

REPORT

OF THE

SELECT COMMITTEE

OF THE

LEGISLATIVE ASSEMBLY,

IN THE

CASE OF DR. REES,

WITH

AN APPENDIX.



QUEBEC :

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1861.

REPORT
OF THE
SELECT COMMITTEE
ON THE PETITION OF DR. REES.

Mr. Robinson moved that the Petition of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum at Toronto; praying that the resolution and report prepared by a Committee of the Legislative Assembly in 1851, respecting his claims for compensation for injuries sustained while in discharge of his public professional duties, may be referred to a Committee for investigation, be referred to a Select Committee, consisting of Messrs. Playfair, Cameron, Wilson, Bureau, and the mover.

*Yeas—75; Nays—27.**

COMMITTEE ROOM, Tuesday, 30th April, 1861.

The Select Committee to which was referred the Petition of Dr. William Rees, late Medical Superintendent of the Provincial Lunatic Asylum at Toronto, beg leave to report,†

That they have given due consideration to the matters referred to them in said Petition.

That the facts stated in the said Petition are already before Your Honorable House, in connection with a previous application.

That your Committee find, that many years ago Dr. Rees, actuated by humane motives, brought to the attention of the Legislature, and other authorities in Upper Canada, the position of those insane persons who, at that time, were unfortunately confined in the Gaols of the country.

That it was owing in a great degree to the exertions and representations of Dr. Rees, that the first Lunatic Asylum was established in Upper Canada.

That while in the performance of his duties as Medical Superintendent of such Asylum in Toronto, he sustained severe injuries from the attacks of two Lunatics, which (as was shewn to Your Committee in the certificates of many Medical Practitioners of the highest respectability) have permanently injured his health, and rendered him unfit for the practice of his profession.

That in the years 1846 and 1851, the case of Dr. Rees was favorably reported on by Committees of the Legislature, which reports Your Committee regret have resulted in no permanent advantage to Dr. Rees.

Your Committee are of opinion that Dr. Rees is not altogether incapacitated from active

* The vote would have been nearly unanimous but for the objection explained, viz.: That, as two reports had already been made in favor of the petitioner, the Government should have acted without further reference to Parliament.

† Being the third report of Select Committees of the Legislative Assembly in favour of granting permanent provision, as compensation for injuries occurring in the public service, together with an Appendix, consisting of documents transmitted to the Government, and connected with the early institution of Lunatic Asylums in Canada, during a period of twenty-five years, inclusive.

duty, and would therefore recommend him to the consideration of the Government, and that some provision or situation suited to the circumstances of his case may be given to him.

Your Committee would also recommend that the Medical Certificates signed by Doctors Herrick, Bovell, Hallowell, Beaumont and Blatherwick, be printed
(Signed,) JOHN BEVERLEY ROBINSON, *Chairman.*

Mr. ex-Sheriff Jarvis (formerly one of the Commissioners of the Lunatic Asylum, of Toronto,) was in attendance and testified as follows: Has known Dr. Rees long and intimately; always considered him a public benefactor and entitled to the consideration of the Government; remembers the time when alleged injuries were received, and thinks the Doctor's general health impaired ever since, though he might still be employed advantageously.

Extracts and Medical Certificates.

We, the undersigned, have been acquainted with Dr. Rees for a long series of years. We are personally cognizant of the fact that he sustained very serious injuries, principally of the head, but also in other parts of the body,—while in the discharge of his Professional duties at the Provincial Lunatic Asylum. That, in consequence of the injuries, he was rendered unable for a considerable time to continue his duties at the Institution.

That at the period indicated, and subsequently in 1851, at the instance of a Parliamentary Committee, he was examined by Medical men, and on the last occasion pronounced unfit to practise, nor has he since practised, nor has he practised since the receipt of the injuries, owing to his continued impaired health from the above causes, We, therefore, consider him fully entitled to the measure of relief recommended in the Report of the Commissioners of the Asylum to the Government on the occasion, and of the Committee of Parliament, embodied in a resolution, prepared by its Chairman, Dr Nelson.—*See Appendix.*

GEORGE HERRICK, M. D.,
JAMES BOVELL, M. D.

TORONTO, 15th February, 1861.

I hereby certify, at the request of Dr. Rees, that a certain certificate signed by me and published in the Journals of the House of Assembly of 1851, (such certificate therein bearing date January 4th 1846,) was fully borne out, in my opinion, by the circumstances of his case, and that his impaired state of health was proved by evidence taken before Commissioners of the temporary Lunatic Asylum of Toronto, to have been mainly caused by injuries received from lunatics whilst in the performance of his duties. I was at this time one of the Commissioners of the Asylum, and took some pains in the investigation, a report of which was published in the aforesaid Journals of the House. Occasionally, since this period, Dr. Rees has consulted me as to his impaired health.

W. R. BEAUMONT,
F. R. C. S., Eng.

Toronto, C. W., February, 18th, 1861

49, QUEEN STREET EAST,
Toronto, March 2, 1861.

I have been acquainted with Doctor Rees for the last *twenty-two years*; at the commencement of that period he was in the active discharge of his duties, as Medical Superintendent of the Provincial Lunatic Asylum. I was on several occasions conducted by him through the establishment, and had ample opportunities afforded me of witnessing his successful mode of treating the patients, and his enthusiastic exertions on behalf of the "*poor lunatic.*"

Some years after the period referred to (and while still acting as medical officer to the institution) Doctor Rees sustained very severe injuries from a maniac, (one, of the most violent description,) in consequence of which Dr. Rees was obliged to relinquish his charge for a season,—his bodily organs generally, having suffered so much functional derangement as to disqualify him from service.

Having carefully perused the various certificates furnished by Staff Surgeon Delmage, Drs. Herrick, Badgley, Bovell, and others personally known to me, and com-

paring the conclusions at which they have arrived, with the opinion I have myself formed of Dr. Rees' bodily condition—during frequent intercourse with him for the last 13 or 14 years, I corroborate the statements of the above gentlemen in every particular.

WILLIAM HALLOWELL, M. D.

M. R. C. Surgeon, Edinburgh.

QUEBEC, 29th April, 1861.

SIR,—Having, previously to appearing before your Committee, examined the state of Dr. Rees' health, the Report of the Committee of Commissioners of the Toronto Lunatic Asylum, and documents from Drs. Badgley, Herrick, Bovell, Arnoldi, Beaumont, Hallowell and others, I am of opinion that Dr. Rees has suffered permanently from the injuries he received while in charge of the Toronto Lunatic Asylum; and that he is disqualified from the active pursuit of his profession.

I am, Sir, your obedient servant,

THOS. BLATHERWICK,

Staff Surgeon.

The Chairman of the Committee
of the Legislative Assembly.

APPENDIX.

To the Honorable CHARLES ALLEYN, Provincial Secretary, Quebec.

TORONTO, March 6, 1861.

SIR,—My claims, the subject on which I had the honor to address you in April 1858, still remaining unadjusted, I beg leave to transmit the within medical certificates and evidence of the continued ill effects and consequences of the injuries received by me in the public service, which, together with the other papers already before Government, cannot fail, I humbly conceive, fully to establish what I have from the commencement of my application constantly urged as a just claim.

On the suggestion of the Honorable F. Hincks, the late Honorable Henry Sherwood, many years since proposed to me that, by way of compensation, I should accept some easy office, the duties of which I could perform notwithstanding my impaired health; but no such situation offered itself for a long time, or until an Act was passed for appointing a Board of Prison Inspectors (a suggestion for which the public are indebted to myself); a place in that Board with a salary I felt disposed to accept, knowing the duties were such as I could fulfil satisfactorily to the public, if they were not too onerous for my state of health, which I then thought they would not be. Under these circumstances, and being willing to work for the public as long as I could, I became an applicant for one of these Inspectorships, which, however, was not conferred on me. I therefore urge my application for the permanent provision contemplated by the Report of the Committee above referred to, and it seems scarcely necessary to draw attention to the fact that my application for office under such circumstances, and from such motives, cannot possibly militate against my claim—so fully established by the evidence and medical certificates now sent and already before the Government—which leave no doubt of my permanent ill health arising from injuries received in the public service, and consequent inability to follow my Profession—facts which are quite consistent with a desire and ability some time since expressed, to fulfil the duties of an office of a particular description.

I have the honor to be, Sir,

Your very obedient humble servant,

WM. REES

[I beg to call attention to the fact that when I first applied for compensation, and for many years afterwards, there was a large fund applicable to such a purpose in the Lunatic Asylum Tax—which, in 1858, was so productive as to yield over £30,000, left balance when it ceased; what amount remained when the tax ceased to be collected I do not recollect, but it was a very considerable sum.—W. R.]

Extract from Report on Petition of Dr. REES, 1851.

SELECT COMMITTEE IN SESSION OF 1851: Dr. Wolfred Nelson, *Chairman*; Sir Allan N. McNab, Messrs. John Prince, J. Bouthillier, Dunbar Ross.

