aspects by false, morbid ideas; when, besides, the original mental constitution is so completely altered that the patient, without the slightest trace of emotion, has changed his entire personality, and no longer has anything more than a very slight consciousness of his former self, recovery is then almost impossible, and it is only very rarely, by exciting in their minds some violent emotion, and by a sort of mechanical ingenuity, as M. Leuret, for example, has attempted to do, (Du traitement moral de la folie: Paris, 1840,) that we can succeed in procuring a noticeable diminution of the symptoms of insanity. And even this obviously does not happen except in cases where the brain has suffered no appreciable organic lesion, when such change has taken place, as in secondary dementia, there is no longer a possibility of recovery.

MOUNT HOPE INSTITUTION—TRIAL FOR CON-SPIRACY.*

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In noticing here the subject of the late trial, we do not propose inquiring what were the real motives that originally actuated the authors of this movement. We do not wish to inquire how far prejudice, bigotry, personal malice or self-interest prompted those who first engaged in this combination against the Institution. The object of these remarks is not to reflect upon the

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conduct of individuals, or to impugn the motives of any particular person, but to show how difficult it is to decide upon the existence of insanity in certain cases, and to trace the lamentable results that may flow from a hasty and mistaken conclusion. We design here to discuss the subject in its psychological relations—to show the bearing the morbid mental manifestations of certain individuals had upon this prosecution, and to point out the pernicious consequences resulting from the prevailing ignorance of the phenomena of insanity.

Nothing will strike with greater amazement the future inquirer into the history of this noted trial, than the fact that persons, either at the time inmates of an insane asylum, or lately discharged from it, should have succeeded so far in imposing upon a body of men, occupying the high and responsible position of members of a grand jury, as to have induced them to make the grave presentments they did in this case. The psychological aspect of the case, therefore, and an elucidation of facts and principles, well known to every expert in insanity, and every Superintendent familiar with the varying shades and phases of insanity, and showing how persons, all laboring under some notable degree of mental impairment, could so egregiously deceive sensible men, will be both interesting and profitable. As an incident too of a remarkable and unusual character in the history of one of our establishments for the Insane, it would seem to be due to this learned body—so deeply interested in all that appertains to the subject of insanity, and so profoundly versed in all the intricate operations of the disordered intellect—to present before it a succinct account of the main facts of the case, and to describe the mental peculiarities of the persons on whose

in this case, no effort was ever made to obtain from those, who could alone impart the information, a knowl-

edge of the mental condition of these patients.

No allowance was made for the proverbial cunning of the insane. No suspicion seems ever to have arisen in the minds of the grand jury—a suspicion which the high-wrought and fabulous representations of the persons themselves were well calculated to engender—that they might be but the outpourings of distempered imaginations. Had these gentlemen consulted any expert, in the slightest degree acquainted with the diversified phenomena of insanity, and the deceptive character of the reasoning of many insane patients, he must have satisfied them that their testimony was not reliable. He must have convinced them, from daily observation, and from every hour's experience, how hazardous it would be to

place much confidence in the statements of such cases. The opinion of such a medical expert would have had the effect of silencing the ravings of these cunning patients, and of arresting the unfavorable impression their statements were calculated to produce. Had such an one been consulted, and been permitted to give an independent expression of opinion, with a full knowledge of the real intent and purpose of the examination, he could not have failed to raise a warning voice against the reception of such testimony. The grave mistake would not then have been committed, of turning loose upon society a number of insane women, without stopping to ascertain, from those alone qualified to impart the information, their actual mental condition at the time; without stopping to inquire whether they might not be the subject of a suicidal or homicidal propensity; whether they might not be the victims of some degrading infirmity of our nature, or whether, beneath a fair exterior, there might not lurk some long smothered vicious habit, ready to break out with fresh fury the moment the restraints thrown around them here were withdrawn. truth, in several of the cases, these deplorable traits were conspicuously marked. We deem it, therefore, incumbent upon us, in view of the fiery ordeal through which we have been compelled to pass, in consequence of the ignorance, prejudice and folly of the instigators of these charges, and the severe experience and heavy expense to which we have been subjected, to make this exposition of the facts of this case. It may serve as a beacon light to warn our medical brethren, engaged in the same specialty, of a hidden danger ever lurking in their path. It may have the effect of protecting some other institution from a similar calamity, and of inducing greater caution hereafter, in receiving the declarations of a certain class of inmates of insane asylums, as credible testimony, on which to build a criminal prosecution. On account of these considerations we hope, therefore, we shall be pardoned for bringing this subject before this Association, and beg its indulgence, whilst we attempt to show on what a frivolous foundation these accusations were based, and to prove that the crimes charged against us were but the hollow emanations of distempered imaginations—the shadowy phantoms of minds still affected with an appreciable and well-marked disease.

