 6th instant, have been referred to the Commissioners of Control of Lunatic Asylums, for their report on the objections made by the Board of Governors to the general rules and regulations issued by his Excellency in Council.

His Excellency finds that those objections are, in several instances, founded on misapprehensions of the meaning of the particular rules referred to, while the opinion expressed by the Board as to the general tendency of the rules, is altogether unsustained.

1. The governors complain that the rules do not provide for "two general meetings for a general examination into the affairs of the establishment, and the revision of the accounts." To this it is answered, that such a regulation would be useless. The 1st rule requires the Board to "examine into all fiscal details and the general management of the asylum," once in every month.

2. The governors fear that the first rule, requiring an inspection of the asylum by two governors on the day of their monthly meeting, "may be held to limit the power of the governors to visit and inspect the establishment at other times;" and that the 20th rule, "that the resident medical superintendent shall superintend and regulate the whole establishment," would enable that officer to "refuse admission to the governors at any time, except that appointed by Rule 1." For such an interpretation of these two rules there appears no ground whatever.

3. The governors desire the insertion of the words, "for their information," in Rule 4, requiring the minutes of proceedings of the Board to be transmitted to the inspectors. As the object of transmission of the minutes is obviously the information of the parties to whom they are transmitted, the words suggested appear superfluous.

The governors object to the transmission (required by the same rule) of the quarterly accounts and estimates to the inspectors, and suggest that an auditor should be sent down to audit the accounts at fixed periods, a course which they say "has worked satisfactorily in the administration of the Poor Laws."

On these points the governors appear to have overlooked the fact, that the expenditure of the asylums is provided for by quarterly issues from the Consolidated Fund, under the authority of orders of the Lord Lieutenant in Council. It is indispensable that estimates of such expenditure be received and examined previously to ordering the issue. Such an estimate, accompanied by a very general abstract of account on the same sheet of the expenditure of the past quarter, has been hitherto transmitted from every asylum either to the inspectors or to the clerk of the council, by whom it has been referred to the inspectors for examination; and the rule therefore requires nothing new. The question of auditing the accounts of the asylum is totally distinct. They are audited, like those of all departments and institutions receiving money from the Consolidated Fund, by the Commissioners of Audit in London.

4. The governors object to the 5th rule, requiring "all tenders for contracts, whether accepted or rejected," to be forwarded to the office of the inspectors for examination and approval. The practice has for many years been in accordance with this rule, the Commissioners of Audit requiring that the acceptance of tenders by the governors should be approved by the Privy Council, to whom they have been submitted by the inspectors.

The part of this rule which requires that "receipts for disbursements, duly authenticated by the Board, shall be sent to the Commissioners of Audit in London," merely recognises what is required (as already stated) from every department and institution receiving money from the Consolidated Fund.

5. In Rule 6, directing that "the general dietary shall be regulated by the Board," the governors desire to add, "with the advice of the resident superintendent." This addition appears quite unnecessary, as the governors would naturally take the advice of that officer on such a subject.

6. In Rule 7, the governors desire to substitute in regard to application papers, for the words, "in the prescribed form, to the satisfaction of the governors," the words, "in such form as the Board shall prescribe." There being a form already in use, which includes all the particulars necessary to be stated, this alteration appears unnecessary.

7. The governors propose that, in addition to the other provision made for the admission of patients, three governors should be empowered, in case of urgency, to order the admission of a lunatic certified, &c., who shall be provisionally admitted, unless the resident medical superintendent shall see good reason to refuse. The provision made in the rule for cases of urgency appears much more simple and suitable than that proposed, the signatures of three governors not being easily procurable in such cases, and the admission, when ordered by them, being proposed to be made ultimately dependent on the resident medical superintendent.

8. At the end of Rule 12, relating to the hours of rising and retiring, the governors propose to insert a sentence which is already inserted.

9. In the same rule, the governors recommend that the resident superintendent be empowered to alter the hours in individual and exceptional cases. As the resident medical superintendent is by Rule 20th "entrusted with the general medical treatment of the inmates, for whose well-being he is responsible," he must be understood to possess the power desired by the governors to be expressly given to him.

10. The governors remark in reference to Rule 14, that Rules 26 and 33 are not sufficient to insure the attendance of the consulting and visiting physician, in the absence of the resident medical superintendent. On this point, the opinion of the governor, it is hoped, will be found to be erroneous.

11. The governors object to the words, "except at the request of the resident medical superintendent," in the part of Rule 16, empowering the inspectors to order the discharge of a patient. There appears no reason to expect that this provision for a possible case of urgency will, in practice, be found objectionable. The governors also suggest that the inspectors should report to the Board of Governors every discharge ordered by them. The inspectors, not being officers of the Board of Governors, could not be required so to report. The report would be made by the resident medical superintendent.