Your Committee beg leave most respectfully to Report, That they have given the most careful consideration to the matter referred to them. They find that the circumstances connected with the case are already before Your Honorable House, in connection with a previous application; and it is therefore unnecessary to do more than refer to them. It appears that on the establishment of a Provincial Lunatic Asylum at Toronto, in September, 1840, and opened, January, 1841, Dr. Rees, who had been mainly instrumental in procuring its establishment, was appointed Medical Superintendent to the Institution, an office which he continued to hold until the month of October, 1845, and with a degree of success, as regards the treatment of the patients, contrasting favorably with some of the best conducted Asylums in Europe. This is satisfactorily shown in the able Report of Dr. Spear, member of the Royal College of Physicians and Surgeons, London, to the Commissioners of the Toronto Asylum, in 1843, which is appended hereto (No. 1). (*See Journals.*)

In the autumn of 1844, Dr. Rees was, on different occasions, attacked by two of the unfortunate beings under his charge, and received such severe injuries in the head and other parts of the body, as to compel a temporary retirement from the active duties of his situation. Various papers connected with *this* are appended (No. 2). They (the Committee) have no hesitation in believing his case to be one of a very painful character; and they most respectfully recommend him to the Government, for such provision as they may deem fit to award to him, under the peculiar circumstances of his case:

All which is respectfully submitted.

Resolution of Chairman—Dr. W. NELSON.

Resolved, That an humble address be presented to His Excellency, the Governor General, informing His Excellency that this House has agreed to a Report of a Select Committee in favor of William Rees, Esquire, late Medical Superintendent of the Toronto Lunatic Asylum, recommending such suitable allowance to be made for injuries received by him while in the discharge of his duties, from the period of their occurrence, as His Excellency may deem the case under the circumstances to warrant, and to request His Excellency's favorable consideration thereof, and that a copy of the Report be also transmitted to His Excellency.

WOL. NELSON.

MEDICAL CERTIFICATES.

Dr. ABNOLDI to the Honorable JOHN ROSE, Commissioner of Public Works.

SIR,—The attention of Government having been drawn during the present Session of the Legislature to the case of Dr. Rees, of Toronto, late medical Superintendent of the Provincial Lunatic Asylum, and having in common with his numerous medical friends felt deep interest that he should be adequately requited for his past and valuable services, may I beg your serious and immediate attention to his prayer—now fully before the Government. Dr. Rees has devoted a very large portion of his professional life to the establishment of Lunatic Asylums in Canada. He visited the Continent of Europe to obtain the most recent and approved modes of conducting such Institutions, altogether at his own expense, and on his return, after many applications to the Legislature, succeeded in getting the present Toronto Asylum founded, and was appointed the first Medical Superintendent, the duties of which he discharged from 1840 to 1845 with great success and universal satisfaction. The status which this Institution immediately acquired needs no eulogy from me.

Dr. Rees had many of the very worst cases to manage, and in the last year of his servitude he received a very severe blow on the head, inflicted by a powerful maniac, and was otherwise severely injured by blows and kicks about the person. After this mishap, Dr. R. was rendered incapable of discharging his duties for a considerable length of time; the Board of Trustees or Commissioners, ordered a medical enquiry to be made on his

state, in consequence of which a unanimous resolution was passed and submitted to Government, recommending "permanent relief" to the Doctor. Dr. R.'s case being injury received while in the discharge of his duty, is precisely the same as that of an officer in the army—a pension was undeniably his right. May I, therefore, trust you will give Dr. Rees's case your serious consideration and favourable support.

I remain,
Sir,

Your most obedient humble servant,

FRS. ARNOLDI, M. D

Toronto, May 8, 1860.

Certificate of Dr. DELMAGE, Staff Surgeon, (to the Executive Government),—Toronto, March 21st, 1851.

DEAR SIR,

I have perused with attention the papers mentioned in your note of yesterday, concluding from their contents, and the conversation which I have had with you on the present state of your health, I hesitate not declaring it as my opinion, that the nature of the injuries which you have received, while in the discharge of your public duties, as Superintendent of the Provincial Lunatic Asylum of this place, were most severe, and the results now most serious, in all probability likely to be permanent. I therefore consider you are justly and fitly entitled to a sufficient or permanent remuneration in consequence; and, were an officer of our army to have suffered such, under similar circumstances, I feel quite confident a life-pension would be granted to him.

Believe me, dear Sir,

Very truly yours,

C. C. J. DELMAGE, M.D.,
Staff Surgeon.

Certificate of F. BADGLEY, M. D.

TORONTO, 5th March, 1851

SIR,

In accordance with your request, that I would furnish you in writing with my opinion (for the information of the Executive Government), as to your "present state of health, and your fitness for resuming general Medical practice," I beg to state that, after the minute examination to which I subjected you on a recent occasion, I consider your health to be such that no Life Insurance Company would undertake a risk upon your life, in consequence of the injury sustained by you, in the course of your duties at the Asylum, in 1845, by the hands of the man Dempsey.

I have the honor to be, Sir,

Your obedient servant,

F. BADGLEY, M. D

Extract from the Report of Select Committee of the House of Assembly on Petition of Dr Rees, May, 1846.

SELECT COMMITTEE IN SESSION OF 1846: Messrs. W. B. Robinson, *Chairman* George McDonell, William H. Boulton, Robert Christie, Et. Taché.

With regard to that portion of the petition praying compensation for injuries received from the unfortunate and irresponsible class of our fellow-beings under his charge, while discharging his duties, this your Committee apprehend can no more be denied to him (the petitioner) than to a soldier wounded in the service of his country.

In the case of the petitioner, notwithstanding the previous misunderstanding between the Board of Commissioners and himself on the occurrence of these accidents, a most strict and careful examination and investigation was gone into by the Commissioners, as proved by the minutes of their proceedings, they were satisfied, as your Committee are, by the medical certificates produced by the petitioner therefrom, and unanimously concurred in

the opinion that he was entitled to compensation at the hands of the Government, as certified by their Report appended to this petition, and this is fully borne out by the accompanying strong recommendation of the Lord Bishop of the Diocese, the Mayor and Corporation of the City of Toronto, and other Heads of Departments in the City. They cannot too strongly urge the requital of valuable services in meritorious public officers, and compensation to them for injuries which they may receive incidental to their employment. That during the whole period of his term of office, he seems to have devoted his undivided and exclusive attention to the duties of his situation, having from the moment of his appointment relinquished a respectable and increasing general practice. And in his professional management he appears, by the accompanying documents, not only to have merited, but to have obtained the high approbation of the Commissioners, and that also of all the members of his profession who visited the Institution under his charge, and of those who, in their capacity of commentators on the subject of Insanity and Lunatic Asylums, have paid a high compliment to his system of treatment in the Asylum at Toronto, as proved by its statistics, when compared with those of similar institutions in other countries.

Honorable V. C. JAMESON to Honorable H. SHERWOOD.

KING STREET, TORONTO.

MY DEAR SIR,—I not long ago wrote to my honorable friend, Sir Allan McNab, upon the subject of the claims which I cannot but think Dr. Rees possesses upon Government, in respect to past services and continuing injuries, sustained in the cause of humanity, ending in closing of his professional career without a moral imputation upon his character, but a difference of opinion as to the internal government of the institution of which he may be said to be the founder. You are at present disconnected with the Government, and therefore may be supposed to be a disinterested advocate. Several of the Commissioners who with myself presided over the Lunatic Asylum when Dr. Rees was the Medical Superintendent, feel that there is in his case one of hitherto unrequited merit.

The accompanying documents, which have already been before Parliament, establish the most important facts connected with his case.

If you can use your proper moral influence in what many deem to be a good cause, you will at all events give much pleasure to your faithful servant,

ROBERT S. JAMESON.

To the Honorable Henry Sherwood, &c., &c., &c.

Honorable H. SHERWOOD to Dr. REES.

QUEBEC, 6th October, 1852.

MY DEAR SIR,—I have had an interview with Mr. Hincks on the subject of your claim, and upon the whole it was satisfactory. He seems quite disposed to recognize your claim, and requests me, as I shall do, to place it before the Government in the shape of a memorial. He says that the Government intend to come down to the Legislature with a Bill for the establishment of Institutions for the imprisonment and correction of juvenile offenders, one of which is to be erected in Toronto, and if the proposition meets the approbation of Parliament, and becomes a law, that he will give you the management of it at a respectable salary. If this arrangement, however, should fail, I feel justly confident that I can get your just claim answered in some other way.

Yours truly,

HENRY SHERWOOD.

W. Rees, Esq.,
Toronto.

Copy of Letter, Dr. REES to the Honorable N. A. MORIN, Provincial Secretary.

QUEBEC, 4th December, 1854.

Suggestion for a Provincial Sanatory Commission or Board of Inspection, proposed for the purpose of enabling the Government to institute a more perfect system of Inspection

or supervision in the future management of the various Institutions in which the Public Health may be more or less deeply affected in this Province.

SIR,—The almost universal complaint of the want of order and discipline which has existed for so many years, and which has been more particularly evinced through the public press, prompts me to submit for your consideration the above proposed permanent Board or commission, by which a more thorough investigation into the Quarantine and Emigrant Departments, the Marine and other Hospitals, the Lunatic Asylums, Penitentiary and Prisons may be more effectually made with views to their improvement; the above proposed plan being that which obtains in most of the States of Europe.