What then was the origin of these indictments, and what the character of the persons on whose complaints these presentments were made? They originated in complaints made before the grand jury of this city, during the spring term of 1865, by six females. One of these, Mary Fleming, had been discharged from the Institution in May of the previous year. The other five were summarily removed from the asylum whilst under treatment for mental disease—taken before the grand jury in March last, and their testimony received on such questions as were then propounded to them. The mental condition of these complainants, and the amount of credibility their testimony was entitled to, may appear from the following history:

Mary Fleming, of New York, the prime instigator of the whole movement, was brought, at her own urgent request, to this Institution by her brother and sister, in December, 1858. She had been an inmate of Sanford Hall, Flushing, Long Island, since the 10th of February, 1857. Dr. Barstow, the physician of that institution, in a very full deposition, after describing the more striking symptoms of her mental disorder, concludes by

saying, "that at the time of leaving Sanford Hall, Mary Fleming was still in a state of utter mental unsoundness, wholly incapable of managing her own affairs, or even of taking proper care of her own person." She was removed from that institution on the 27th of November, 1858, and was brought on to Mount Hope on the 5th of December, eight days after. In that condition of manifestand declared insanity, she was admitted into this Institution, and came under our professional care. At a later period, in February, 1863, an inquisition was taken in New York before Commissioners by virtue of a commission in the nature of a writ de lunatico inquirendo, issued out of the Supreme Court of New York, and she was declared to be of unsound mind, and not sufficient for the government of herself, etc. Her brother, Thomas Fleming, was appointed her committee and guardian. She remained an inmate of Mount Hope, and the Retreat, five miles from the city, until May, 1864. this time she managed to send a letter clandestinely to New York, and by promising a reward of \$1,000, succeeded in enlisting in her service a lawyer of the name of Torrence. He came on to Baltimore with letters of introduction to prominent gentlemen here; one was to Wm. Schley, Esq., whose services he tried to engage.

Mr. Schley, understanding from Mr. Torrence's statement, that Miss Fleming was placed under control by a competent legal tribunal, refused to enter the case as an advocate, but offered to accompany the gentleman as a friend, to see the patient, which he accordingly did, and they together had an interview with her. Having informed the Sisters of his mission, they communicated it to Mr. Thomas Fleming, her brother and legal guardian, who, at his discretion, removed her to his own home on

On Tuesday morning, March 27, 1865, Sarah Tuttle was ordered, by the Criminal Court of this city, to be delivered up to the Sheriff, and summoned to appear before the grand jury. Sarah Tuttle had been removed in November, 1855, from the Carmelite Nunnery, and placed, with a certificate of insanity from Dr. Ferdinand Chatard, in this asylum. No one could entertain the shadow of a doubt of her insanity. By the numerous visitors who came into contact with her during this long