12. Rule 18. The suggestion of the governors, that a removal from the central asylum to the district asylum should be reported to the governors 10 days before it is carried into effect, is impracticable, and, as the governors only meet once a month, would be useless. Such removals will, of course, take place only when there are vacancies.

13. The governors recommend that the words, "under the direction of the Board," be inserted in Rule 20, which directs that the resident medical superintendent shall superintend and regulate the whole establishment; and say, that the omission of those words frees, and was intended to free, that officer from all responsibility to the Board. A simple reference to Rules 26, 28, 30, and 31, may suffice

suffice to show that the governors have altogether mistaken both the effect and the intention of Rule 20.

14. The governors complain of the omission in Rule 21 of the words in the analogous rule of 1843, "as the manager is responsible for the character, conduct, and qualification of all servants of the asylum." These words appear to have been properly omitted, as one person can scarcely be said to be responsible for the character and conduct of others.

15. The governors do not think the provisions of Rule 26, as to the absence of the resident medical superintendent, satisfactory, and propose to insert a provision that he shall never be absent for more than four hours without special leave from the Board of Governors. The present rule is quite as strict as the corresponding rule of 1843, to which no objection has ever been made by the Board of Governors, except in empowering the inspectors to give leave of absence in the interval of the meetings of the Board. To require the leave of the Board (which only meets monthly) for any absence of more than four hours, appears most objectionable.

16. On Rule 27, the governors observe that the books to be kept are prescribed, but not the forms, and that the forms at present in use should be revised. To this there appears no objection.

17. On Rule 29, the governors think that contracts should be made in the name of the Board of Governors. For all legal objects, it is better that they be made in the name of the head officer of the institution.

18. The governors desire that the reports of the resident medical superintendent should be in writing, should become matter of record, and be prepared from an official journal kept by him, and submitted to the Board. They refer in illustration to the memorandum book required to be kept by the rules of 1843. A similar book is required by the present rules.

19. The governors suggest alterations of Rule 39 with the view of securing to the chaplains due liberty for the performance of their functions. The rule as it now stands appears to secure to them all the liberty that can practically be required.

20. On Rule 50, the governors propose a stock book to be kept by the apothecary. It does not appear necessary to provide for this by a rule.

21. The governors think that the clerk and storekeeper, being required by Rule 51 to attend daily in the office under the direction of the resident medical superintendent, is withdrawn from the control of the Board. There appears no ground for this complaint. In the daily minute duties of the clerk and storekeeper it is impossible that he can be actually controlled by the members of the Board, who are necessarily seldom present in the asylum, but, in common with all the other officers, he is under the general authority of the Board.

22. The governors think that the duty of observing the patients at their meals, and judging whether they have received their regular allowances, should be performed by the resident medical superintendent, not (as by Rule 57) by the clerk and storekeeper. It is not anticipated that any injurious effects will result from this change.

23. On Rule 90, the governors "cannot understand why misunderstandings between officers should be referred to the inspectors and not to the governors."

It is to be observed that the "misunderstandings" which are to be so referred, relate "to their respective duties, and the mode of carrying them out, or to the meaning of the foregoing rules." The governors say that they can appreciate the propriety of that part of the rule which leaves to the inspectors the solving of any difficulty which may arise in the interpretation of the rules. The ground of their objection, therefore, is not quite apparent.

24. The governors object to that part of Rule 91 which requires that questions relating to any subject of importance shall not be taken into consideration without a month's previous notice.

This provision appears necessary, in order to secure due deliberation. The governors also object to resolutions affecting the discipline and management of the
 339. C asylum

asylum being suspended until they have been approved by the Lord Lieutenant. They state that this takes away from them the power of enforcing and carrying out the rules themselves. In this the governors appear to misapprehend the meaning of the rule, which could never be held to apply to the mere ordinary details of business of the asylum. The rule was framed in consequence of irregularities in the mode of procedure of some Boards of Governors, and will not, it is believed, be found in practice to work inconveniently.

In regard to the statements in the resolutions of the governors, that they "are placed in subordination to a single Government officer, who under the former code was specifically placed under the direction of the Board;" that "the responsibility of this officer is no longer to the governors; it is to the inspectors, and to them alone;" and that "the new code breathes throughout a spirit of unwise and derogatory distrust;" the Lord Lieutenant desires to assure the Board that nothing could be farther from the intentions of his Excellency and the Council than to diminish the respect justly due to the station and authority of the governors.

I am, &c.
(signed) *Robert Peel.*

To the Resident Medical Superintendent of the
Limerick District Lunatic Asylum.

LUNATIC ASYLUMS (IRELAND).

COPY of CORRESPONDENCE that has taken place between the Governors of the District Lunatic Asylum at *Limerick*, or any of them, and the Irish Government, with reference to the new Code of REGULATIONS for the Government of IRISH LUNATIC ASYLUMS.

(*Mr. Monsell.*)

*Ordered, by The House of Commons, to be Printed,
20 June 1862.*