I shall be happy more fully to enter into details, should this suggestion meet the approbation of the Government.

I avail myself of this opportunity of enclosing a letter from Dr. Nelson, to whom the above proposition has been submitted by me, and in which he fully concurs.

I have the honor to be, Sir,

Your obedient servant,

WILLIAM REES.

To the Honorable N. A. Morin,
Provincial Secretary, Quebec.

MONTREAL, 23rd November, 1854.

MY DEAR MORIN,—The bearer, Dr. Rees, an old and much esteemed friend, will have the honor to hand this to you. I can most safely recommend the Dr. to your kind consideration.

He is quite conversant with Hospitals, Asylums, and every other department embraced by his profession. Should the present Government be disposed to take some steps to place our public Sanatory Institutions on a better foundation, and God knows they require much, I know of few men better qualified to make valuable suggestions for the administration of such matters, for the Dr. is eminently practical and much given to study, and has had great experience.

A Sanatory Board is very much required, equally for the benefit of the sick, the stranger, the alienated and the infirm. An establishment of this nature would be an honor to the country, would save it many thousands of pounds annually, and relieve the Administration of a vast amount of trouble and vexation.

I am sure you will pardon the freedom of my remarks, knowing as I do how devoted you are to the best interests of our common country.

Yours very faithfully,

WOLFERD NELSON.

Dr. NELSON to Dr. REES.

MONTREAL, 25th September, 1856.

MY DEAR DOCTOR,—I have much pleasure in acknowledging your favor of the 22nd instant, and most cheerfully comply with your request, that you may have a copy of my communication to the Government on the necessity of establishing a Board of Inspection for the supervision of our *Public, Charitable, Penal* and *Sanitary* Institutions, provided the Honorable the Provincial Secretary has no objection to it; but please to observe that this must be on the condition that you transmit me a copy of that document, for it so happens that the original is mislaid, and I am desirous of possessing a transcript of it.

I am right glad that you take such a deep interest in this most important matter, the carrying out of which would confer infinite honor on the present Administration, as well as incalculable benefit upon the cause of *humanity*, science, and on the character of the country. Indeed, I know of nothing of greater importance, and am sure that our friends the Ministers would reap great popularity and consideration by drawing the attention of

the Legislature to such a much called for measure. You may show this letter to the Provincial Secretary if you think proper.

I am, in great haste,
Yours faithfully,
WOLFRED NELSON.

Dr. HERRICK to Honorable F. HINCKS.

TORONTO, August 17, 1852.

MY DEAR HINCKS,—You might have recently observed that the condition and management of the Gaols, as regards the health of their inmates, has been the subject of severe animadversion in the public prints, no less than the complaints against the Provincial Lunatic Asylum.

Now it has occurred to me that if an Inspector of Gaols and Lunatic Asylums was appointed for the Western similar to that of the Eastern section of the Province, lately given to Dr. Nelson, no measure would afford greater public satisfaction. I have been led to make these observations, because I have made arrangements to proceed to Parliament for the purpose of obtaining justice for that much injured and long neglected, yet meritorious public servant, Dr. Rees—a man more eminently qualified from his experience and aptitude for such an office as the above, cannot be found, nor would any appointment give greater satisfaction.

The Legislature having two or three times recommended provision for him as compensation, and as no man has done more to aid the public,* I do hope that you will at once carry out this suggestion, together with the recommendation of the Committee in their Resolution of last Session, so that he may extricate himself from the embarrassment under which he has so long suffered.

I may venture to add that I feel assured Dr. Rolph will fully agree in all I have here advanced.

I am, dear Sir, yours truly,

GEORGE HERRICK, M. D.

To the Honorable F. Hincks, &c., &c.

Hon. Mr. CAYLEY to Hon. F. HINCKS.

MY DEAR SIR,—Will you allow me to introduce to your notice (though holiday time) a subject in which you must take a lively interest—the unhappy aborigines of this country. You are well aware of the satisfaction generally felt at the appointment of the Hon. W. B. Robinson to the very important and interesting service of settling the wild tribes of the west; that being accomplished, a permanent arrangement should be made to protect their interests.

On the eve of the removal of the Government from Toronto to Quebec, I feel assured that the poor Indians will not be overlooked, and that precautions will be taken to promote their spiritual as well as temporal welfare, by the selection of some competent party to devote his whole time and attention to their general wants. I have but to mention the name of Dr. Rees to enlist your sympathies and interest—a man of high professional attainments, great experience and trustworthy habits, with that peculiar idiosyncrasy which render him eminently qualified for this all-important charge. A word from you to the authorities that be will more than suffice the wishes of our friend; and by effecting his

From the Toronto Patriot, May 17th, 1839.

* "We this day lay before the public, a correct list of the Bills passed during the late Session of the Legislature, among which is one for the establishment of a Lunatic Asylum,—the public is mainly indebted to the indefatigable perseverance of Dr. Rees, who, we sincerely hope will be rewarded for his useful and praiseworthy zeal, by a post of Honor and emolument in the establishment, and not like Bentivoglio be denied admittance into the Hospital which he himself had erected."

By Dr. Rees also was suggested the existing Provincial Board of Works, a means of saving vast sums to the public, adding greatly to the efficiency and preventing the abuses then so much complained of in that important branch of the public service.

election you will equally secure the interests of that interesting race who are more especially the object of this application, and render great personal satisfaction to

Your most obedient humble servant,

To the Honorable F. Hincks

W. CAYLEY

We, the undersigned, respectfully certify that we have long known Dr. William Rees, and willingly bear testimony to the active zeal and humanity with which he has for several years devoted his able professional skill to the service of the Lunatic Asylum; and humbly recommend him to the favor of His Excellency the Governor General.

ALLAN N. MACNAB,
JOHN TORONTO,
ROBERT S. JAMESON, V. Chr.,
J. B. MACAULAY, Judge, Q. B.
A. M'LEAN, Judge, Q. B.
C. A. HAGERMAN, Q. B.
W. B. JARVIS, Sheriff, H.D.,
and one of the Commissioners;
Lunatic Asylum.

I have always heard Dr. Rees' services, in the care of Lunatics confined in the Asylum, spoken of as being very zealous and successful; but I have no knowledge of the grounds on which those services have been discontinued.

JNO. B. ROBINSON, Chief Justice.

We, the undersigned, Members of the Corporation of the City of Toronto, having been acquainted with Dr. Rees as a professional man for many years, and having witnessed the talent and zeal which he has manifested in the conduct and management of the Temporary Lunatic Asylum in this City, during the many years which he has been engaged in the medical superintendence of that Institution, most respectfully recommend him to the favorable consideration of His Excellency the Governor General.

WM. H. BOULTON, Mayor.
HENRY SHERWOOD, Alderman.
GEO. GURNETT, Alderman.
WM. WAKEFIELD, Alderman.
JAMES BEATY, Alderman.
ANGUS BETHUNE, Alderman.
J. HILLYARD CAMERON, Alderman.
ROBERT BEARD, Alderman.
—— DENISON, Jr., Alderman.
JOHN CRAIG, C. C.
JAMES TROTTER, C. C.
GEO. PLATT, C. C.
J. G. BEARD, C. C.
SAML. PLATT, C. C.
JOHN RITCHIE, C. C.
THOMAS J. PRESTON, C. C.
JONATHAN DUNN, C. C.
SAMUEL MITCHELL, C. C.

City Hall,
Toronto, 13th March, 1846.

Extract from Dr. SPEAR'S Report.

Dr. Rees has by his exertions and his medical and moral treatment, raised the Toronto

Lunatic Asylum, with all its disadvantages, to nearly a level with the most favoured of similar Institutions in Europe.

I have the honour to be, with the greatest respect, Sir,

Your very obedient Servant,

ROBERT SPEAR, B. M., L. M. Cantab.,

Member of the Royal College of Physicians, London.

To the Hon. Vice-Chancellor,
Chief Commissioner of Toronto Lunatic Asylum.

Extract from the British American Journal of Medical and Physical Science.

REPORT OF THE TORONTO LUNATIC ASYLUM. — We acknowledge the reception from Dr. Rees, the late Physician of the Toronto Lunatic Asylum for the Insane, of the Report of that Institution for the last year, with a Summary for the last five years. At the late hour at which they were received, we find it impracticable to pay that attention to them which their importance demands. The crowded state of our columns from matters which are of extreme importance to the profession at large, entirely precludes this. We have, however, examined the documents, and find in them abundant demonstration of Dr. Rees' perfect fitness for the full discharge of the important duties with which he had been invested, and which we are sorry to understand have been rather abruptly terminated. Dr. Rees' health has been much impaired from, we understand, some injuries received from a Lunatic, and he is now preferring just claims, in which we hope he will be successful. We have never heard but one sentiment in his favour, viz., one of praise; and it is to his exertions that the Toronto Asylum chiefly owes its existence."

From the Montreal Medical Gazette, April 1, 1845.

