

the comfort of such of you as, being under-graduates now, propose to practise in this State after your graduation, that you are not likely to have speedy occasion to exercise your knowledge in this special direction, as by the law of the State, a physician must be a graduate of three years' standing in order to take out commitments for the insane.

The statutes, then, of the State of New York regulate the commitment of the insane by the following enactments :

SECTION 1. No person should be committed to, or confined as a patient in any asylum, public or private, or in any institution, home or retreat, for the care and treatment of the insane, except upon the certificate of two physicians, under oath, setting forth the insanity of such person. But no person shall be held in confinement in any such asylum for more than five days, unless within that time such certificate be approved by a judge or justice of a court of record of the county or district in which the alleged lunatic resides, and said judge or justice may institute inquiry and take proofs as to any alleged lunacy before approving or disapproving of such certificate, and said judge or justice may, in his discretion, call a jury in each case to determine the question of lunacy.

§ 2. It shall not be lawful for any physician to certify to the insanity of any person, for the purpose of securing his commitment to an asylum, unless said physician be of reputable character, a graduate of some incorporated medical college, a permanent resident of the State, and shall have been in the actual practice of his profession for at least three years, and such qualifications shall be certified to by a judge of any court of record. No certificate of insanity shall be made, except after a personal examination of the party alleged to be insane, and according to forms prescribed by the State Commissioner in Lunacy, and every such certificate shall bear date of not more than ten days prior to such commitment.

The following is a blank form of medical certificate, as prescribed by the State Commissioner in Lunacy.

STATE OF NEW YORK, } ss.
COUNTY OF _____,

I, _____, a resident of _____, in the county aforesaid, being a Graduate of _____, and having practised three years as a Physician, hereby certify, under oath, that on the _____ day of _____, I personally examined

* [Here insert sex, age, married or single, and occupation.]

and that the said _____ is Insane, and a proper person for care and treatment, under the provisions of Chapter 446, of the Laws of 1874.

I further certify that I have formed this opinion upon the following grounds, viz : *

* [Here insert facts upon which such opinion rests.]

And I further declare that my qualifications as a Medical Examiner in Lunacy have been duly attested and certified by *

* [Here insert the name of the Judge granting such certificate.]

Sworn to and subscribed before me, }
this day of _____, 187 . }

The chief improvement in this certificate, as compared with those formerly in use, is that it requires the physician signing it to state his reasons for considering the patient insane. It is not enough, as formerly, to give the conclusion ; the grounds for the conclusion are to be furnished also. The object of this is to insure careful personal examination, and to furnish the officers of the institution to which the patient goes with information which will be of value to them in determining his treatment, and hence its importance. I am not aware that this is required under the laws of any other State of the Union. A compensating difference to yourselves may be found in the fact, that in no other State is it required that any prescribed length of time shall have elapsed since his graduation, before a physician is deemed competent to commit lunatics, so that such of you as intend to practise elsewhere, may enjoy the privilege and its resulting emoluments from the outset. I would call your attention to the wording of the commitment used in most States, but not now in New York, with regard to the condition of the patient, which justifies you in secluding him. He must be "insane, and so far disordered in his senses, as to endanger his own person, and the persons and property of others if permitted to go at large," so that a man must not only be insane, but dangerously so, before you can commit him, and, conversely, it is not necessary to send every person who is insane to an asylum, if he is at the same time harmless. This exempts such cases of chronic and harmless insanity as can be properly cared for at their homes, and it also gives you the right to retain the few patients, those with puerperal insanity for instance, who can as well