period of ten years, and by the long list of convalescent patients who were in daily intercourse with her, all recognized her mental disease, and commiserated her heart-rending misery and despair. She labored under religious melancholia. She was eternally lost. She had bartered her soul to the devil. The Almighty had withdrawn his countenance and protection from her, and she was already in the power of the devil. She was firmly pursuaded that she was doomed to everlasting misery, and that there was no possible escape from such a destiny. This was the burden of her song, and her mental affliction was plain and palpable to every one. In this condition she was supported here for ten years on charity, and but for the malign influence exercised over her by Mary Fleming, and the efforts she made to poison her mind against the Sisters and the Physician, much alleviation of her deep-rooted sorrow would have been found for her here. But Mary Fleming artfully contrived to inoculate her with her own malignant hate of the Sisters, and to inspire her with the same insatiate thirst for revenge. In fact, this was the labor of every day and of every hour whilst Mary Fleming was a patient here, to protect the other inmates from her con-To baffle her in her untiring efforts to inspire the other patients with her own intense malignity and hate, and to quell the strife and insubordination she delighted in stirring up around her, demanded sleepless vigilance. It was the difficult problem of every succeeding hour, to protect other well meaning patients from the ever active spirit of mischief that was the ruling passion of this woman. Sarah Tuttle had been completely schooled as to the part she had to play, and when brought before the grand jury, she quite out-Heroded Herod in her denunciations of the Sisters and the Physician, and in the heinous crimes and atrocities she accused them of committing. At her instance, other patients were sent for and rescued from what was called their cruel bondage. This time, the 29th of March, the Sheriff demanded Mrs. Pumphrey, Miss Kate Schindel, Mrs. Sullivan and Mrs. Dougherty. In obedience to the order of the Court, these four patients also were unhesitatingly delivered up to the proper officers, and they were immediately taken before the grand jury. After a protracted examination, two of them-Miss Schindle and Mrs. Pumphrey—were placed in the custody of the Sheriff. Mrs. Dougherty, at her own request, was taken back to Mount Hope, whilst Mrs. Sullivan was set at Miss Schindle's brother was permitted to visit his sister at the Sheriff's house the same night. found her very much excited. A more cruel, censurable course, under her peculiar circumstances, could not have been adopted than was pursued towards this unfortunate She labored, as was well known to a numerous connection in Hagerstown, under a form of mental disorder requiring the most careful seclusion and treatment. She had nymphomania. By many persons in Washington county she was known to be afflicted with this most deplorable variety of insanity; was known to be at Mount Hope, and by no one was the propriety, nay, the stern necessity of her being placed under restriction, ever questioned or doubted. To turn an unfortunate lady like this, visited in the providence of God with so dire a calamity, loose from all restraint, and to give her up to the wild play, and the full sway of her excited imagination and feelings, evinced a degree of presumption, ignorance and madness never surpassed, if ever equalled.

It was cruel and barbarous. Previous to being taken out, she had very much improved, and had become quiet, cheerful and industrious. Her deportment was becoming daily more and more proper and decorous, and a speedy subsidence of her distressing symptoms was confidently She had been now about four months under anticipated. treatment. The progress of the case had been watched with extreme interest and solicitude. All the circumstances surrounding the case were calculated to enlist our warmest sympathies. Her improvement had become most marked and gratifying. Her general demeanor denoted the most favorable change in her mental condition. Her conduct gave promise of a rapid return to the normal state of her feelings and propensities. an evil hour, the action of the grand jury destroyed these bright hopes. Behold the result of their reckless course! See the terrible consequences their highhanded measure entailed upon this young orphan girl! Deprived by disease of the constraining influence of reason and conscience, she forthwith entered upon an unbridled course of extravagance and excess. It became immediately apparent that her mind was doomed to certain ruin, unless she could be controlled and placed under proper restraint and treatment. Dr. Dorsey, the family physician, was immediately called in, and he declared it was impossible to manage the case successfully at home. The brother pleaded for permission to return her to Mount Hope. The authorities maintained she was not insane, and threatened him with a prosecution if he attempted to deprive her of her liberty. became utterly unmanageable, and finally, on Thursday evening, April 8th, ten days after her release from Mount Hope, Miss Schindle was brought back to Baltimore,