We call the attention of our readers to the valuable report of Dr. W. Rees, addressed to the Board of Commissioners on the condition of the Provincial Lunatic Asylum, of Toronto, under his professional charge; and we regret that want of space has prevented us from publishing in our present number the statistical tables which accompanied his report. They are drawn up in a most clear and satisfactory manner. By Dr. Rees' report the average amount of cures since the opening of the Asylum has been 60 per cent., which we conceive redounds most highly to his credit; and considering the limited accommodation in the building, the many perplexing and mortifying difficulties which he had to encounter in the execution of his onerous duties, it speaks volumes in favor of his thorough acquaintance with the malady, to the treatment of which he has for some years given up his whole attention and energies.

In a very able report drawn up by Dr. Spears, in March '43, we find as confirmatory of this opinion of ours, a statement of the average number of cures effected in different countries, by which we learn that our friend Dr. Rees stands second only on the list. The average number of cures effected at Bethlehem on all cases is there stated to be 63 per cent. In the Connecticut Asylum, 57—40 per cent., in France, 42—42 per cent., in England generally 32 per cent. How stand the Mortalities? In Connecticut there are 4—4 per cent., in Paris 7—7 per cent., and at Toronto 7—5 per cent. The report above alluded to of Dr. Spears, with others of Drs. Dunlop and Rees we hope to be permitted to publish in future numbers, for they contain a mass of information rendered doubly valuable at this moment, from the fact of all the institutions at present existing in this Province being merely of a temporary description.

*Extract from the First Report of the Asylum, by the Hon. R. S. JAMESON, V. C., and Chairman of the Board of Commissioners, 1841. **

"When assuming the responsibility and the organization of the New Asylum, I well knew the benevolent ardour with which Dr. Rees has long devoted himself to the subject

* *Extract from the very able speech of the Hon. Chief Justice Robinson, on the occasion of laying the foundation Stone of the New Asylum, Toronto, August 26th, 1846.*

"The erection of a new gaol in this city left the old gaol at the disposal of the proper authorities, and it was applied exclusively to the purpose of accommodating the insane who being collected there

of the treatment of insane persons, and that it was, in fact, owing mainly to his perseverance that the existing legislative provision was made. The patients were taken from the cells in which they were closely confined, and placed in purified, airy rooms, and their food critically adapted to their physical state; in fact every thing done, which the constant attention of a person devoted to his purpose could effect. The effect of this new course of life on the patients was soon apparent. Many who had long been confined as confirmed lunatics were found to be labouring under derangement arising from physical causes, and yielding to physical remedies; several have completely recovered who, but for this treatment, would probably never have exhibited another gleam of reason. So much good, I conceive, could never have been effected by the mere occasional visits of a physician, however skilful. The state of the asylum, and the success with which it has been conducted, are shown forth in the approbation of the Grand Jury who visited the asylum, 10th June, and whose presentment is herewith appended."

Extract from Presentment of the Grand Jury of the Home District, 4th April, 1842

The Jurors aforesaid further present, that they have visited this temporary Lunatic Asylum; and have derived equal satisfaction from an examination into its management and condition. Here, too, order and cleanliness prevail throughout, while the soothing and humane system of treatment, which the improved science and enlightened benevolence of the present day, have substituted for the rigorous and coercive regulations by which such institutions were formerly governed, has been productive here, as it has been everywhere else, of the most beneficial and gratifying consequences; conducive alike to the present quiet and comfort, and to the ultimate recovery and restoration to society of the unfortunate patients confined therein.

In illustration of this pleasing fact, the Jurors beg to report, that from the returns exhibited to them by the Medical Superintendent of this establishment, it appears that since it was opened fifteen months ago, there has been admitted 76 Patients, of whom forty have been discharged cured; three do. relieved; three have died of corporeal diseases; leaving at present in the Asylum thirty—of whom sixteen are Idiots and incurable, and five are convalescent.

were placed under the care of a medical gentleman, Dr. Rees,* who had made insanity his study, and who discharged the duty he had undertaken with ability and zeal.

"I shall not be so unreasonable as to attempt to detain you here by giving any account of the statistics of insanity in this, or other countries. Those who have read some of the reports on the management of Lunatic Asylums published in Europe, and in the United States of America, will not readily forget the affecting descriptions of the almost magical improvement produced in the patients by the adoption of the kind treatment which has, in modern times, been substituted for the harsh system of constraint, and intimidation formerly in use. Some of these, (I speak more particularly of reports which have been presented to the Legislature of the State of New York,) are among the most deeply interesting documents which I have ever read. One fact I recollect to have seen stated in them which is indeed encouraging. It is, that in one of the institutions of that State, as well as in the well-known private establishment in England, conducted by Dr. Burrowes, the average number of patients restored to the use of their reason is about ninety-two in a hundred. But then this calculation is confined to cases where there has been no delay in applying the proper treatment—when three months have been suffered to elapse the result is more doubtful; if a much longer time is lost, the case seems to be in general almost hopeless. It appears as if the continued derangement of the mental powers occasions some corresponding disorder in the functions or structure of the material frame, which prevents the current of thought from returning to its accustomed channels.

"We see then that in a vast proportion of the cases it must depend upon the patient receiving the proper treatment without delay, whether he is to continue through the rest of his life a bewildered maniac, or to be speedily restored to himself and his family, a useful, and rational, and perhaps a happy being. And this being so, what a satisfaction is it to reflect that from the day when the doors of this Asylum shall be opened there will be a retreat where all those who may be thus afflicted can have instantly the advantage of all those means which science and humanity have provided in this enlightened age for affecting their restoration, if by the blessing of God it be possible. If they, or their friends shall be in circumstances to support the charge of their maintenance, they will be received on those terms, if they shall be too indigent to have that in their power, then they will be supported at the public charge; and whether the afflicted person shall be rich or poor, there will be no essential comfort, no useful luxury, no aid which science and skill can furnish—no necessary recreation for the mind, or healthful employment for the body with which wealth could, under such circumstances, furnish

* Dr. Rees was the first Medical Superintendent, and received, as the law then required, his appointment from the Crown under the high recommendation of Drs. Widmer & Dunlop, the original Commissioners.

The Jurors regret to find, however, that an Institution which has rendered already so much benefit to society, and which is capable of being made more comprehensively useful, is now languishing for want of the necessary support to maintain its existence. It appears that during the fifteen months it has been in operation it has been supported almost entirely upon the credit of the Institution,—that is to say, upon credit obtained in the expectation that money would be advanced by Government to liquidate the debts contracted, or upon the personal credit of the Medical Superintendent and Commissioners.

GEORGE GURNETT,
Foreman

Copy of a Letter from Dr. DUNLOP, M.P.P., to the Hon. S. B. HARRISON.

TORONTO, 22nd November, 1841.

MY DEAR HARRISON,—Dr. Rees conceiving that you would be more apt to attend to the representations of a representative than his own, has requested me to write to you on the state of the Asylum, under his charge. He is quite out of funds, the creditors are clamorous, and the servants are in a state of mutiny: so that, if not speedily relieved, he will have no alternative but to dismiss the lunatics and lock up the doors. This would be a sad pity, for they are doing well in all cases, and in many the cures have been miraculous. Indeed, I never saw an establishment of the kind so well conducted. Now, if these poor people are sent home to their friends before they are completely cured, a relapse will be the certain consequence. Do try to get something done.

Yours truly,
WILLIAM DUNLOP.

To Hon. S. B. Harrison,
Provincial Secretary.

Copy of Letter from Dr. REES to Hon. S. B. HARRISON, Provincial Secretary.

TORONTO, November 24, 1842.

SIR,—Impelled by the most urgent pecuniary difficulties, legal proceedings and legal expenses, I desire again to call your attention to my recent communications on the subject of

its possessor that will not in their case be equally brought within the reach of all, whether they be rich or poor. Their affliction will be their title to comforts and advantages which, while blessed with health and the full enjoyment of their faculties, they might have desired in vain. But what is more important, they will have one ground of hope for their recovery which nothing but the establishment of some great institution of this nature could place within the reach of many: they will have the benefit of the experience acquired, as we may hope, by some man of master mind with the daily opportunity of observing cases of insanity in all its forms, who will thus be able to appreciate correctly the first symptoms of a gradual return to reason, and to give in time to the sufferer his kind and intelligent aid.

“In the conduct of these Institutions it has been wonderful to observe what effects are produced by the individual character and influence of the Superintendent. It seems to be indispensable to success in any great degree that he should possess remarkable qualifications, both physical and mental. His manner, his appearance, his deportment, the eye, the tone of voice, the temper must all combine, it is said, to produce that ascendancy over the mind, and that control over the will of the insane patient which is necessary to produce confidence and procure repose, and without which, indeed, it would be dangerous, if not impossible to allow that liberty which is so essential to recovery, and which forms the pleasing distinction between the present and former methods of treatment.

“Fifty years ago, those who might have witnessed the erection of a vast building like this for the reception of the insane, might naturally have had in their imagination, when they looked forward to its completion, successive ranges of gloomy and comfortless cells resounding with the cries of miserable maniacs chained down upon their beds of straw, and shuddering at the sight of their harsh keeper, who held only that dominion over them which he had acquired by force or terror. Now, the imagination can dwell with something more than complacency upon the scenes which may be expected to be witnessed within the walls and grounds of a Lunatic Asylum.

“The cheerful walk—the luxurious bath—the soothing music—the innocent games—the numberless reliefs from the tedious weariness of life which active benevolence can invent; all, it is true, enjoyed under a delusion, but still enjoyed—these are the practices we read of in such Institutions at the present day: and is it not a blessed change? Can we be too thankful to those devoted enthusiasts in the cause of humanity to whom the world is indebted for it? Who dare say that he has no

remuneration for my professional services to the Provincial Lunatic Asylum, to which I have not received even an acknowledgement. That I should be exposed to such painful embarrassment without any attention to my claims during a period of nearly two years, the smallest sum excepted on account, but not equivalent to rent and fuel, which I was to receive, is really too bad when considering that I have devoted my undivided attention to the responsible and very *onerous* duties of the office I hold. I do trust that what the Statute provides, as the salary of the Medical Superintendent, will be meted to me, it being the distinct understanding with myself and the Commissioners on my entering on the duty, that I was to receive the same. Your earliest attention to the subject will oblige

Your obedient humble servant,

WM. REES.

To the Honorable S. B. Harrison,
Provincial Secretary.

*From W. B. JARVIS, Commissioner Lunatic Asylum, to the Honorable R. S. JAMESON,
Chairman of the Board of Commissioners, Provincial Lunatic Asylum.*

TORONTO, 20th May, 1844.

MY DEAR SIR,—I really think that we should as Commissioners take some steps for the relief of Dr. Rees with respect to his salary. His affairs are in a most embarrassed state, and the annoyance which I, as sheriff, am compelled to give him, is quite sufficient to render him incapable of attending to his duties. Can we fall upon any plan to obtain for him instant and permanent relief. In the matter of allowance for house-rent, although the subject has been repeatedly before the Commissioners, yet nothing has been done to benefit the Doctor.

Yours, &c.,

W. B. JARVIS,

Commissioner Lunatic Asylum.

personal interest in the consolation that such an evil has been found not in *many* cases, but in *most*, to admit of such mitigation?

"Let us consider who are the insane? not those only whom idle follies have bewildered, or vice besotted—or imprudence exposed to misfortune—or guilt overwhelmed with remorse—No! Among the inmates of mad-houses have been at all times found some of the most amiable spirits of our kind, some whose very virtues it would seem, being carried to excess, have disturbed the balance of their mind. Here we see one, who for some inscrutable purpose of Providence, doubtless wise and just, as we shall know hereafter, has in his blood, or in his brain, (for who can solve the mystery?) the seeds of hereditary insanity—There another, who has lost his reason by chaining down his mind to the abstract problems of mathematical science, or perplexing himself amidst the combinations of mechanical powers, or with the boundless infinity of Astronomical calculations. Who can have a claim to sympathy, if these have not? It is to such ardent minds that we owe in a great measure the elevation of our race:—Forgetting that "*they had their treasure in earthen vessels,*" they allowed themselves to be nobly reckless in the pursuit of science, not heeding the great truth that none of nature's laws can be disregarded with impunity. To inferior men it would seem as if there were scarce a limit to the researches of some minds—yet none have felt more plainly and expressed more strongly than the Bacon and Newtons of mankind that there are boundaries which the human intellect must ever strive in vain to pass. Stopping with submissive reverence short of these limits they may continue to live the benefactors of their species, but rashly endeavoring to reach beyond them, nature breaks down under the hopeless effort. And we may be assured that if it were given to us in such cases to look into the mysteries of the mental structure, (if I may be pardoned the misuse of the expression,) it would often be appalling to perceive how frightfully thin is the partition which separates the noblest flights of genius, and the grandest speculations from the wild dreams of the visionary or the ravings of the Maniac.

"Then again how many of the best and purest minds sink under the oppression of religious melancholy? It is the unhappy error of their nature to dwell with gloomy dread only on the avenging attributes of a Creator whose works around them are every where teeming with benevolence and beauty. Grief too sends its votaries;—grief for wounded affections—or ruined fortunes; generally the most overwhelming in the kindest natures. And even with regard to those (perhaps the greater number,) whose intemperate excesses, or perverted passions, have led to the ruin of their intellect, how

From W. B. JARVIS, Commissioner Lunatic Asylum, to GEORGE DUGGAN, Esq., M.P.P.

MONTREAL, 6th May, 1846.

DEAR SIR,—In reply to your inquiries respecting Dr. Rees, I beg leave to state that in the management of the Asylum, the Commissioners felt that the responsibility was too great for one person to bear, and they frequently recommended the appointment of a consulting physician, to assist in the medical department of the Asylum. Had this recommendation been granted, I have little doubt but that Dr. Rees would now be in the discharge of the duties from which he has been lately relieved. Misunderstandings arose between the Superintendent and the Commissioners, which to the regret of the latter, ended in his removal, and they unanimously joined in a memorial for some remuneration to Dr. Rees, for the loss of his situation, and for injuries which he had received from contusions and blows from the patients.

In conclusion I beg to state that Dr. Rees' labors have been unceasing; that his success (judging from the returns made to the Legislature, from the reports of medical men who have visited the Asylum, and from the satisfaction expressed by several members of the Upper Canada Legislature, who have had an opportunity of witnessing the benefits resulting from the Institution) has been under all the circumstances, great.

Yours, &c.,
W. B. JARVIS.

From Dr. DUNLOP to R. S. JAMESON, V. C.

TORONTO, 22nd April, 1845.

MY DEAR JAMESON,—As I understand you are Chairman of the Provincial Lunatic Asylum,—as a man who has watched over these matters from the drawing of the first

seldom can we tell, that if we knew the force of their temptations, or could make due allowance for the pressure of adverse circumstances, or the absence of early discipline, we should not feel them to be much more deserving of compassion than of reproach?

“Whatever may be the cause of their calamity, it is a delightful thought that

‘When nature being oppress’d commands the mind
To suffer with the body.’

the Directors of the Asylum will be enabled by the humane care of their Government to proclaim to all alike that

‘What comfort to this great decay may come
Shall be supplied.’

“Nothing can be conceived more desolate than their condition with all the alleviation that man can devise for it. In the expressive language of Scripture, ‘their Sun is gone down while it is yet day.’ It is not enough for us to say that the fault may have been their own—that ‘the corruptible body hath pressed down the soul, and the earthly tabernacle weighed down their mind that mused ‘upon many things.’ It is their greatest misfortune, if they have missed that only consolation under affliction, and the only security against the ills of life, which we shall be happy indeed if we can preserve to the end—a constant sense of a superintending Providence, and the mediation of an atoning Saviour—a humble resignation to the will of our wise and bountiful Creator, with a sincere and firm belief in the goodness and wisdom of all His dispensations. It is this check only which can arrest (if any thing can) the arm of the suicide, and fix the wavering reason in the balance when depressed by the calamities, or agitated by the perplexities of life. This only can enable us to say, with the calm assurance which human pride knows not, ‘We are troubled on every side, yet not distressed; we are ‘perplexed, but not in despair; persecuted, but not forsaken; cast down, but not destroyed.’

“Interesting as this subject is, I feel that an apology is due from me for having presumed to detain you so long. The honor done to this occasion by the attendance of so large an assemblage is a fitting mark of respect to the public authorities of the country under whose auspices this great Provincial work of charity is proceeding. It must be gratifying also to the government who have consented to undertake the office of Commissioners under the Statute, and will animate them in the discharge of their responsible duties. The erection of this Asylum will form hereafter an event of no slight interest in the history of Canada. It will mark the time from which one distressing want has been effectually supplied; and it will shew how earnestly this people, at an early period, desired to emulate the example of their mother country, whose numberless and munificent public charities claim for her a distinction even more glorious than her acknowledged supremacy in arts and arms.”

Report, 14 years ago, and from having visited a great number of such institutions at home in the year 1833, I naturally and necessarily feel a great interest in the welfare of the Institution. Since the period of its first establishment I have repeatedly inspected it professionally, and I am again willing to certify that it is most ably and judiciously conducted.

Under all these circumstances, and considering the number of patients that have been treated, and the number cured, it is most unfair and unjust that Dr. Rees should not have been paid the salary which the Statute allows him. Had he come to Montreal at the beginning of the Session, I have no doubt that it would have been carried through, and at the beginning of next Session, if God spare me, I shall commence the Session with it, and it would be much more proper were you and the original Committee to memorialize the Governor General (who is a straight forward man) to do Dr. Rees justice.*

Yours, &c.,
W. DUNLOP.

Dr. DUNLOP'S Report.

TORONTO, 8th January, 1844.

SIR,—Three years ago, at the request of several of the Trustees of the Lunatic Asylum at Toronto, I examined that Hospital and reported upon its state, and the medical treatment of the patients. I have frequently visited it since, and lastly most minutely this day, and saw and personally examined every patient in it.

I have no hesitation in saying that it is in a high state of efficiency. The medical treatment, so far as I am able to judge, is as good as can be. No coercion or harshness is allowed, and all the patients seem as happy as their unfortunate circumstances will admit of.