and taken to Mount Hope, with a strong certificate of insanity from Dr. Dorsey, and an urgent application, signed by all her brothers and sisters, ten in number begging that she would be received at Mount Hope, and be allowed to remain there until cured of her malady. They united in the declaration that it was impossible to control her at home, unless she was closely confined, and that they wished her to be taken back to the Institution from whence she was removed. She refused to remain at Mount Hope, and appealed to the Sheriff for pro-Her friends still fearing to assume the responsibility of confining her against her will, and without the explicit sanction of the Sheriff, took her to Barnum's City Hotel, where she soon became so noisy and violent that they were compelled to lock her up. In the morning, at daylight, she was again removed to Mount Hope, when her conduct became outrageous, tearing off her clothing, and destroying everything within her reach. She was infinitely worse than ever, and rapidly her disease exploded with all the worst symptoms of furious mania. Nothing could exceed her agitation and excitement. She broke out into the most violent expressions of rage and resentment against her relatives and friends, uttering bitter execrations, or threatening vengeance and condign punishment against those who were instrumental in controlling her and restraining her in her mad proceedings. Her nearest and dearest relations were the objects of her most vehement displeasure. Her thoughts and feelings were expressed with exclamations and loud ejaculations, with the utmost agitation of countenance and manner, and with the most violent gesticulation and She seemed deprived of all affection, of all ideas of right and wrong, of every feeling of shame, of every principle of delicacy and effeminacy, and of all affection for kindred and friends. The advice, the conversation, and even the presence of her attentive nurse, only irritated and exasperated her. For seven long, weary months she continued in this state of raving madness, and not until ten months had expired was her convalescence sufficiently established to admit of her returning home.

Mrs. Sullivan, another of the five inmates withdrawn from the Institution by the order of the Court, had been received here with a certificate of insanity, induced by intemperance, from Dr. John Whitridge, one of the most prominent physicians in the city. She was declared to be dangerous to her family, incompetent to manage her own affairs, and incapable of taking care of herself. Her mind, there could be no doubt, was sadly and deeply impaired by her long continued habits of excess in indulgence, and it was an act of mercy to her, and of charity to her family, to restrain her in her mad career. The grand jury having concluded their examination of her, opened to her the doors and turned her loose. was to have been expected, in a few hours she was found to have relapsed into her old infirmity. She abandoned herself with tenfold recklessness and impetuosity to her old habits of vice and profligacy, and it became necessary to confine her in the Maryland Hospital, where, it is presumed, she still remains.

Mrs. Ann Pumphrey, the last of the five, was admitted here from Washington city in November, 1862, laboring under well marked symptoms of mental derangement. She had long suffered with an acute pain at the top of the head. The meninges of the brain, at this point, it was evident, had long been the seat of a chronic inflam-

mation, and her mental powers had become gradually undermined and shattered from this cause. A degree of dementia resulted, characterized by a succession of ever-varying delusions and imaginations. After a very protracted treatment, this physical cause was measurably removed, and her mental faculties had begun to improve. At this critical moment, having fairly entered upon the path tending towards recovery, and exhibiting satisfactory evidence of a gradual amelioration in all her symptoms, she was removed from our care, and placed at the Church Home until the trial was concluded.*

Now these were the unfortunate individuals, and such their mental capacity, upon whose evidence a grand jury of Baltimore city found against us no less than twenty indictments, charging us with crimes, the perpetration of which necessarily requires the basest depravity of the human heart. These indictments were subsequently abandoned by the State, on the understanding that the defence should plead to a new indictment found by the grand jury of Baltimore county, of

*A still more painful illustration of the character of the case, and the spirit in which it was conceived, as well as of the sort of evidence by which it was sought to be established, was furnished by the fact that these sorely stricken females, all mentally incompetent to give testimony in relation to the most simple matters, and physically weak and infirm, were brought from Mount Hope Retreat by the Sheriff, under a summons to testify, and were actually driven in a carriage from that place to Baltimore, and thence to Trusantown, a distance of some fourteen miles. On their arrival at Trusantown, their condition was found to be such that it was necessary to remand them, without examination, over the same long and dreary road back to the Retreat, and this, too, in one of the most stormy days in February. Two of these patients had been declared insane by a jury, and ordered to be confined in an asylum. The other labored under partial imbecility of mind, and remained voluntarily with the Sisters.