For thirty-five years I have studied the subject of mental aberration, and I have no doubt that the mode of treatment adopted in the Toronto Asylum is the most judicious that could be employed in such cases. Did any doubt exist, the results would show that it was what it ought to have been.

I have nothing to add to my former remarks, except that experience has confirmed all that I had anticipated in reference to the executive influence with which the Medical Superintendent should be invested in such an establishment. If that officer is not to have the entire management of his patients, of their diet and discipline, as well as the entire control of the establishment, he cannot reasonably be held responsible for their well-being

The evils arising from this defect has necessarily produced the greatest embarrassment, and the subject is one of such serious importance that it cannot but be regarded as possessing the strongest claim for the earliest attention of the Government.

Visitors in all Asylums for the Insane, are absolutely necessary, and the Magistrates of the city or county in Quarter Sessions assembled, wherever it might be situated, are the best qualified to fulfil that duty, as it only requires to see that the unfortunate inmates are treated with kindness and humanity, and that the funds are administered with economy. All other interference with medical treatment can only result in injury to the character of the institution, and to the detriment of its unfortunate inmates.

I have the honor to remain, &c.,

W. DUNLOP.

The Honourable the Vice Chancellor, Chairman of the
Board of Commissioners for the Management of the Toronto Lunatic Asylum.

* In consequence of this unexpected harsh treatment, together with the abandonment of all private interests for those of the Asylum, a foreclosure and total loss of a valuable estate in the City of Toronto resulted, well known to have been valued at £20,000.

Extracts from Minutes of the Commissioners of the Provincial Lunatic Asylum at Toronto; and of the papers connected with the injuries sustained by Dr. Rees, in consequence of the attacks on him by certain lunatic patients in the Asylum.

PROVINCIAL LUNATIC ASYLUM,
Saturday, January 24th, 1846.

A special meeting of the Commissioners, called by the Chairman.

Present:—The Vice-Chancellor, the Sheriff, the Rev. H. J. Grasett, Dr. Gwynne, Dr. Beaumont, Messieurs Ewart, Eastwood, Cawthra, and O'Beirne—The Vice-Chancellor in the Chair.

It was moved by Dr. Gwynne and seconded by Dr. Beaumont, and Resolved, That a Committee, consisting of the Rev. H. J. Grasett, Dr. Gwynne and Mr. Eastwood, be appointed by the Board for the purpose of examining into the circumstances under which the injuries said to be sustained by Dr. Rees in the discharge of his duties as Medical Superintendent of the Asylum, were inflicted, with a view to some future representation of his case to the Government.

THURSDAY, January 29th, 1846.

Commissioners met.

Present:—The Vice-Chancellor, the Rev. H. Grasett, Rev. Mr. Hay, Mr. Sheriff Jarvis, Messieurs Ewart, Eastwood and O'Beirne, and Dr. Beaumont.

The Committee appointed by a Resolution of the Board of Commissioners of the Provincial Lunatic Asylum, at their meeting held on the 24th day of January, 1846, to investigate the circumstances under which certain injuries sustained by Dr. Rees were inflicted, met.

The Committee beg leave to report, That after a minute and careful examination of such of the officers and servants of the Institution as were from their positions, in the opinion of the committee, likely to be cognizant of the circumstances under which the severe injuries sustained by Dr. Rees, and described in the medical certificates of Professor Beaumont and Dr. Grasett, were inflicted; they are unanimously of opinion, that these injuries were sustained by that gentleman when in the discharge of his official duties as Medical Superintendent of the Provincial Lunatic Asylum.

For the information of the Board, the Committee hereunto append the names of the individuals examined by them, together with an abstract of the evidence given by each severally, in order that the Board may comprehend the grounds upon which the foregoing conclusion is arrived at.

At a subsequent meeting of the Commissioners for Superintending the temporary Provincial Lunatic Asylum at Toronto, the following Resolution was adopted:

Resolved, That after a full investigation of the facts alleged by Dr. Rees, in support of his memorial to His Excellency the Governor General, with a view of obtaining some permanent relief, in consideration of impaired health, from injuries received while in the discharge of his duties as Medical Superintendent of the Lunatic Asylum, we are unanimously of opinion that the statement submitted to them in his intended memorial is well founded, and most respectfully recommend the same to the generous consideration of His Excellency.

ROBERT S. JAMESON,
Chairman

The Hon. the Vice-Chancellor to Sir A. N. McNAB.

TORONTO, 12th May, 1852.

MY DEAR SIR ALLAN,—As I know you have already advocated the interests of Dr. Rees, and you are not exactly the sort of man to be wearied with well-doing, you will

excuse me for now calling your attention to his case. For sometime I have been seriously alarmed at the manifest perilous state of his health: resulting, according to the best medical evidence, from organic injuries received when acting as superintendent of the asylum; and knowing that some measure is pending before the executive in pursuance of a twice repeated legislative sanction in his behalf, I am only afraid that relief may come too late, and that like the famous Butler, who died of starvation and heartbreak, and had immediately a marble monument erected to his memory by his grateful country, "He asked for bread and received a stone."

The Commissioners of the Lunatic Asylum, among whom, from its first establishment, I was a member, were so convinced that Rees came within the class for whom some provision is made in respect of injuries received in the public service, that in fact he stood in the light of an officer maimed in battle; and sooner far, I think, would either you or I risk our lives on the battlefield than among cunning lunatics.

The following entry I find among our proceedings when investigating his case:—The Committee appointed by a resolution of the Commissioners of the Provincial Lunatic Asylum, at a meeting held the 24th January, 1846, to investigate the circumstances under which certain injuries sustained by Dr. Rees were inflicted, beg leave to report, that after a minute and careful examination of such of the officers and servants of the institution as were likely to be cognizant of the circumstances under which certain injuries sustained by Dr. Rees, and described in the medical certificates of Professor Beaumont and Dr. Grasett, were inflicted, they are unanimously of opinion that those injuries were sustained by that gentleman when in the discharge of his official duties as medical superintendent of the Provincial Lunatic Asylum. At a subsequent meeting of the Commissioners, convened for the purpose of considering the report, with a view to founding thereupon an application to the Government, it was resolved, that after a full investigation of the facts alleged by Dr. Rees in support of his memorial to His Excellency the Governor-General, with a view of obtaining *some permanent* relief in consideration of impaired health from injuries received while in the discharge of his duties as medical superintendent of the Lunatic Asylum, we are unanimously of opinion that the statement submitted to them in his intended memorial is well-founded, and most respectfully recommend the same to the generous consideration of His Excellency.

Can you, my dear Sir Allan, upon this sanction, and upon what you know better than I can, the proceedings of the House of Assembly, take any step which may tend to extricate a deserving public servant from a state of suspense and suffering.

Believe me, my dear Sir Allan McNab, with the greatest respect,

Your faithful servant,

ROBERT JAMESON.

SIR A. N. McNAB to Honorable F. HINCKS.

DUNDRUN, July 7, 1852.

MY DEAR SIR,—I enclose you a letter which I received some weeks since from Mr. Jameson; you must be familiar with the subject to which it refers. I do hope the Government have it in their power to do something for Dr. Rees. I have always considered him a very ill used man, and I think that is the opinion of all persons who have taken the trouble to examine into his case and claims. I would refer you to the Journals of two Parliaments, and particularly to the Reports of the Committee to whom his case was referred; Nelson, I think, was Chairman of the last Committee.

Yours truly,

ALLAN N. McNAB

To the Honorable F. Hincks, &c., &c.

Telegram to HON. P. M. VANKOUGHNET, Commissioner of Crown Lands.

17th August, 1859.

Don't forget our old friend Dr. Rees and his services.

ISAAC BUCHANAN.

Telegram to the HON. GEORGE SHERWOOD, Receiver General.

Hamilton, August 17th, 1859.

Don't forget our old friend Dr. Rees and his services, which would, had your brother lived, been long ago settled.

ISAAC BUCHANAN.

Telegram to the HON. SIDNEY SMITH, Postmaster General.

You will place me under great obligation by assisting in getting justice done to to Dr. Rees, before the removal of Government.

ISAAC BUCHANAN,

From ISAAC BUCHANAN, Esq., M. P. P., to DR. REES.

Hamilton, 3rd December, 1859.

MY DEAR SIR,

I have your note of yesterday, and I now return the letter of the Hon. Mr. Cameron to the Atty. General. When at Quebec, I spoke to Messrs. Galt, Vankoughnet and Rose, about your case, and I wrote Mr. McDonald, as he was unwell. He has now written me on the subject. He says that he recommended you in Toronto to prepare a brief of your case, and place it in the hands of your warm friend Mr. Cayley, who may thus be able to submit such a case for His Excellency's consideration, as will deserve full enquiry. Whoever is to blame, you seem to be very cruelly treated, in not at least getting your case disposed of one way or other. *

ISAAC BUCHANAN.

HON. MALCOLM CAMERON to MR. CAYLEY.

MY DEAR CAYLEY,

I regret to learn from Dr. Rees, that nothing was done for him during the late Session. I think that the Reports of the Committees of the House, are so strong and satisfactory, that something should be done for him by the Government, and I am aware that they would find little opposition from members of the other side of the House

I am, yours truly,

M. CAMERON.

Toronto, June 24th, 1860.

Hon. P. B. de BLAQUIÈRE to Dr. REES.

LEGISLATIVE COUNCIL CHAMBER,

April 27th, 1858.

MY DEAR SIR,—I have read with much attention, and I may add great interest, the documents you have been so good as to transmit for my perusal. They involve a case such as never before came under my observation, of the all but total neglect of most valuable services rendered to the public, attended with serious personal and permanent injuries to the individual who performed them.

Do me the favor to call here to-morrow, after three o'clock, if that hour will suit your convenience, in order that we may confer further on the subject.

Yours very truly,

Dr. Rees.

P. B. DE BLAQUIÈRE.

* Hon. Mr. Cayley presented such representation, but the Hon. Attorney General thought, that as the Parliament would soon meet, it would be better to put it off to that period, but it was again deferred to the present session, with assurance that it should be referred to a Committee and carried out.

PROVINCIAL PARLIAMENT,
Legislative Council, February, 1859.

Hon. Mr. DeBlaquière moved, that the Petition presented to the House this Session, together with those presented on previous occasions, by Dr. Rees, be referred to a Select Committee.

Hon. Mr. DeBlaquière vindicated the claims of Dr. Rees at considerable length.—The claims of Dr. Rees on the public were of the first importance; it was he who first introduced Lunatic Asylums into Canada, but not until after he had travelled over Europe, (at his own expense), to investigate the various institutions of the kind, and after he had suffered and overcome much opposition. The Asylum established by Dr. Rees was eminently successful, although he had met the greatest opposition in establishing it."

Hon. Col. Prince was glad of the notice, since it would keep Dr. Rees' claim, already admitted by former Committees to be a just one, before the House; there is no doubt it ought long since to have been settled, as recommended in their Resolution and Address to the Governor General, from the occurrence of the injuries—injuries, as amply shewn by the evidence, had nearly proved fatal, and which to the present moment has seriously affected the health of the Doctor, who in redeeming the country, devoid of institutions of the kind, had sacrificed the whole of his private means, together with his valuable professional life, to the benefit of the public.

The Hon. Mr. Allan, and other gentlemen, pressed upon the attention of Government the claims of Dr. Rees.

C. E. J. DELMAGE, Staff-surgeon, to Dr. HERRICK.

YORK STREET, August 16th, 1852.

MY DEAR DOCTOR,—The accompanying papers were sent for my perusal by Dr. Rees, with a request that they should then be sent on to you. I feel assured it is not at all necessary for me to add any suggestion which could stimulate your natural kindness or personal exertion on behalf of anybody, much less in the execution of a kind office towards him who, appears, from all I can discover, a gentleman greatly neglected by those in power, yet one whose services deserve at their hands more compassionate and *substantial* treatment.

Believe me, most sincerely yours,

C. C. J. DELMAGE.

Bishop of Toronto to Sir A. N. MACNAB, Bart.

TORONTO, November 27, 1860.

MY DEAR SIR,—Now that you have returned to public life, I bring before you the case of Dr. Rees; I need not enter into particulars, as I believe you are better acquainted with them from the proceedings of the Legislature, and your own inquiries, than I am. It is enough for me to state that he has been struggling for many years to obtain redress, and now that his means are wasted away he requires assistance more than ever. The investigation made in his case establish two points; 1st, That while in the public service, he was so much injured as to become unable to follow his profession so as to earn a respectable living; 2nd, That the scanty aid granted him was small and temporary and did not meet his necessity. He requires help in the shape of a moderate pension, for I believe his resources are entirely exhausted, and to attempt to return to his profession useless. The various documents he possesses, and especially the proceedings of the House of Assembly, will more than justify the Government in granting him a competency during the remainder of his life; refresh your memory by glancing over his documents, and suffer me to prevail on you to commence your career as a public man by procuring for Dr. Rees tardy justice.*

JOHN TORONTO.

* The temporary aid referred to, was barely equal to half a year's salary of that of the Medical Superintendent of the Asylum, and not half per cent. on the vast sums saved to the Province by the Petitioner, no less in the selection of an appropriate site for the permanent building, in place of the one he caused to be abandoned, than in the general economy of the institution. The entire medical and surgical duties of which he performed without any medical assistant.

A General Statement, being the substance of a Communication addressed to the Provincial Secretary, April, 1858, (to have preceded the Appendix to this Report.)

TORONTO, 6th April, 1858.

SIR,

I have, on several occasions since my connexion with the Provincial Lunatic Asylum, addressed the Government on my claims to compensation for injuries sustained by me in the public service, which resulted in continued and continuing inability to pursue my profession. These claims have been duly considered and reported on by the Commissioners of the Asylum, and by two Committees of the Legislature; but I have not received any permanent provision pursuant to their recommendations, and have only received from time to time promises of some office of emolument, and of such a nature as would be suited to my impaired state of health, which promises have not been fulfilled: and I have now, therefore, to urge the subject again on the consideration of the Government, with a view, I trust, to their immediately doing what the justice of the case demands.

While practising my profession successfully at Quebec, I was led to observe the very inefficient, objectionable, and inhuman mode of treatment of pauper lunatics, for whom no provision could be found but incarceration in the Common Gaols, with a treatment infinitely worse than that of convicted felons, and I took a great interest in endeavouring to ameliorate their condition, and at my own expense visited England and other countries to examine into the mode of conducting institutions for the insane and the mode of treatment. My subsequent exertions to procure the founding in these Provinces of suitable establishments were at last crowned with success, and resulted in provision being made for the establishment, both here and in Lower Canada, of the Lunatic Asylums now in active and successful operation, and the opening at Toronto, in the meantime, of an asylum for the reception of the insane, so that immediate relief should be given to that unfortunate class of our fellow beings.

My services in bringing about these results have always been recognized, and I was appointed the first Medical Superintendent, though on a very inadequate salary. In organizing and conducting the infant establishment I had to encounter great difficulties, pecuniary and otherwise, which, however, by zeal and untiring energy I surmounted, and I succeeded in managing the institution in such a manner as to elicit, and I trust deserve, very distinguished expressions of approbation.*

In support of the foregoing statements, I beg reference to the first paragraph of the Report of the Committee of the House of Assembly of 11th July, 1851, herewith enclosed marked A., the Report of Dr. Spears, (enclosed) marked B.; extract from Report of Dr. Dunlop, (enclosed) marked C.; letter of W. B. Jarvis, (enclosed) marked D.; and letters of Dr. Dunlop, marked H. and I., also enclosed. Enclosed will also be found the Report of a Committee of the Commissioners of the Asylum of 1846 on my case, and a Resolution of the Commissioners founded thereon marked F., and an extract from the Report of the Committee of Assembly of 1846 marked G.; and I also beg to draw attention to the letters of the late Dr. Grasett, Deputy Inspector General of Hospitals at Quebec, marked J., and of the Rev. H. J. Grasett marked K., as to my professional standing, &c., previous to accepting the management of the institution.

* A soothing nonrestraint, and entirely new system was adopted, restoring the unfortunate inmates (the most neglected, confirmed, and violent cases of insanity that will ever be seen again perhaps in the Province) to all the comforts and freedom of pure air, exercise, and amusements of ordinary hospital patients; and by the tranquilising the nervous vascular and voluntary systems under energetic medical and moral treatment, followed results alike gratifying to all interested, and which are fully detailed in the various Reports of the institution.

While engaged in that management, I received injuries from two lunatics which left serious effects from which I have never ceased to suffer, and do not expect I ever shall. I made application almost immediately for compensation, supported by the evidence and the above recommendation of the Asylum Commissioners (F). See the Report of the Committee of the House of Assembly on that occasion (1846).

In 1851 the matter was again reported on by a Committee of the House of Assembly, and it then appeared that my health was still seriously impaired, notwithstanding efforts to reestablish it by travel and otherwise, and the Committee recommended me as a fit subject for a provision. I refer to the Report, (A.) and to the Appendix thereto, and particularly the letters of Staff-Surgeon Delmage, (L.) and Dr. Badgley, (M.)

A Resolution founded on that Report was prepared, but in consequence of the absence (the result of sudden illness) of Sir Allan MacNab, who had the case in hand, it was not proposed, and the Session unfortunately closed without any action being had upon it.

Since then I have never ceased to apply for some relief, having been, however, quite willing to take it in the shape of an office*—the duties of which would be such as I could perform with efficiency—which species of relief I would hitherto have preferred to a mere pension, which, however, in consequence of increasing years and decreasing health, I would now rather prefer.

My claims to present consideration, then, are principally, my having organized and fostered the first provincial establishment through great difficulties and at a great pecuniary loss to myself, (for the salary was most inadequate to say nothing of my own resources being drawn upon for the institution), and putting it on such a highly satisfactory footing, as appears by the Reports of Dr. Spears and Dr. Dunlop (B. and C.) The inadequacy of my salary abundantly appears throughout the accompanying documents (see D., N., and O.) I may add, also, another ground for consideration: it was on my remonstrance that a most objectionable site, in the immediate neighborhood of a marshy swamp, which had been selected for the erection of the permanent building here was abandoned. If erected there the building would have been found uninhabitable for the unfortunate class of patients for whom it was intended, which would have rendered its abandonment, after costing £150,000, necessary, thus entailing a heavy loss on the Province.