"a conspiracy to cheat and defraud the liege inhabitants of the State," etc.

But it will be asked, "Why was there so much complaint made of ill treatment by certain persons who had been inmates of the asylum if there was no cause for it?" Other institutions have had to meet this question before, and the subject is now well understood both here and in Europe. Every physician connected with an insane asylum knows that insane persons almost invariably complain of the unkindness and cruelty of their best friends and nearest relations. Many never recognize the disordered state of their own minds, and never, for an instant, admit the propriety of the course pursued towards them. Hence, they accuse their friends of conspiring against the safety and security of their lives, liberty and property, and bitterly denounce them for having them restrained and detained in an asylum. They never fail to impute bad motives to their friends for depriving them of their liberty and privileges. long as the mind continues in a morbid state, it is impossible to disabuse such patients of their erroneous im-They view the physician, and every one pressions. interfering with their demands, or refusing compliance with their wishes, as co-conspirators and enemies. misconstrue every manifestation of friendship and affection, attribute to treachery and deceit every effort to gratify and please them, and pervert the best intended and most disinterested acts of kindness into something humiliating and degrading to them. They view everything through a distorted medium. Their distempered imagination warps from its plain meaning every act and They consider the kind and cautious watchfulness of their attendant as the operation of a combined

effort to accomplish their ruin and destruction. By no process of reasoning can they be convinced that they were ever insane; and their wounded self esteem will not allow them to forgive those who considered and treated them as such; least of all, those who restrained They dwell upon the matter until the wrong is magnified into a crime, and the chief business of their lives becomes that of railing at and punishing its authors. They may be sane on other matters, but on this they are sore, disturbed and morbid, if not monomaniac. When such persons leave the institution *imperfectly* cured, they are certain to carry with them a feeling of resentment, both towards those who recommended their confinement and towards those who exercised any control over their wishes and designs. They are apt to carry with them positive delusions in regard to the institution. Impressions made upon their minds in an earlier stage of their malady, are frequently retained for a long time after even apparent recovery has taken place. morbid condition of their minds too often causes them to interpret erroneously what has passed under their observation, and frequently things having no existence but in their disordered and distempered imagination, are carried away with them and circulated as undoubted They leave the hospital with a sense of having been greatly wronged, of having been subjected to a protracted false imprisonment, and of having encountered every indignity and severity. Their earnest and positive declarations, their plausible representations, and their extraordinary statement of injuries inflicted upon them, and of what they really seem to believe they heard and saw, are all well calculated to impose upon well meaning persons, who have had no opportunity of knowing the

actual circumstances of the case, and who will not even take the trouble to investigate and ascertain the truth. These prosecutions, as every superintendent of an insane asylum knows, almost invariably originate with patients discharged imperfectly cured. They are taken away with their minds still warped by disease, their powers of perception, judgment and reasoning still disturbed by some lingering impairment of the mental powers, and their moral sentiments perverted by some remaining latent disorder. Not so with those discharged perfectly cured. Patients thoroughly restored, the powers of the mind completely disengaged from the thraldom of disease, and convalescence established on a firm basis, rarely leave the institution with other than friendly relations with those who were engaged in their care. They invariably express the deepest gratitude, speak of it in the highest terms of commendation, and carry with them the kindest recollections of the friends made during their residence This charge of ill treatment, habitually practiced upon our patients, would have been refuted by a hundred competent witnesses and former patients had the trial continued.