I was also, subsequently, mainly instrumental in preventing an equally objectionable site being fixed upon at Kingston.

These are notorious facts, capable of proof on reference to the proper quarter.

As to my removal from the office of Superintendent, though the injuries I received were not the cause of that removal, they would in all probability, as now appears by the condition of my health since then, have rendered my retirement sooner or later necessary. The real cause I can justly and truly set down as only personal intrigue, inasmuch as the records of the Commissioners of the Asylum shew that it was not at the desire of them but against their remonstrance, although they had complained of a certain letter written by me on the question of the internal management of the institution, which (though possibly couched in language too strong and somewhat intemperate), was dictated purely by zeal and humanity; and was thought, at all events, by the complaining parties to be no ground for removal, and so far from that, they petitioned against it—see extract from the Commissioners Memorial, 1845, (enclosed) marked P.; and passage in

* As then proposed and promised by the Government, and on the ground of which promise (see the letters on this report of the Hon. H. Sherwood to the Hon. F. Hincks; also of Drs. Nelson and Herrick, to the Provincial Secretary) I proceeded to Québec for the purpose of offering, among other suggestions, one for establishing a Provincial Board of Prison and Sanitary Inspectors,—since carried out by the Government, and a Board consisting of five Inspectors appointed.

Dr. Beaumont's evidence annexed to the Report of the Committee of 1851, (marked X.)

My removal, therefore, which was accomplished during an interregnum in the Government, on the departure of Sir C. Metcalfe, cannot be a bar to my application now; and having been effected against the remonstrance of the Commissioners might rather strengthen my claim as shewing the unjustifiable dismissal of a meritorious public officer—whose merit was recognized by those who had the best opportunity of forming a judgment.

On all these grounds, therefore, I beg respectfully to ask the Government to make me compensation for the past out of the Lunatic Asylum Funds in hand, and also to award a permanent provision for the future for my declining years.

In addition to the foregoing papers referred to, I would beg reference to the following :

Letter of the late Vice-Chancellor Jameson to Sir Allan MacNab, 12th May, 1852, marked Q.

Letter of Sir Allan MacNab to Hon. F. Hincks, 7th July, 1852, marked R.

Letter of Vice-Chancellor Jameson to Hon. H. Sherwood, September, 1852, marked S.

Letter of Hon. H. Sherwood to Dr. Rees, 6th October, 1852, marked T.

Letter of Dr. Herrick to Hon. F. Hincks, 17th August, 1857, marked V.

Letter of Hon. W. Cayley to Hon. F. Hincks, no date, marked V.

Letter of Dr. Nelson to Hon. Mr. Morin, 23rd November, 1854, marked W.

I have the honor to be,

Sir,

Your obedient servant,

WM. REES.

The Honorable
The Provincial Secretary.

Correspondence subsequent to the Report of the Committee of the Legislative Assembly.—Session of 1861.

SECRETARY'S OFFICE, Quebec, 26th August, 1861.

SIR,

I have the honor to inform you that His Excellency the Governor General has had under his consideration, in Council, your Petition with its enclosures, praying that the recommendation submitted in a Report of a Committee of Parliament during its last Session in favor of some provision or allowance being made to you for injuries received while in discharge of your duties as Medical Superintendent of the Lunatic Asylum at Toronto in the year 1845, be taken into consideration, and that any such allowance take effect from the period when the injuries were inflicted, as recommended by the said Report.

His Excellency directs me to inform you that the Legislature has not placed at his disposal any funds out of which any provision or allowance can be made to you.

I have the honor to be,

Sir,

Your most obedient servant,

G. POWELL,

Acting Assistant Secretary

W. Rees, Esq., M.D.

TORONTO, 11th October, 1861.

SIR,

I have the honor to acknowledge the receipt of your communication of the 26th August, informing me that His Excellency the Governor General in Council had had under consideration my Petition and its enclosures, and intimating that the Legislature had not placed at his disposal any funds out of which any provision or allowance could be made to me.

I should have replied before this had I not been suffering from serious indisposition arising from my general ill health, aggravated by travel and my long detention at Quebec expecting my case to be taken up, and the mental suffering arising from hope deferred.

I now recur to the subject because, although I gratefully acknowledge the recognition by the Government of my claim, and their virtual acquiescence in the strong recommendation of the Parliamentary Committee of last Session, I cannot believe that, on reconsideration, His Excellency in Council will be of opinion that the answer I have received meets the case.

Since the introduction of Responsible Government, it has been a well-established practice that all *money grants* must be *initiated by the Government*, and whenever an attempt has been made by an independent member in the House to infringe this rule it has been met by a prompt rebuke. The most the Committee could have done, under these circumstances, was to investigate the case and recommend *generally*;—this they did in very strong terms, after a careful and close examination of facts, and it was absolutely out of their power *to place funds at His Excellency's disposal*, but in their very favorable recommendation they afforded the Government the strongest assurance that whatever provision the Government, in the exercise of the duty constitutionally devolving on them, should submit to the House, would meet their cordial approval.

On former occasions I was informed that the Government only desired a Report from the Legislature as a ground for action, and to justify a provision such as my case deserved—this ground was furnished last Session.

I submit, therefore, that I have done all that can be expected of me, and that the House have done all that can be expected from them, until a provision is submitted to them by the Ministry adequate to my claims as admitted, in which, doubtless, they will readily concur; and that it would be cruel towards me, at my advanced age, and in my very critical state of health, to require me to go to the labor and expense of another visit to Quebec to make another appeal to the Legislature, and that the latter, after the thorough investigation of last Session, and the Committee's very favourable Report, might, however much they sympathized with me, not unreasonably decline to again enter on the subject.

I have therefore respectfully to request that His Excellency in Council will cause to be included in the Estimates for next Session such adequate provision for me as will carry out the strong recommendation of the Committee, and that I may receive such an assurance of this intention as will relieve my mind from the suspense under which I am and have long been laboring.

I have the honor to be,

Sir,

Your very obedient servant,
WM. REES.

The Honorable
The Provincial Secretary,
Quebec.

TORONTO, 16th January, 1862.

SIR,

From the period which has elapsed since my last communication, and under the most anxious desire to simplify, facilitate, and make every sacrifice calculated to afford a prompt settlement of my claims, which have been already urged in three Reports of the Legislature, and have met with recognition from the Government as well as the virtual acquiescence of the Parliamentary Committees, I beg leave to suggest for your consideration and that of the Government the following moderate and very reasonable proposition, viz. : That the provision in my favour contemplated by the Legislature in its Reports and Resolutions be awarded me to the present period only, leaving the future out of consideration, and that it be computed with interest at the same low rate as that given to certain other civil officers recently placed on the retired list, £300 per annum.

I am aware that this sum, proposed as compensation, is considerably less than the pension to which I am justly entitled from the position which I formerly occupied as Superintendent of the Lunatic Asylum, yet I am willing to waive any scruples on that point so as to arrive at some definite adjustment of my claims. I abstain from making any allusion to the ruinous losses I have sustained, or the serious expenses which I have incurred personally and through agents, by journeys to and detentions at the seat of Government, during the past fifteen years, in the just prosecution of my suit.

One half of the amount which I suggest as a settlement shall be paid to the Government for old Crown Land arrears, which will thus be secured—the balance is more than anticipated by loans to meet expenses incurred by the delay which has taken place. I would submit that this is a miserable result of forty years professional life, the whole of which, I can conscientiously say, has been zealously, energetically, and successfully devoted to the social improvement and material interests of my adopted country, and by which, I firmly believe, that many thousands of pounds have been annually saved to the Government.

In a letter, dated Quebec, 26th August, 1861, I was informed by the Provincial Secretary, that notwithstanding the very favourable Report of the Committee of the Legislature at its last session, they had placed no funds at the disposal of His Excellency for the liquidation of my claim. I enclose a copy of my reply to that communication; but I would confidently submit *that there is a fund* out of which such compensation might be paid, viz., the surplus of the old Lunatic Asylum Tax, which, when that tax assumed under a new statute the name of the Upper Canada Building Fund, was handed over to the credit of that fund.

At the period of the enactment of that statute it did not probably appear that there was any object connected with the Asylum which had a claim on that balance, but I would suggest, as consistent with reason and equity, that, if any such claim should subsequently appear, the Building Fund should, to the extent of such claim, be considered debtor to the former Asylum Fund—in fact that for any legitimate object that balance should be considered still in existence.

I write you especially as representing this section of the Province, and trust that, as other members of the Executive have unequivocally assented to the justice of my appeal, you will now give my letter your most careful consideration, and assist me to a recognition of my claim in the estimates of the approaching session.

I have the honor to be,

Sir,

Your obedient servant,

WM. REES.

The Honorable
The Attorney General.