But will it be said that any of these patients were detained an undue length of time after recovery, and that hence the charge of false imprisonment was justifiable and right? How often do cases of this kind occur in the experience of every superintendent? A patient is admitted, laboring under undoubted symptoms of insanity. The case is clearly one of mental derangement, and he is placed under immediate treatment. After a time the symptoms begin to subside, and a partial equipoise of the mental powers is effected. He gradually recovers tranquility of mind, and abandons his more

prominent delusions. But the work of cure is not completely accomplished. Mental health is not entirely es-Some undue exaltation or moral perversion Some morbid depression of the feelings, or excitement of the propensities, or some delusion and groundless suspicion of conspiracy still persist. conduct evinces, in greater or less degree, some departure from the normal state, and the physician is unable to pronounce the case cured. He hopes a little more time will bring about the desired healthy balance of the intellectual faculties, and advises a continuance of the treat-But the patient grows impatient of further restraint, and takes every opportunity to complain of his supposed unjust detention. His mind is filled with exaggerated ideas of his wrongs and grievances. If liberated at this period, proceedings for false imprisonment are almost certain to be instituted. He readily secures the services of some lawyer, who listens to no explanation of the character of the case, heeds not the feelings and wishes of parents and friends, but at once assumes it to be a case of oppression and illegal detention. The physician of this Institution can have no possible motive for detaining any patient a day longer than is necessary for his He has no power to prevent the removal of a patient whenever the friends who placed him there desire to take him out. If he deems their action adverse to the interest of his patient, he can merely give his advice and recommendation. It rests with the friends to remove the patient whenever they think fit. sician can have no object in retaining a patient after he is restored to reason. He has no pecuniary interest in The more patients, the more his the establishment.

care and labor; the fewer, the less. The greater the number discharged cured, the more it adds to his reputation. In fine, the closest scrutiny into the government and workings of this Institution, we hesitate not to say, will show, that there was not and is not the slightest foundation in any substantial fact, to justify the accusations which have been publicly made, and persistently brought to the notice of the public, that it has ever been used like a Bastile, for the confinement of sane men and women by interested parties, and for wicked purposes. Such ideas are but the offspring of the distempered imagination of some artful, cunning patient, and could never receive encouragement and countenance from any rational man, but for the general ignorance that prevails of the subtle nature of insanity, and of the extraordinary powers of deception and dissimulation possessed by many really insane persons.

But this celebrated case is now happily terminated; and whatever were the hopes and purposes which prompted those who engaged conspicuously in promoting and encouraging this prosecution, they have met with signal defeat and disappointment. Our assailants, refusing us even the poor satisfaction of being charged with the commission of some high offence, sought to prostrate and degrade us in the eyes of all honorable men, by accusing us of the lowest, meanest, and most degrading of all crimes, "a conspiracy to cheat and defraud, not to cheat rational and intelligent men, but to cheat the most helpless and dependent of our race, the imbecile and insane." They sought to prostitute the law to this base purpose. But thanks to the untiring energy, the legal acumen, the profound intelligence and admirable skill of our learned and able counsel, this cunningly devised

and deeply laid conspiracy to degrade the fair name of the Sisters of Charity, and to destroy the usefulness of the institution they had fostered and cherished by their own self-sacrificing zeal, has met with the discomfiture its malignity deserved. They and we shall always remember with the fondest feelings of gratitude, and the deepest sense of obligation, the indefatigable zeal, untiring energy and assiduity with which these gentlemen, Messrs. Wm. Schley, W. P. Preston and R. I. Gittings, battled with our adversaries, and labored to protect and defend us against the false and foul calumny. taught our enemies, that not only should they not prostitute the rules and forms of law to the base purpose of destroying the innocent, but that under its ample folds, innocence should find its surest vindication and protec-The name of Hon. D. C. H. Emory, Judge of the Circuit Court of Baltimore County, too, will ever be held by us in the highest estimation and the most profound respect. To his strict impartiality, his stern determination to do right, his purity of purpose, and integrity of character, we owe our full acquittal. In this result we have, then, afforded us the most conclusive demonstration that a Maryland Court cannot be prostituted to the ends of either religious intolerence, or perverted and attempted to be used for the furtherance of sordid and selfish purposes, and that the upright and innocent may defy alike the suggestions of slander, and the formal indictments of persecution. His verdict of Not Guilty not only furnished to us the gratification of a complete vindication from the ignominious charges brought against us, but strengthened the confidence of the community and of the people generally in the purity of the Bench, and in the power of the law to protect the innocent.